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Hegel on Second Nature and Ethical Life

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Andreja Novakovic's approach to Hegel's practical philosophy takes criticism, and criticism of criticism, as some of its central themes. Though my role here is critical, I have no inclination to engage in the overblown "critical criticism" that Novakovic takes to be one of Hegel's main targets. For I am in broad agreement with Novakovic's interpretation. I concur wholeheartedly that the *Philosophy of Right* can and should be supplemented with material from the *Phenomenology of Spirit*. I find her claims about the various standpoints – ordinary, reflective in a bad abstract sense, critical, and scientific – highly illuminating and productive for getting a grip on Hegel's project. She has anticipated and countered many of the lines of possible dissent from her interpretation, yet there are several points on which I am uneasy with her claims, or find that I am not sure that I understand them. I am going to work backwards through her text, starting with her take on Hegelian science and ending with her treatment of individual rational agency. In good Hegelian recollective fashion, this will allow me to read back the consequences of her later claims into the basic issues with which she starts.

Novakovic orients her reading of Hegelian science around an interpretation of the famous *Doppelsatz* from the *Philosophy of Right* Preface. "What is rational is actual; and what is actual is rational." In partial agreement with Robert Stern's "neutral reading," she argues that no substantive normative claims are being made in the *Doppelsatz* (176-77). She thus advocates along with Stern a *methodological* reading of the *Doppelsatz* according to which Hegel is just announcing his philosophical rationalism. Novakovic disagrees with Stern in that she holds that the *Doppelsatz* is evaluative. Stern holds that the actual is rational in so far as we can comprehend it, but that such comprehension does not necessarily bring with it a positive evaluation of that actuality.[1] Novakovic, by contrast, holds that what in scientific terms we find to be actual and rational is

[1] Stern, "Hegel's Doppelsatz: A Neutral Reading."

thereby evaluated as good. In locating its rationality we are just thereby locating its goodness and actuality. She goes on to make the striking claim that the much-celebrated and much-criticized *Doppelsatz* is in fact *trivial*, or true by definition. I believe that what she means in calling it trivial is that there is simply no difference on Hegel's view between actuality and rationality. Many scholars have noted that with "actuality" Hegel does not mean whatever reality happens to hold at a given point in time, since actuality is already a normative standard of some sort. Novakovic takes this line one step further in flat out identifying actuality and rationality, often writing "actuality/rationality" to emphasize the point. She opposes any attempt at "prying actuality and rationality apart" (178, note 23). But instead of using this identity to give a progressive normative reading like the one Stern criticizes, Novakovic argues that the *Doppelsatz* does not have progressive consequences. This leads her to criticize the alternative version of the *Doppelsatz*, much cited by progressive interpreters, from the lectures as incoherent. The alternative version from the lectures – "The rational becomes actual, and the actual becomes rational" – is incoherent on her view because it presupposes a difference between the two and Hegel is committed to their identity.

While I agree that the *Doppelsatz* is evaluative and is fruitfully read as a methodological claim, I think there is something amiss with the triviality claim. Hegelian identity typically implies difference as well, so even the simplest seeming identity claims will turn out not to be simple at all. This seems to be especially true in the case of the *Doppelsatz*. Just look at how Hegel introduces the claim in the *Philosophy of Right* Preface. He is discussing Plato's *Republic* as "a proverbial example of an *empty ideal*," and after arguing that Plato aimed to ward off the rising drive of "free infinite personality" with a "particular *external* form of Greek ethics," he then comments, "But he proved his greatness of spirit by the fact that the very principle on which the distinctive character of his Idea turns is the pivot on which the impending world revolution turned."[2] Then comes the *Doppelsatz*. Can Plato's greatness of spirit be established by his appreciation of a trivial identity claim? Hegel reads Plato as wanting to establish that the forms, encompassed by the form of the Good (which together Hegel assimilates to "the Idea" in roughly his own sense), are the proper basis of politics, of the actual life of the state that is to be ruled by philosopher-guardians.[3] He also

[2] Hegel, *Philosophy of Right*, 20.

[3] See the long remark to Hegel, *Encyclopedia* §552.

writes in E §6 that this *Doppelsatz* captures the religious conception of the divine governance of the world, or providence (which is in fact the form better suited to representational consciousness). He is saying that the Idea, seemingly a theoretical abstraction, is necessarily and emphatically practical.

I believe that there is a difference implied in the *Doppelsatz* between the *rational* as the conceptual or logical and the *actual* as the organized world of freedom. Consider how he continues in the *Philosophy of Right* Preface a few (important) sentences later: "For since the rational, which is synonymous with the Idea, when it enters into its actuality at the same time enters into external existence [*Existenz*], emerges in an infinite wealth of forms, appearances, and shapes and surrounds its core with a brightly coloured covering in which consciousness at first resides, but which only the concept can penetrate in order to find the inner pulse, and detect its continued beat even within the external shape."[4] This passage suggests that the rational stands for the *logical* Idea, and that actuality is split between that logical dimension and the dimension of external existence. If the rational can enter actuality then it presumably has some standing prior to actuality. If there are better and worse actualities, it seems that rationality would be a way to determine which is better and why.

Now I am not sure whether my objection here reflects a deep disagreement. Novakovic does, after all, have an important place for a dynamic development within the social order. She writes that "the ethical world is undergoing an objective process of actualization, a process of *becoming* actual/rational, and that our philosophical comprehension of the actuality/rationality of the ethical world corresponds to that stage in this developmental process" (178). Given this endorsement of "developmental unfolding" (178, n23), it is unclear to me why exactly we should deny that the actual *becomes* rational. I take it that she holds that "the ethical world" is different from "the actual" because the former has a certain merely positive or contingent character. I agree with her that when we are looking for rationality in the world, finding the rational is the same as finding what is actual. But actuality includes the contingent and messy appearances (or at least a relation to the appearances), whereas the rational need not. So there remains a sense in which the actual can become more rational.

[4] Hegel, *Philosophy of Right*, 20-21, translation altered; Nisbet adds to the confusion by rendering "*indem es in seiner Wirklichkeit zugleich in die … tritt*" as "becomes actual."

In the end I suppose I am just not sure what the status of the logic is in her account. Novakovic takes it to be important that actualization is itself a kind of criterion that rules out certain kinds of formal deductive strategies (such as Fichte's). In part I cannot gauge the radicality of her thesis that the rational just is what is actualized, what proves itself in history. She may be adopting the thesis that the logic itself is grounded in historical actuality. Or, she may be adopting the view that the account of the Idea in the Logic is so indeterminate that the full rationality of the Idea of Life or the Idea of the Good is only to be found in the philosophy of spirit.[5]

While she does not address the logical idea of life directly, life does play an important role in her discussion of "unsustainability" in Chapter 3's treatment of immanent criticism and practical contradiction (141ff). She writes that "it is often not easy to see that two principles are incompatible until we try to live by them" (143). It is in acting on them, living with them, that their contradiction comes to light. Novakovic draws this claim from the method of experience in the *Phenomenology*. As examples of the method she cites the master-servant dialectic and the breakdown of Greek ethical life that Hegel sets out through a reading of Sophocles' *Antigone*. She thinks that Hegel does not utilize this method in the *Philosophy of Right*, but she argues that the case of poverty in civil society is a case of practical contradiction in the modern world. Her other main example is the practice of segregation in the post-Civil War United States and the rejection of that practice expressed in the Supreme Court's Brown vs. Board of Education (of Topeka) decision. The actual living out of the "separate but equal" principle demonstrated its unsustainability. Such cases, and such judgments, are the model of "immanent criticism" that we can salvage from Hegel's method even though it is not Hegel's mode of argument in the *Philosophy of Right*.

In trying to pin down this conception of criticism, Novakovic distinguishes it from a model of "internal criticism."[6] The internal critic takes an institution to task for "failing to live up to its own ideals" (116), and thus "objects to practices for violating the standards they espouse" (116). The ideals at issue are sound but they are not being realized in an appropriate way. Novakovic

[5] This would take us quickly to the issue of how to read Hegel's claim that the *Phenomenology* is the "deduction" of the standpoint of science. One could read this claim as saying that the Logic depends on the experience of consciousness for its objective validity, which would be a strong sense in which the rational (the logic) is dependent on the processes of life and history.

[6] She draws here on Jaeggi, *Zur Kritik von Lebensformen*.

argues that this internal model is different from immanent criticism in two main ways: first, internal criticism only works when the failure of the application of standards "has no implications for the validity of the standard itself" (116). That is, sometimes a failure of standards in practice brings out a fault in the standards rather than in the application, and that kind of failure is better accounted for on an immanent criticism model of practical contradiction. The second difference between the two forms of criticism concerns certain epistemic assumptions. On the internal model, we already know what the standards are that we appeal to in criticizing the institution. By contrast, immanent criticism brings out commitments to standards that the members of the institution might not have been aware of. Something fundamental is revealed in the process of immanent criticism itself. This second element brings to light Novakovic's view that immanent criticism is a social process – she writes of "what it means for a society to undergo immanent critique" (132).

Novakovic's leading examples of immanent criticism in the *Phenomenology* come from crucial, but relatively early (temporally and conceptually) stages in the development of *Geist*. The master's attempt to dominate fails (though it is unclear whether he actually learns this lesson) and Antigone and Creon learn the interdependence of the divine and human laws, setting the terms for Roman right. The practical contradiction that Novakovic appeals to is quite strong: the very application of the norm inverts itself, so that you end up, in following the norm, doing the opposite of what you intended.

Novakovic considers and rejects the idea that such immanent criticism is only something in the past, a relic of more immediate phases of history.[7] But what of the norms that are stated in the Abstract Right and Morality sections of the *Philosophy of Right*? In one sense I think there is an immanent criticism of the norms – there is an inversion at the transition points to the next norms. Right becomes wrong, morality becomes evil. But it does not seem that these transitions count as affecting the norms themselves. Rather, they highlight the need to supplement those norms with others, or to bring them into a different context.

My concern is that the norms of personhood and subjectivity, and their attendant rights or freedom, have such a bedrock status in the modern world that the immanent criticism model may no longer be effective or, for that matter, desirable. It is not that criticism is impossible; it is just

[7] Perhaps I should say "partly rejects," since she does say that the modern system of right, with its multiple freedoms, makes it less liable to full-blown contradictions. See 147.

that such criticism will look more like internal than immanent criticism. And if the immanent criticism model is supposed to be able to radically undermine our current standards, we should think twice about accepting it.

With this issue in mind I would like to ask: is the Brown v. Board of Education decision really an example of immanent criticism rather than internal criticism? Novakovic's main reason for thinking of it as immanent criticism is that the practice of a system committed to "separate but equal" demonstrated that the principle is conceptually incoherent (144-46). Only in that demonstration and its empirical evidence does it become clear to the people advocating segregation that it is "inseparable from, racist assumptions about the superiority of one race over another" (145). But the reconstruction of the scenario required to make this work seems implausible: we would have to imagine that the segregationists were good-faith agents who honestly believed that equality was possible with segregation, but that upon seeing the practice play out came to understand that it was not only not equal, but that their own racist assumptions were to blame. On this retelling the Supreme Court just clarified this situation for them, showed them the practical contradiction, and thereby extinguished the institution. If we read this case on the internal criticism model, on the other hand, the reconstruction would be more plausible. The segregationists were simply, and obviously, never committed to the value of equality for all. The standard of equality is sound, and it is the application in the case of separate but equal that was faulty. Without that federally enforceable claim of equality the social dynamics in the segregated South might have been sustainable for quite some time.

Even if we did only have internal criticism at our disposal, I think that would not reflect so badly on Hegel's philosophy. Hegel did, after all, broadly support the French Revolution and the Napoleonic reforms, and he did so on the basis of the freedom, or right, that he makes essential to his own story (though his critique of the absolute freedom of the revolutionary ideology complicates this picture – more on that below). Perhaps what Novakovic thinks would be missing without the resources of a more radical immanent criticism is something on the side of normative force rather than on the side of content. I have the sense that part of what she is after is a kind of contradiction that has *transformative force* for the institutions themselves. If a society "undergoes" immanent criticism then it will be aware of, and transformed by, the realization of a better set of norms. I sympathize with this concern, for look again at the Brown v. Board of Education case. I think this was internal criticism backed up by federal power, but it is not clear that even today,

sixty-five years later, the decision has been embraced. School segregation is still with us even though it lacks legal validation. So I agree that something more is needed, but I am not sure that immanent criticism is the right way to think of the move to a normative awakening.

One could look for this transformative force in Hegel's treatment of culture, *Bildung*, which is the subject of Chapter Two of Novakovic's book. She introduces the concept as a way of mediating between mere habit and a more reflective form of social engagement. It would seem – and this is why communitarians often look to Hegel for inspiration – that Hegel attempts to solve the problem of the emptiness and thinness of modern morality with a return to a thicker and more particularistic cultural identification. Rightly noting that Hegel does not dwell on this issue in the *Philosophy of Right*, she turns to the *Bildung* chapter of the *Phenomenology* to fill out the concept. She focuses her account of Hegel's chapter on the idea that the self-cultivation and self-alienation of *Bildung* are intimately connected. She holds that the main lesson from early modern culture is "its irreducible malleability" (85), and she notes that this does not exactly help with the positive question of how attachment to shared cultural norms is established. For a more constructive account she turns to Hegel's conception of work, especially the work of the servant in the famous Chapter IV of the *Phenomenology*. Her account focuses on the "distance" that the worker acquires in producing an object, and she aligns that with "reflective distance" to show its relevance to the broader argument she is making. She writes, "Only when he is confronted with something other than he that is at the same time of his own making can be attain self-knowledge and find confirmation of his own self-conception" (90). This is structurally similar to the dynamics of alienation and externalization of the Bildung chapter, for both have a structure that increases reflective self-consciousness through an activity in which one is at once distanced from oneself and able to see oneself in the world. Novakovic helpfully connects these aspects of the *Phenomenology* to Hegel's treatment of *Bildung* in Civil Society, where the subject achieves a universal standpoint that is moderated by inclusion in a particular estate. As modern agents we cannot help but have a reflective attitude towards our own cultural participation, though she stresses again that in Hegel's view these forms of cultural participation will be lived out as a second nature, that is, without constant reflection on "the roles themselves as roles" (104).

While I think this account is quite right as far as it goes, I am a little troubled by Novakovic's selective use of the *Phenomenology* account. Hegel himself presses the crucial issues in the sections that follow the initial phase of "Culture" in ways that complicate her overall

reconstruction. The specific treatment of alienation that culminates in the account of *Rameau's Nephew* is only the first phase of "Culture." The central part of the chapter concerns faith and insight, or superstition and the Enlightenment. Hegel's relationship to the Enlightenment is complicated, but given the affinity of reflection and Enlightenment thought it would be a natural discussion for Novakovic to thematize. It is true that this episode is not repeated in any clear way in the *Philosophy of Right*, where he is much more concerned with what he sees as anti-rational appeals to feeling and conviction. But the criticism of excess rationalism in the *Phenomenology* is not a criticism he revokes, as his later lectures on religion clearly show.[8] The Enlightenment views religion as the exercise of power by priests and despots who deceive the masses into accepting a false view of the world. Hegel criticizes this Enlightenment posture on the grounds that religion, and in particular religious practice, is not the kind of attitude about which a people can be deceived. The meaning that religion finds in its worship is immune to the attacks based on a theoretical stance, on appeal to natural science or to historical evidence. This is an external criticism that does not enter enough into the practice's viewpoint to criticize it effectively. I think that Novakovic could have used this point to refine her account of rational reflection and immanent critique. For the kind of critique that the Enlightenment does successfully bring to bear is closer to what she calls immanent critique: the faithful keep two sets of books, two accounts of value, and this is a practical contradiction that leads to the collapse of a certain kind of otherworldly-oriented religion. But not of all religion, for Hegel does maintain the truth of Christianity, specifically Protestant Christianity. One question for Novakovic's account is whether that element of Hegelian philosophy of spirit would be one she would hope to save, or that Hegel needs to save, from excessive reflection.

The abbreviated reading of the Culture chapter also misses the positive resolution of Enlightenment's culture of reflection. Novakovic could have fleshed out the link of culture and civil society if she had taken into account this positive contribution – namely *utility*. Within the logic of the *Phenomenology* Hegel does endorse this truth as the moment of relation within the practical domain, the element of determinate existence or finite value. There is a utilitarian or consequentialist dimension to Hegel's practical philosophy, and the account of mediation between

[8] See, for instance Hegel, *Lectures on the Philosophy of Religion* III, 246-247, where we find: "The Enlightenment – that vanity of understanding – is the most vehement opponent of philosophy. It takes it very ill when philosophy demonstrates the rational content in the Christian religion …"

individual and universal elements is hard to comprehend without taking it into account. In my view this element makes Hegel's overall conception much more dynamic or flexible, and thus rather less subject to certain forms of critique. The account that Novakovic gives of work does capture an important element of seeing oneself in the world. But Hegel is also perfectly happy with employing less tangible forms of expression. He thus celebrates the fact that we serve our state through the payment of taxes, in money, rather than through providing a specific service.[9] He seems to embrace this melting of obligation into the monetary form, and he thus seems to think that attachment to particular cultural forms is compatible with a much thinner way of participating in politics.

In the *Phenomenology* Hegel had recognized that the triumph of Enlightenment utility leads to a revolutionary stance in which all value is seen to be subject to political adjudication. I mention this because I have some trouble locating Novakovic's position on the rationality of civil society. There is an aspect of typical ideology critique that comes close to the logic of the French Revolution and its abolishment of a separate civil society. Novakovic clearly wants to put a check on that logic while also preserving a more radical form of critique than the *Philosophy of Right* seems to offer. Habit and second nature are moderating forces in her account, yet I am not sure if they give us grounds – and if she wants them to give us grounds – to criticize civil society or to criticize the Marxist critics of civil society.

Hegel's analysis of the French Revolution and reign of terror is familiar, but the resolution of that analysis remains somewhat obscure. It is that resolution that I would like to thematize in my final discussion – of Chapter 1 – as I think it is central to how we read the status of morality in the overall account. The Revolution sought to subject the entire world to the standard of abstract universality contained in the idea of the general will. The Revolution identified the individual and universal and could not come to terms with the difference, the particularity, that any developed ethical world must possess. Hegel portrays its failure as resulting in the moral worldview of Kant and Fichte, and, I have argued elsewhere, in his own conception of conscience.[10] The problem is that this seems to leave us in the *Phenomenology* stranded at the end of "Morality" with no clear way of coming back to Ethical Life. Novakovic thinks morality cannot be a legitimate successor

[9] Hegel, *Philosophy of Right,* §299.

[10] Moyar, *Hegel's Conscience*.

to earlier shapes of spirit. As she writes, "The perspective of conscience is not a full-fledged perspective at all, not a point of view that grants us substantive insight into how to proceed, should our norms come into question" (107).

Yet morality and conscience could play a greater role in uniting ordinary practice and philosophical knowledge than Novakovic accords them, and could in fact be enlisted to support key elements of her reading (her use of "true conscience" in Chapter 1 already moves in the direction, but I think that more could be said). In the *Phenomenology* account it is Kant's moral teleology, centered around the Highest Good, that is the focal point of the resolution of the absolute freedom problem. The narrow morality of the categorical imperative is not the conception at work here, for that would indeed be hard to think of as another "shape of a world." It is instead the idea of the Highest Good, which is Kant's way of getting religious ideas such as God and immortality back into the picture. It is also one of the sources of Hegel's *Doppelsatz*, for it contains the core idea of providence that Hegel aligns with his own view. There is thus a path to thinking that Hegel's view of his own ethical world is a kind of reinterpretation of Kant's Highest Good.

We can better appreciate the way that Morality in the *Phenomenology* is a successor world to the French Revolution when we see that the move to the Good in the *Philosophy of Right* follows a similar revolutionary logic, and that the Good and conscience are the main structuring elements of *Sittlichkeit*. There the issue that generates the Good is the *conflict* between abstract right and individual welfare. Whereas the *Philosophy of Right* presents the Good as generated by the right of necessity, the *Phenomenology* presents the Good as the outcome of a revolution that attempted to *unite* abstract universality with individual welfare. The critique of the French Revolution does I think count as a form of immanent critique, yet one that resituates the standard (of universal freedom) within a constellation of freedoms. The moral worldview is the successor to the general will because it can incorporate into a holistic teleology of freedom the particularity of determinate, differentiated social reality. Morality is a higher universality that recognizes that universal purposes are only attained through finite willing. Switching back to the *Philosophy of Right* transition, the Good, which Hegel calls without irony the "final purpose of the world [*Endzweck der Welt*]" (§129), is an all-inclusive concept of freedom. The rest of the *Philosophy of Right* is an attempt to work out the realization of the Good. Right and welfare are supposed to be united in this conception, but beyond the general demand to do what is right and to promote welfare, there is not much here to guide action. That is why in the *Philosophy of Right* Hegel turns to conscience

as the *actuality* of the Good. The institutions of *Sittlichkeit* are "the living Good" (PR §142) in which agents of conscience inhabit contexts in which they do not have to make exceptions of themselves in order to be ethical.

Novakovic's Chapter 1 discussion of habit and character provides much new insight into essential aspects of Hegel's view, but I was somewhat surprised by her opposition in Hegel's name to John McDowell's Aristotelian view. She argues that Hegel's views on the codification of laws in the legal system imply that his overall ethical view is one of acting on principles rather than the situation specific holistic judgment of the Aristotelian virtuous person. But I do not think that the legality issues carry over so directly to ethical agency. Hegel has a role for the universality of principles in deliberation, certainly, but that universality is only a moment; action, actuality, requires something more specific. What Hegel refers to as the "evaporating" element of conscience is always there, but in a more moderated way in stable ethical contexts. It is required in order to arrive at a holistic judgment of the situation. Principles have prima facie obligatoriness, but Hegel is much more willing than Kant, for instance, to consider defeaters, and to accept that one may have to neglect certain morally relevant considerations in favor of others. Novakovic stays that McDowell has "strikingly little to say" about criticizing our second nature (63), but it must also be said that Hegel has strikingly little to say about what principles exactly are to guide our conduct. There is no list of perfect and imperfect duties, but only some very general demands and some formal rights that seem to leave much in the hands of ethical individuals. Of course Hegel polemicizes in favor of the law against mere conviction, yet he also memorably argues against the principled reasoning of law-giving and law-testing reason. I would like to hear more about the relation of positive law and ethical living on Novakovic's view, for I worry that she courts a kind of ethical legalism in her insistence on codifiability. Hegel hopes that we habitually obey the law, but all his ethical institutions are actual in practical judgments of individuals.

Conscience plays such a major role in the *Phenomenology* because it is the locus of the power of self-consciousness to bind oneself to quite disparate elements of a moral landscape. In the *Phenomenology* Hegel touts conscience as bringing *content* to the moral picture, and in the *Philosophy of Right* he argues that it brings *actuality* to the Good. But how does this work? The answer in the *Phenomenology* refers back to the three main moments of action in the development of spirit. Hegel states this quite definitely in presenting the concept of conscience in section 641 and in recapitulating the practical development in "Absolute Knowing" in sections 792-93. I

believe this lines up nicely with Novakovic's appeal to recollection at the end of her book, but since she does not foreground conscience in her discussion of recollection I am not sure whether we are on the same page here or not. This may be mostly a matter of terminology, but it is an important one, because if we do not hold on to Hegel's near identification of conscience and philosophy in "Absolute Knowing" it is harder to fill out Hegel's claim in the *Philosophy of Right* Preface that philosophers and ordinary ethical agents appreciate that rationality is not something apart from the world but rather something always actualized through our actions on the Good.

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