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## **The Paralogism of the Proper Self : Hegel's Critique of Kantian Morality**

### **Short Biography**

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### **Abstracts**

This article concerns the relationship of Kantians and Hegelians, precisely the contentious debate over the status of Hegel's critique of Kantian morality. Hegel's critique focuses not, as is usually alleged, on any substantive claim made by Kant, but rather on the argument for duty-based morality. Taking a cue from the development of the Paralogisms of Pure Reason from the A and B editions, and the argument of the interceding work, the *Groundwork*, it is argued that Kant's argument for the "proper self" is itself paralogistic. Finally, this article focuses on the potential political upshot of Hegel's critique of Kantian morality.

Cet article a pour objet la relation entre kantien et hégélien. Il interroge, plus précisément, le contentieux au sujet du statut de la critique par Hegel du concept kantien de moralité. L'auteur montre à ce propos que la critique hégélienne ne se base pas, comme on le dit souvent, sur quelque prescription substantielle qu'aurait faite Kant, mais sur l'argument d'une morale basée sur le devoir. A partir des développements kantien sur les paralogismes de la raison pure (tant dans la première édition que dans la seconde édition de la *Critique de la raison pure*), ainsi que sur l'argument des *Fondements de la métaphysique des mœurs*, l'auteur fait apparaître que l'argument kantien pour un "moi propre" (*das eigentliche Selbst*) repose lui-même sur un paralogisme. L'article se conclut en montrant le potentiel politique de la critique hégélienne de la moralité kantienne.

**Keywords :** Hegel, Kant, Morality, Politics, Paralogism

**Mot-clés :** Hegel, Kant, moralité, politique, paralogisme

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## Introduction

### *Points for the Orientation of the Debate between Hegelians and Kantians*

The recovery of Hegel in recent years has raised the pressing question of how this Hegelian renaissance will impact the prominence of a Kantian-inspired paradigm of moral and political theories, especially those justice-based political theories, following Rawls, and the various versions of moralistic cosmopolitanisms that now dominate political philosophy. This essay hopes to address at least one point of confrontation between Hegel and Kant: the grounding term of political philosophy. The classical tradition of political philosophy, following Plato and Aristotle, drew from the interplay between existing forms of life and systematic visions of the good life to produce purportedly comprehensive political doctrines. Contemporary political philosophy, however, tends to view this relationship with suspicion as it no longer reflects the situation of pluralistic society. In fact, Habermasian discourse ethics and Rawlsian justice-based political theories set as one of their primary tasks the neutralization of any one doctrine with the pretense of a comprehensive claim about the good life.<sup>1</sup> This classical tension nevertheless highlights a problem central to debates between Kantians and Hegelians (a debate, unfortunately, too often construed as between liberalism and communitarianism).

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<sup>1</sup> As an example, take Rawls' criterion for admitting *reasonable* comprehensive doctrines: "reasonable comprehensive doctrines, religious or nonreligious, may be introduced in public political discussion at any time, provided that in due course proper political reasons—and not reasons given solely by comprehensive doctrines—are presented that are sufficient to support whatever the comprehensive doctrines are said to support" (RAWLS 1997, p. 783-784).

In this essay, I will extend the problem this tension presents for political philosophy to the relationship of Hegel to Kant in order to further open the idealist “inch” separating them. There are three features to the argument that I will isolate here: (i) that the confrontation between Hegel and Kant rests on a concern for the intra-philosophical (and thus, non-empirical) status of the moral agent; that (ii) the argument resulting in the Kantian conception of the moral agent rests on a spurious inference; and finally, (iii) I will argue that there is a political upshot to the debate between Hegel and Kant.

*Furthering the Points of the Debate*

The first crucial point to be made here is that the line of contention between Kantian and Hegelian scholarship relates to how we should interpret Hegel’s critique of Kantian morality. Proponents of Kantian versions of morality usually point to the fact that, in some way, Hegel simply gets Kant wrong. That is, the various descriptions of Kantian morality, according to what has been called the “emptiness charge,”<sup>2</sup> do not adequately address the problem at hand: that Kant presents, in Hegel’s words, only “an empty formalism” (the critique of formalism), only “the rhetoric of *duty for duty’s sake*” (the critique of rigorism) (PR §135 Remark), or “what only *ought* to be; i.e., what does *not* at the same time have reality [*Realität*]” (EL §60) (the critique of irrealism).<sup>3</sup> However, as I will argue, Hegel’s criticism is not, as is usually alleged, concerned with any particular substantive claim made by Kant. (In fact, to make such an argument, one is faced with the difficult task of explaining the crucial role Kantian-inspired morality plays for Hegel in the development of the *Phenomenology*, the *Philosophy of Right*, and the *Encyclopedia Spirit*.<sup>4</sup>) But rather, as I will argue, Hegel criticizes the *argument* by which Kant derives the pure moral

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<sup>2</sup> For accounts of the emptiness charge see, for instance, the accounts in GEIGER 2007, p. 17-22; AMERIKS 2000; WOOD 1989; PIPPIN 1991 and WESTPHAL 1991.

<sup>3</sup> For the *Philosophy of Right*, hereafter PR, the first page number refers to the English translation (HEGEL 1991a); the second, the German (HEGEL 1970, vol. 7). For the *Encyclopedia Logic* (EL), English (HEGEL 1991); the German (HEGEL 1970, vol. 8).

<sup>4</sup> As Hegel makes clear Kant’s philosophy made the first gains regarding the notion of autonomy: “However essential it may be to emphasize the pure and unconditional self-determination of the will as the root of duty—for knowledge [*Erkenntnis*] of the will first gained a firm foundation and point of departure in the philosophy of Kant, through the thought of its infinite autonomy (see §133)—to cling on to a merely moral point of view without making the transition to the concept of ethics reduces this gain to an empty formalism, and moral science to an empty rhetoric of *duty for duty’s sake*” (PR §135 Remark, 162).

agent from the concept of duty.<sup>5</sup> This is what Kant calls at the end of the *Groundwork* the “proper self” [*eigentliche Selbst*], a self distinguishable from the empirical conception of the human being, and which instead, functions as a container for moral laws which apply “immediately and categorically” (GR 104/4.457).<sup>6</sup> The notion of this “proper” or “real self” is problematic precisely because besides the *Groundwork* it only appears in Kant in two other fleeting references first *Critique*. More generally, this problem of addressing either a claim substantively held by a thinker or how she derives a particular claim is a problem concomitant with all philosophizing. But as Kant notes in the paralogisms of the A Edition: “A dogmatic objection is one that is directed against a proposition, but a critical one is directed against its *proof*” (A 388).<sup>7</sup> I believe Hegel follows Kant here in mounting his critical reception of Kantian morality.

Second, I will add to this reconstruction of Hegel’s criticism of the *argument* for Kantian style morality the claim that Kant’s argument itself increasingly takes on the characteristics of a paralogistic inference as outlined in the first *Critique*. As I will argue, moreover, from the publication of the A edition (1781) to the B edition (1787) of the first *Critique*, Kant’s argument in the paralogisms takes on a prominently practical dimension borrowed from the interceding work, the *Groundwork of the Metaphysics of Morals* (1785). Thus, we are faced with a two-way paralogistic dependency in this development by which (a) the argument for the proper self of the *Groundwork* itself depends on a paralogistic inference from the notion of rational causality and (b) the argument of the paralogisms in the B edition *itself* depends on the practical arguments (related indirectly to the proper self) drawn paralogistically as

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<sup>5</sup> This is consistent with Kant’s statement in the paralogism of the A Edition: “A dogmatic objection is one that is directed against a proposition, but a critical one is directed against its *proof*” (A 388). In this sense, my argument is close to Ardis Collins’ position (COLLINS 2001). But where Collins identifies a critique based on the *procedural* difference between Kant’s and Hegel’s philosophical methods, I argue that this difference is based on Hegel’s criticism of Kant’s argument itself.

<sup>6</sup> The first page number refers to the English translation (KANT 1996), hereafter GR. The second page number refers to the Academy Edition (*Akademieausgabe*) (KANT 1911, vol. 4).

<sup>7</sup> As Kant continues: “The critical objection alone is of such a kind that it overturns a theory merely by showing that one assumes on behalf of its assertion something that is nugatory and merely imagined, thereby withdrawing from it the presumed foundation without otherwise wanting to decide anything about the constitution of the object” (A 389). Following the common convention, for references to the first *Critique* I will give only the page numbers to the specific edition and leave it to the reader to choose their preferred translation.

presented in the *Groundwork*. The tension between the two accounts offered in the A and B editions rests on the “special causal power” that divides practical from speculative reason—the comprehension of the *incomprehensible* in the final sentence of the *Groundwork*.<sup>8</sup>

Finally, while this might seem to be a question of the reception of (and a debate internal to) German philosophers of a certain vintage, I believe that contained in this debate is the fundamental problem of political philosophy, namely determining what political philosophy is ultimately all about, and correlatively, what it can hope to do. The debate on the status of moral agency sets the tone—the formal parameters, as it were—of what the political can hope to accomplish. Thus, determining the status of moral agency is of a general political concern.

## 1. The Trouble with Paralogisms

### 1.1. *The Paralogisms of the A Edition*

Kant tells us in Book Two of the Transcendental Dialectic that transcendental ideas are those for which we have no concept but the idea of which is, nevertheless, produced by a necessary inference by reason’s own laws. These ideas entail no empirical content, depend on no empirical premises, and though we have no object to which they correspond, are the result of an “unavoidable illusion” which attributes “objective reality” to them (A 339/B 397). There are three such inferences, argues Kant, the paralogism, the antinomy, and the ideal of pure reason (related to the soul, the world, and god respectively). According to Kant, the paralogism is an argument based on an inference drawn from a false form of inference.<sup>9</sup> While the paralogisms concern the traditional predicates of the subject (substance, persistence, etc.), I am concerned here with the form of the inference, particularly the idea of the extension of the predicates attributable to the subject. In a note to the paralogisms in Kant’s copy of the A edition, Kant adds: “The question is whether, if I cognize a transcendental object [*Object*] (I) [*sic*] through pure categories, without otherwise having any properties of it, I thereby actually cognize it or have only a negative concept of it. Further, whether they lie *a priori* in thinking in general. Third, whether

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<sup>8</sup> Kant states: “thus we do not indeed comprehend the practical unconditional necessity of the moral imperative, but we nevertheless comprehend its *incomprehensibility*” (GR 108/4.463).

<sup>9</sup> “A logical paralogism consists in the falsity of a syllogism due to its form, whatever its content may otherwise be” (A 341/B 399).

through these cognition would be extended” (23.38).<sup>10</sup> The question of whether we have any *extension* of a concept by means of paralogistic reasoning will be in question in the discussion of the idea of the “proper self” in what follows.

We have before us a distinction between the content of a concept, its status (a priori or a posteriori), and its extension. In the *Science of Logic*, Hegel critiques Kant’s conception of the paralogism, not for what Hegel believes correctly put an end to the “older metaphysics,” which had extracted from *actual* experience the determinations of purportedly essential properties of metaphysical objects, but for remaining too closely to the Humean conception of consciousness. Kant, on Hegel’s reading, fixated on the appearance of the “I” of self-consciousness removing “everything empirical” from the idea of the self such that nothing was left over of the “I think” and for which “we cannot *ever* have the least concept” (SL 690/12.193, emphasis original).<sup>11</sup> Here Hegel observes a potentially contradictory use of the cogito: “Peculiar indeed is the thought (if one can call it a thought at all) that I must *make use* of the ‘I’ in order to judge the ‘I’” (SL 691/12.194). If we are to “*make use*” of the idea of the I, that is, to make inferences attributable to the I, then we fall into a vicious circularity of inferences *about* the I *by* the I.<sup>12</sup> This circularity is only a trap, however, if when we think that in making inferences *about* the I, the I is not itself existent, that is, *empirical* as *self-consciousness*. Every other referent does not necessarily “make use” of the I except as the subject of inferences—the existent I that judges; but when we think *about* the I, we do something different, the I “makes itself an intended object” (SL 691/12.194). Only judgments *about* the I require us to say both something about the I and also effectively make use of the idea in question in order to make those inferences. But in those cases, if we are only talking of a “representation,” then we are not talking about the *concept* of the I, but only of an abstract object “I,” not the I of self-reference which attends to itself in consciousness (a consciousness which would be primarily addressed to *things* given to consciousness).

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<sup>10</sup> This note is presented by the Cambridge editors of the *Critique of Pure Reason* (KANT 1998, p. 411).

<sup>11</sup> We have before us only the empty representation of the I of which Kant states, “we cannot even say that it is a concept, but a mere consciousness that accompanies every concept” (A 346/B 404). For references to the *Science of Logic*, hereafter SL, the first page number refers to the English translation (HEGEL 2010), and the latter to the volume and page number of the *Gesammelte Werke* (HEGEL 1978/81).

<sup>12</sup> Hegel continues: “But surely it is laughable to label the nature of this self-consciousness, namely that the ‘I’ thinks itself, that the ‘I’ cannot be thought without the ‘I’ thinking it, an *awkwardness* and, as if it were a fallacy, a *circle*” (SL 691/12.194).

To get out of this vicious circularity, Hegel indicates that in speaking of self-consciousness in the way Kant does, following Hume, we are in a position to speak about “a thing capable of existence” (the subject) which, however, “does not as yet carry any objective reality with it” (SL 692/12.195). We are left stating that either the subject, strictly speaking, does not exist (as objective), or that in speaking of the subject we are talking (again, strictly speaking) about nothing—something that does not exist in self-reference (except as a *necessary* illusion). Hegel’s answer is so much the worse for the Kantian conception of “reality.” Kant’s conception of reality under the species of the objectivity constraints of space and time restricts the notion of reality to *sensuous* reality. That is to say, all thought objects must be considered as *representations* to be considered “real,”<sup>13</sup> and thus, cannot hope to do the work it proposes to do, namely to think the role of the I of thinking, especially when what is in question is something (the subject) that has been definitionally (as *subject-ive*) restricted from the range of real (*object-ive*) things. In short, the conception of consciousness as necessarily related to *re*-presentations results in too thin a notion of consciousness to account for talk of transcendental entities or predicates.

Kant himself acknowledges this circularity, in which we “turn in a constant circle” (A 346/B 404), but offers no solution as to how to escape it (hence the paralogistic status of the argument) except to recognize that this circularity is a formal feature of having any cognition at all, namely that there is no objective knowledge to solve the problem of *self*-consciousness. The transcendental subject is always *subjectively* positioned in the world, and therefore, given to (objective) constraints beyond its control. Thus, we are left with only a *critical* solution to the paralogisms. The rational doctrine of the soul is only of a “negative utility,” especially for warding off the danger of materialism which would abolish the existence of thinking beings (A 382-3). Kant continues: “much is still won if, through the free confession of my ignorance, I can nevertheless repel the dogmatic attacks of a speculative opponent” (A 383-4). We can, therefore, successfully restrict the *extension* of all predicates made of the subject to its being *subjectively* positioned by way of critique.

An example of this kind of inference, one that will be essential to the argument in the *Groundwork*, is the second paralogism. In the second paralogism deriving the simplicity of the thinking I (A 351)—

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<sup>13</sup> All concepts have to be related somehow to the empirical world in order to be effective, as Kant asks rhetorically in the essay “What is Orientation in Thinking?”: “For how else could we endow our concepts with sense and significance if we did not attach them to some intuition (which must ultimately always be an example derived from experience)?” (KANT 1991, p. 237).

which Kant calls “the Achilles heel of all dialectical inference” —we replace the object in question, the entirety of all thinking as opposed to the composition of *representations* within thinking, with ourselves, namely “in the place of every other intelligent being” (A 354). In the A edition, the failure of the simplicity argument rests on making the verb of “being” in “I think therefore I am” (*cogito sum cogitans*) more than a tautological inference from the fact of thinking. For who could make the first-personal “I think” without presuming its existence, the “therefore” thus being superfluous? Kant states: “It signifies only a Something in general (a transcendental subject)” (A 355). This “mere Something” is a transcendental remainder of being subjectively positioned, but as soon as we say something about this Something we have already said too much. This notion of a transcendental remainder returns in the argument of the *Groundwork* to which I will turn to in 2.3. All that needs to be attended to at this point in the argument is that the basic form of the paralogistic argument, the *extension* of subjective predicates beyond their empirical allotment (the “something” or “x” in question), will resurface in the argument utilizing the notion of the “proper self” in the later practical argument for the unconditionality of the moral law.

### 1.2. *The Paralogisms of the B Edition*

In 1786 in the *Allgemeine Literaturzeitung* (3.556), Kant discussed appending a critique of pure practical reason to the forthcoming second (B) edition of the first *Critique*, but no such critique appeared. Instead, we get an extensive revision of the paralogisms section in the B edition. While the A edition focuses on the improper subreption of a material inference from a formal one, in the B edition Kant includes a distinction between practical and theoretical reason. Predicting the argument for immortality in the second *Critique* (1788), Kant tells us of a necessity in the extension of our cognition on practical rather than theoretical grounds: “Nevertheless, not the least bit is lost through this regarding the warrant, or indeed the *necessity*, for the assumption of a future life in accordance with principles of the practical use of reason, which is bound with its speculative use” (B 424). Because the practical use of reason is not limited in its use to theoretical restrictions (by means of desire) Kant states that practical reason “is justified in extending the former order [namely, the theoretical] [...] beyond the bounds of experience and life” (B 425). The possibility of extending ourselves through the use of practical reason produces an “inward calling” [that we are “called inward,” *innerlich dazu berufen fühlt*] to make oneself a

“suitable citizen” (*Vorheile zum Bürger*) of a better world (B 426). The practical legislation of such a demand is impossible to meet (in this life), but it nevertheless sets before us a series of tasks the proof of which, due to its practical basis, “can never be refuted” (B 426). Finally, Kant states that we are still warranted in applying these concepts in their practical use, but that such use is always directed toward objects of experience. Moreover, by analogy with their theoretical use, we can associate them with “freedom and the free subject” as a matter of cause and effect in nature (moral causation), though these appear from a “wholly different principle,” their practical rather than theoretical use (B 431-2). Thus, in the B edition, a decisively practical element has taken over the merely negative utility of critiquing paralogistic inferences and sets itself as the task to which substantive claims about the subject (though never guaranteed in experience) must be directed.

### 1.3. *Making Duty Real through the Proper Self*

As stated in the introduction, I intend to argue that despite providing a critical solution for paralogistic inferences a few years before, in the *Groundwork* Kant uses a paralogistic inference to utilize the idea of a “proper self” as the incarnation of the good will, the moral motivation of “duty for duty’s sake.” In the Preface to the *Groundwork*, after laying out a taxonomy of the philosophical sciences in a posteriori and a priori terms, Kant states that in order to “sharpen” our commitment to a law which would hold for every rational being we would still “require a judgment sharpened by experience, partly to distinguish in what cases they are *applicable* and partly to *provide* them with *access* to the will of the human being and efficacy for his fulfillment of them” (GR 45/4.389, emphasis added). That is to say, we must be able to distinguish between the derivation of the moral law from a priori principles (providing *access* to them) and the application of this moral law in actions (determining which cases call for the moral law, i.e. are *appropriate*). Therefore, there are two practical problems which the *Groundwork* must set out to answer: the ( $\alpha$ ) problem of the *derivation* of principles with enough normative force to bind agents to their actions (what could be called the Kantian “self-legislation problem”), and the ( $\beta$ ) problem of the *application* of these normative principles to appropriate contexts (what could be called the “appropriateness problem”). I will refer to these as the alpha problem and the beta problems respectively. While Kant carries out the alpha problem thoroughly, the derivation of the principles of practical reason in categorical imperative (CI) type tests, by the end of the *Groundwork* Kant loses sight of

the beta problem completely, requiring the paralogistic inference from the “proper self” to solve this problem, as though by a *deus ex machina*.

After having set out in the second section the principles necessary for good will stripped of heteronomous influences, that is, CI-type tests, for which the mere “form” of willing is enough to secure an absolute principle of autonomy for morality<sup>14</sup> as an analytical foundation, Kant moves on in the third section to provide an account of the *synthetic* use of pure practical reason. In that account Kant tells us that the analytical foundation of the CI-type tests reemerges as a question of normative force, that is, “on what grounds the moral law is binding” (GR 97/4.450).

As in the A edition paralogisms, Kant here acknowledges a potential circularity in his argument thus far. If we require a conception of ourselves as efficient causes of our actions in order to consider ourselves under the moral law, and then we consider ourselves as under those laws *because* we have a conception of ourselves as free (that these actions are *our own*), we are arguing in a circle. Moreover, the conceptions of autonomy and moral motivation appear to be “reciprocal concepts” for which one cannot be used to ground the other without returning into this circularity. At this point Kant invokes “one resource” left at our disposal, that is, on the basis of the framework of the first *Critique* we can view each from a “different standpoint” such that there is a transcendental distinction to be made between how we appear as “we see ourselves before our eyes” (in representations) and how we think ourselves “as causes efficient a priori” (as of “the *intelligible world*”) (GR 98/4.450). According to this distinction, Kant holds to a disjunction between being a human being that “regards himself as intelligence,” “thereby puts himself in a different order of things” (reminiscent of the second paralogism in which we put ourselves “in the place of every other intelligent being,” in this case, every agent) and as an intelligence endowed with the causal capacity of the will (GR 103/4.457). This gives rise to the *non-contradictory* status of considering oneself in this two-fold sense of being in the intelligible world of the understanding as well as the phenomenal world of cause and effect in nature. Here Kant makes an appeal to the notion of a “proper self” (*eigentliche Selbst*). As a “proper self” the moral law applies “immediately and categorically” (GR 104/4:457). It is to this intelligible world, considered “as intelligence only” that we stand in relation to our

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<sup>14</sup> Kant states in this regard: “By explicating the generally received concept of morality we showed only that an autonomy of the will unavoidably depends upon it, or much rather lies at its basis. Thus whoever holds morality to be something and not a chimerical idea without any truth must also admit the principle of morality brought forward” (GR 93/4.445).

“proper self” which Kant describes alternately as the source of law-giving independent of inclination and as the will itself, i.e., the unity of the alpha and beta problems above (GR 104/4.457-8).

But where did this notion of the “proper self” which dissolves the disjunction of alpha and beta problems come from? We are not given many clues by Kant precisely because the “proper self” only appears here and in two other passing references in the first *Critique*.<sup>15</sup> Kant attaches the causality of the will with moral autonomy as practically necessary (“necessary in idea”). But as Kant continues:

It signifies only ‘something’ that is left over when I have excluded from the determining grounds of my will everything belonging to the world of sense, merely in order to limit the principle of motives from the field of sensibility by circumscribing this field and showing that it does not include everything within itself but that there is still more beyond it; but of this something more I have no further cognizance. (GR 4:462/107)

This “something” beyond rational explanation is the “highest limit of all moral inquiry,” but it gives us no *knowable* content of the proper self, not even its efficacy in action (GR 4:462/107). This practically necessary idea of the proper self as the acting subject is *only* necessary, however, if we engage in the paralogistic inference of placing ourselves in the *place* of everyone—which Kant had criticized in the A edition—a point, moreover, which has not been shown to be *necessary* at all for action (actions in general), but only for how we conceive of actions done under CI-type tests. It is not the same to argue that given our subjective position in the world we must act for the entirety of it (though we might insist upon this for the sake of CI-type tests). Indeed, Kant acknowledges a danger here, the danger that we lose ourselves in a world of moral “phantoms” of the intelligible world (GR 4:462/108). Yet, despite this danger, the idea is useful as a guide for providing a “lively interest in the moral law” as an ideal to be striven towards (GR 108/4.462).

It is now possible to give a summation of the argument thus far. I have argued that there is a twofold development in the argument of the paralogisms from the A to the B editions by which the paralogisms take on a practical dimension and that the interceding work, the *Groundwork* itself, uses a

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<sup>15</sup> First, Kant states in the B edition paralogisms: “But now I want to become conscious of myself only as thinking; I put to one side how my proper self [*eigenes Selbst*] is given in intuition” (B 420); and in the sixth section of the antinomies in which transcendental idealism serves as the key to the cosmological dialectic and the transcendental subject considered as real self is distinguished from its appearance (A 492/B 520).

paralogistic inference to overcome the disjunction between the alpha and beta problems by means of the idea of the “proper self.” For the moral law to be useful, it must be able to appeal to a feature which bridges the apparent and the necessary, and the proper self solves this problem as if from nowhere. But this proper self is paralogistic, requiring us to take up our subjective position as though for everyone (the paralogistic extension), the problem of which arises from the unconditional status of practical reason. Next I will turn to the confrontation between this type of moral figure and Hegel’s critique thereof.

## 2. The Hegelian Alternative to the Proper Self

In the crucial Remark to §135 of the *Philosophy of Right*, after describing the problem of duty as such as abstract determinacy—as an “*identity without content*”—or in a positive sense, the “indeterminate” (*Bestimmungslose*) as such, indeterminate as to its determinations (PR §135 162/7.252), Hegel makes an important distinction between the derivation of particular duties from the notion of duty as such, the viewpoint from which “no immanent theory of duties is possible” (PR §135 162/7.252). In the previous section I discussed the problem as the alpha and beta problems—of how we move from the abstract derivation of the CI-type test to its application. Hegel continues this conversation left unfinished in Kant except by recourse to the proper self by noting that one could, for instance, through the use of theoretical reason, simply import material from outside the principle used to derive CI-type tests. But, according to Hegel, making such a “transition to the determination of particular duties” from the CI-type tests considered in terms of “*absence of contradiction*” (the universalizability conditions) or “*formal correspondence with itself*” (that we must be able to *will* a maxim as universal) is itself impossible (PR §135 162/7.252). The point here is not that Kant merely applies the principle of non-contradiction to preexisting duties. Hegel helps to isolate those features of the argument in play. As I have already indicated, the questionable assertion of a proper self immanent to the moral law carries a paralogistic germ, and that by the B edition of the paralogisms, Kant even employs this germ to legitimate on practical grounds the solution to the paralogism for theoretical reason (a solution that I believe to be inadmissible given the formal, theoretical nature of Kant’s argument there). Hegel continues here exposing the kind of false inference entailed by the alpha and beta problems. Given the theoretical elements in play in the argument, Hegel asserts that there is no “*criterion*” (*Kriterium*) by which to distinguish whether a given action is our duty. Considered

as a duty, Hegel tells us, virtually any immoral action could be legitimated, but even the fuller form of the CI-type test, that a maxim be willed universally, still does not get us out of the problem of the application of CI-type tests.

The addition of the universally willed *maxim* to the conditions of universalizability may get us away from most, if not all, actions deemed to be bad from a general moral perspective (murder, theft, etc.), but in the case of contextualized actions where the applicability of the universalizability constraint is not quite as obvious (such as, who should own property, what is the extent of inviolability of property, what certain kinds of property entail for certain contexts, when can killing be considered “right,” etc.), it is difficult to determine which actions would be our duty *without* an antecedent presupposition about the kinds of moral institutions *should* be maintained as universal. In the context of this question, Hegel gives the example of property (probably in reference to the deposit example in the second *Critique* (5.27-8)) under the magnifying glass of its antecedent prescription. Hegel points out that “no property,” as in the case of extreme poverty (the rabble), is no more contradictory than that a particular people, family, etc., did not exist, even to the point of positing that “the complete *absence of human life*” poses no contradiction (PR §135 162/7.253). We might be tempted to infer from this claim that the kind of contingency (non-necessity) Hegel directs us to here is only the human-specific nature of morality, a point that could be well taken by Kant’s defenders.<sup>16</sup> However, the point is to direct us to the sets of presuppositions underwriting any application of CI-type tests. Hegel continues: “But if it is *already established* [*vorausgesetzt*] and presupposed that property and human life should exist and be respected, then it is a contradiction with something, that is, with a content which is *already* fundamentally present [*voraus zugrunde liegt*] as an established principle [*festes Prinzip*]” (PR §135 162-3/7.253, emphasis added). For this reason, any moral claims effectuated *already* entail commerce with the actual world and commitments drawn from that world. Thus, *practical* philosophy can, on Hegel’s view, only address existing forms of life. This antecedent

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<sup>16</sup> Though Kant’s defender will have to make sense of claims that seem to question the anthropo-specific character of the moral law. For instance, Kant states: “For, since morality serves as a law for us only as rational beings, it must also hold for all rational beings; and it is not enough to demonstrate it from certain supposed experiences of human nature (though this is also absolutely impossible and it can be demonstrated only a priori), but it must be proved as belonging to the activity of *all beings whatever that are rational* and endowed with a will” (GR 95/4:447-8, emphasis added). It would seem, then, if aliens turned out to be “rational,” they too would fall under the moral law but the moral law itself would still be susceptible to Hegel’s point concerning the contingency of human existence.

presuppositional structure to which philosophical analysis directs itself is entailed by Hegel's famous remarks in the Preface to the *Philosophy of Right*. Philosophy "always comes too late" to issue instructions, and at the point at which philosophy "paints its grey in grey," a form of life has already grown old and is thus able to be comprehended; in a word, "the owl of Minerva begins its flight only with the onset of dusk" (PR 23/7.28). The question is what such a circumscribed sense of morality's task, and philosophy in general, can offer for thinking the political: that it comes too late on the scene to be of any help for providing moral or political prescriptions.

Here we can distinguish a split between Hegelian and Kantian approaches to what is actual contained in Hegel's dictum that the actual is rational and the rational is actual. Where the Kantian hope is that the proper self, the immanent lawfulness of morality, operates directly in moral action – that we can act *as though* we were a citizen of a future society, acting in the place of all, etc. – Hegel is decidedly pessimistic about this moral agent's ability to successfully track the actual world (much less recognize its own prescriptive limits). The hint of optimism at the heart of Kantian political philosophy no doubt helps to restrict many actions in a given society (Hegel's ethical life) that we deem to be bad or immoral. But the weakness of this Kantian optimism is that *even if* we can acknowledge the immorality or badness at root in actions done in a given society, we can still be hopeful as to the correctness of our moral critique as entailed universally by the moral law despite the particularity of our actual social arrangement (as if for everyone). The Hegelian insight here is to point to a blind spot immanent to all such critiques—the immorality or unethicity immanent to any moral or ethical arrangement that gives it the determinate content of relating to the specific institutions, practices, and labor forms characteristic of a community (a people).<sup>17</sup> The blind spot arises as we try to give universalizability constraints to forms of life whose primary role is providing the conditions for the possibility of the existence of a particular community, and for which, moral claims already arise too late (since these communities must exist before employing CI-type tests). We can retroactively place ourselves in the position of everyone, as with the argument for the proper self, but all such retroactive analyses are already *subjectively positioned*, and thus, will relate to what is *already* the case (the actual).

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<sup>17</sup> Hegel points to this moment of unethicity as early as the Natural Right essay (1802-3) and the notes which make up the *System of Ethical Life* (1802-3), but this emphasis continues into the later *Philosophy of Right*.

The point of this critique is not to indicate a facile communitarianism in Hegel, but to flesh out the content of universalist standpoints from within the forms of life in which they are actualized. The blind spot of the position of morality is precisely the sets of actions a system of right or duties is responsive to and which it is *not*. Put in Hegelian terms, this concerns rather the transition between universal claims made about things we already take to be true of our given social and political arrangement to a philosophy capable of addressing the construction of these antecedent presuppositions. Hegel is typically characterized as holding a substantial, non-individual-based view of ethical situations, the substance of ethical life, in opposition to positively individual-based ethics. Taken propositionally, that no individual stands independently of the historically situated contexts which provide the constitutive features of a subject qua moral subject, this reading is understandable. But without recognizing that this Hegelian position arose as an answer to the dissatisfaction with Kantian morality of CI-type tests, the characterization is shallow, and at worst, dogmatic. If there are *real* limitations to individual-based moralities as developed by Kant (precisely the recourse to the “proper self”), then to still hold to these kinds of moralities, especially as to those based on the argument from the proper self, cannot but seem as hold-out positions attempting to populate the realm of the proper self precisely when this pure realm is in question. This does not mean that an alternative grounding could not be given; but that if that grounding depends on the paralogistic inference of a proper self, this grounding will remain problematic. The crucial point, thus, must be to elaborate a Hegelian solution to the Kantian problem of the proper self in *Hegelian* terms, without falling into a simplistic dogmatism about the priority of communities over individuals or a version of the substance of ethical life that reduces real difference to totalizing sameness. If, as I have argued in the previous sections, Hegel’s critique of arguments based on the notion of the proper self is accurate, then an answer would have to show that morality can be discussed adequately using a model not dependent on the Kantian view that there subsists underneath any moral claims a proper self which, as the answer for the *unconditionality* of practical reason, stands in *for everyone* and to which these properties can be attributed.

## Conclusion

While it might seem strange to characterize this debate about the status of moral agency internal to two German idealists as having a relevant political upshot, this debate actually concerns, in the broadest

terms, the basic unit of the political. I have not sketched what that philosophy would look like, but have isolated that bone of contention separating Kantian from Hegelian approaches to the moral agent from which arises the problem of just how normative a political *philosophy* can be. Whether we posit, as in contemporary Kantianism, the landscape of the political as defined in terms of the proper self as an index of a more substantive term, such as the general notion of “humanity,” or as in Hegelianism, the political emerges from blind spots in actually existing forms of life, the general spectrum of the political will incur significant changes. If the political is *about* something, what that something is will determine what counts as political. It might not at all be clear how this *moral* debate has any *political* consequences, but we must keep in mind my indication that this debate is classical in its concerns, extending an analysis of the forms of life in which we live with the kinds of visions of the good life animating it.

Here we might be tempted to take a common thread as a critique of this kind of Hegelian position: that the restriction of the task of philosophy by the temporal condition, that philosophy “always comes too late,” leads invariably to a kind of quietism tantamount to complicity with the existing order. However, we can take this thread further by returning to an insight in Kant’s essay “What is Orientation in Thinking?” (1786)<sup>18</sup> in which he introduces the idea of a “subjective need” animating the spirit of reason. In that essay, Kant tells us that even when we lack an objective criterion by which to judge a super-sensible task or entity (such as the proper self), there still remains available to us a subjective means by which to lead us forward, “the feeling of a *need* which is inherent to reason itself” (OT 240/8.136). In a footnote to that text, Kant states that “to *orientate* oneself in thought means to be guided, in one’s *conviction of truth*, by a subjective principle of reason where objective principles of reason are inadequate” (OT 240/8.136, emphasis original). Kant continues his common warning that in order not to fall into error we must remain within the limits of our available knowledge; however, he adds that insofar as a judgment is “made necessary by a real *need*” then it is not a matter of indifference whether we judge according to it—“*the right of the need [das Recht des Bedürfnisses]* of reason supervenes as a subjective ground for presupposing and accepting something which reason cannot presume to know on objective grounds” (OT 240-1/8.137, emphasis original).

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<sup>18</sup> The first page numbers refer to the English translation (KANT 1991); the second, to the Akademie edition (KANT 1911, vol. 8). Hereafter OT.

What we can take from this Kantian thread is that there is a dissonance between what we can be said to know and what we nevertheless *need* to know. Hegel too was no stranger to the problem of the *need* animating philosophy.<sup>19</sup> Returning to the Hegelian lens by which we are refracting this light, when philosophy becomes *political* philosophy, we are as much addressed by a *need* as we are by any purported objective knowledge (whether of what should be or what is actual). We must attend as much to the need which animated a given philosophical task, the political situation which serves as a catalyst for philosophical inquiry, what and how we actually philosophize about it. Again, in a footnote Kant writes, “when we are compelled to pass judgment but lack objective grounds for doing *so*, a conviction of truth based on subjective aspects of the use of reason continues to be of great importance” (OT 242/8.137, emphasis original). A task set for *political* philosophy must arise from a compelling *need*, and the content of this need cannot be decided beforehand.

As a recent example of the need compelling political philosophy, Simon Critchley argues that contemporary political philosophy must not begin with the euphoria of awe outlined by Aristotle and adopted readily by the later tradition, but rather with a profound sense of disappointment.<sup>20</sup> Contained in this claim is precisely the problem outlined by Hegel above. We must begin with an acquaintance with a given form of life and not from a standpoint as though for everyone. Every political philosophy, thus, in this sense, is singular. It addresses a set of concerns that arise as a subjective need, and might not have the kind of pull on one as it does for someone else. But insofar as others are so addressed it is certainly possible that the same concerns will be compelling to others. Finally, it must be said, that the type of political philosophy that Hegel proposes has yet to have taken hold on the philosophical scene, nor has its concerns been fully worked out. The closest version is that developed under the Frankfurt School – a form of immanent social critique. But subsequent developments have resulted in a return to Kant which arose precisely from a critique of Hegel (e.g. Habermas). A stronger interpretation of political philosophy taking as its content existing forms of life, however, remains the project for future Hegelians. In this essay, I have only attempted to outline this possibility by means of a return to Hegel’s critique of Kantian morality. If it has been successful, we have good reason to start afresh on the old terrain of these idealists. Yet that too will have to wait for a compelling need addressed to the subject in order to commence.

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<sup>19</sup> The clearest example of this is the discussion of the “need” of philosophy in the *Difference* essay (1801).

<sup>20</sup> CRITCHLEY 2007.

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