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Hegel's Theory of Normativity

ABSTRACT: *This essay offers an interpretation of Hegel's theory of normativity according to which normative evaluation is primarily a matter of a thing's answerability to its own constitutive norms. I show that natural and spiritual norms correspond to two different species of normative evaluation for Hegel, two categorically distinct ways something can violate its own constitutive norms. I conclude with some general reflections on the relationship between normativity and ontology in Hegel's system.*

KEYWORDS: history of philosophy, Hegel, nineteenth-century philosophy, ethics, agency

One of the most contested questions in contemporary Hegel scholarship concerns the nature of his theory of normativity. Normativity is, of course, not a Hegelian term of art, but that is not really the source of the problem. It is common, if not entirely unobjectionable, to treat normativity as a matter of evaluation, so that normative judgments are essentially evaluative ones—judgments like 'this is a bad chair' or 'he is a good friend'—and Hegel clearly has an account of evaluation.[1] What makes determining Hegel's position a difficult and contentious matter is that there are two seemingly opposed strands in Hegel's thinking about normative evaluation. Although it is generally recognized that these must be integrated in some way, most interpretations favor one at the expense of the other.

According to the Aristotelian strand, norms and values are rooted in things themselves, in a kind of immanent teleology: something is bad or defective when it fails to realize its *telos*. Appreciating this strand in Hegel's thought, we might then claim, with interpreters like Frederick Beiser, that Hegel differs from Aristotle only in extending the scope of teleology from natural organisms to historical

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1 Judith Jarvis Thomson (2008) distinguishes between evaluative normativity (the sort in the examples above) and what she calls directive normativity (the kind involved in statements like: *A* ought to be kind to his brother, *B* ought to move his rook, etc.). Readers who take the latter sort of normativity as the primary case might worry that any account of the normative in terms of the evaluative will be insufficiently comprehensive. But Hegel (not unlike Thomson herself) aspires to explain directive normativity in terms of evaluative normativity, as we will see.

and social organisms: that is, to the various *Volksgeister* (Beiser 2005: 210). However, according to the more Kantian strand in Hegel's thought, there is a crucial distinction between natural and rational beings: for while everything in nature works according to laws or norms, only rational or spiritual beings are capable of acting according to a representation of laws or norms. Such beings are autonomous only insofar as they act according to laws or norms they impose upon themselves rather than take over from nature. Noting this aspect of Hegel's thought, we might claim, with Robert Pippin and Robert Brandom, that Hegel differs from Kant mainly in adopting a social constructivism about the formation of these self-imposed norms (Pippin 2008: 61; Brandom 2009: 52–77).

At the heart of this dispute are two very different accounts of the relationship between natural norms (if there are any) and spiritual norms. More Aristotelian readings of Hegel tend to treat spiritual norms as a species of natural norms: they are just the natural norms that are appropriate to beings with rational capacities. According to this view, spiritual norms apply to human life whether or not we recognize or assent to them (Beiser 2005: 211). More Kantian readers tend to make spiritual norms *sui generis;* they claim normativity should be understood as instituted by *Geist* and conferred onto a natural world that is intrinsically nonnormative. According to this view, norms do not exist at all, whether in nature or spirit, unless they are recognized or treated as norms (Pippin 2008: 60–64).

I hope to resolve this dispute by providing an overview of Hegel's theory of normativity, especially as it pertains to the nature/spirit distinction. I will show that for Hegel normative evaluation is primarily a matter of a thing's answerability to its own constitutive norms (evaluating something according to an external norm is, as we will see, a degenerate case). This is to concede a crucial point to the Aristotelian camp: namely, that normativity is rooted in ontology, in properties things have apart from any relation to the attitudes or interests of other beings (see Padui (2013) and Stern, forthcoming). But I will show that natural and spiritual norms correspond to two different species of normative evaluation, two categorically distinct ways something can violate its own constitutive norms. Once natural and spiritual defects are properly distinguished, it should be clear that Aristotelian interpreters have been falsely assimilating spiritual norms to natural ones and that interpreters inspired by Kant have been making the opposite mistake; they assume that natural norms either do not exist or are in some way derivative of spiritual norms. More important, we will see that Hegel has a powerful and unified theory of normativity, one that integrates some of the most attractive aspects of Aristotelian value realism with the some of the most compelling features of Kantian constructivism.

1. Constitutive Norms

Before we move on to Hegel, though, it is worth rehearsing a few familiar ideas about the nature of evaluation since these help explain the general appeal of the approach to normativity that I will be attributing to Hegel.

Due to an important essay by Peter Geach (1956), it has become common to note that evaluative notions such as 'good' or 'bad' usually function not as

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predicative adjectives (like 'red' or 'sweet') but as attributive adjectives (like 'large' and 'small'). A predicative adjective is one that preserves its content when it is used alone, independently of the noun it is modifying. If I say that this is a red pencil, then it follows that this is red, for 'red' is a property we can understand on its own, regardless of its bearer. An attributive adjective, like 'large', is one that does not preserve its semantic content when it is separated from the noun it is modifying. If I say that this is a large pencil, it does not follow that this is large *simpliciter*, for the very meaning of adjectives like these depends on the noun they are modifying. Once this distinction is marked, it can be seen that evaluative notions like 'good' and 'bad' fall in the latter category: they get their content from the thing they modify.

Building on Geach's observations, Philippa Foot (2001) has identified a further distinction that can be made between two different ways we evaluate things. On the one hand, we sometimes evaluate things or activities according to their relationship to the needs or interests of some other living being. When we say, for example, that this is good soil or a good bridge, we mean it is good soil for trees or a good bridge given our desire to get across the river. This is what Foot (2001: 26) calls 'secondary goodness', since it depends on reference to a standard that is extrinsic to the object being discussed; in these cases, that standard is provided by the needs and wants of other beings.[2]

Foot argues, however, that some things are susceptible to a further kind of evaluation, one with what she calls a 'special grammar'. For example, when we say that a rosebush is diseased or that a rabbit is not as reproductive as it should be, it would appear that we are not assessing the rosebush or rabbit according to the needs and wants of some other beings, but rather according to some standard that is intrinsic to rosebushes or rabbits. Foot calls this 'natural goodness'. Since I will be arguing that Hegel distinguishes between two different species of this form of goodness, natural and spiritual, I will just call it 'intrinsic goodness'. When we are evaluating something in this second way, we are determining whether it is a good or bad instance *of its kind* and are not judging it according to some extrinsic standard (such as whether it is good for us or according to a norm we have established independently).

What can we say, then, about what something must be like in order to be open to intrinsic evaluation? What kinds of things can be intrinsically good or intrinsically defective? Straightforwardly enough, they would have to be the sorts of things whose very nature or essence is characterized by some function or end. This is so because only an end or function that is essential to a thing could provide us with a standard of evaluation that is intrinsic to a thing, not external to it. For example, it is only if the end of reproduction is essential to being a rabbit that an infertile rabbit could be said to be defective as rabbit.

This line of argumentation makes it easy to see the attractiveness of constitutivist approaches to normativity. By constitutivism I mean any account showing that instances of a certain kind are necessarily subject to an evaluative standard that can

2 Foot (2001: 26). Foot and Hegel both agree that artifacts, although they might seem to offer us the paradigm instance of things with constitutive norms, actually fail to satisfy the full criteria for intrinsic evaluation (see Hegel 1975, hereinafter: HA here: HA 1:121).

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be derived directly from their membership in this kind (I borrow this definition from Lindeman 2014). The most well-known forms of constitutivism in contemporary philosophy concern action in particular; they are attempts to derive certain basic moral norms from what it is to be an action. On these accounts, every individual action can be measured according to those norms or aims that are constitutive of action as such. There have also been attempts to provide constitutivist accounts of belief, assertion, and other activities. The general appeal of constitutivism in each of these domains is that it offers us a way to ground the norms that pertain to a certain thing in certain necessary properties of the thing in question, thus showing that evaluability according to these norms is essential to being those sorts of things.

2. Constitutive Norms and Self-Contradiction

What does any of this have to do with Hegel? My first claim is that Hegel adopts a constitutivist approach to normativity; that is, he thinks that there are norms that pertain to certain entities solely in virtue of the concept or nature of those entities. Indeed, he thinks insofar as philosophy has anything to say about evaluation at all, it will be solely concerned with this particular sort of internal or intrinsic evaluation.[3] To illustrate this with a notorious example, Hegel thinks the concept of religion both determines whether something counts as a religion, and it also provides us with a normative standard by which we can rank the various world religions as 'higher or lower, richer or poorer' (Hegel 2007, hereinafter: LPR 1:187 f. 8). Hegel rejects the evaluation of religion from any other standpoint than that of its own concept (say, from the external point of view of political utility or artistic accomplishments) as arbitrary and subjective.

For Hegel this constitutivist approach to evaluation is an important application or consequence of his theory of philosophic truth. In fact, in discussing his theory of truth in the *Encyclopaedia Logic*, Hegel illustrates it with the following examples

> [W]e speak of a true friend and mean by that someone whose way of acting conforms to the concept of friendship. Similarly, we speak of a true work of art. Untrue then means as much as bad, something in itself inadequate. In this sense, a bad state is an untrue state, and what is bad and untrue generally consists in the contradiction that obtains between the determination or the concept and the concrete existence of the object (EL §24 A2).

3 What Foot calls 'secondary goodness' is treated by Hegel as 'finite purposiveness' or 'external teleology' (see Hegel 1991, hereinafter: EL §204 ff. and 2004, hereinafter: PN §245 & Z). For Hegel, an evaluative or apodictic judgment needs to track the concept of a thing and this is objectively possible only upon the arrival of those entities characterized by internal teleology or 'the Idea'. A very helpful discussion of the connection between normativity and teleology can be found in Kreines (2015: 98–99). Also see the valuable treatment of the limitations of external teleology in Winfield (2012: 288).

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In this passage, Hegel claims that certain entities or objects—friendships, works of art, and states—can be assessed as good or bad by measuring the degree to which they conform, not to an external standard, but to their own concept. Since the concept of something is nothing other than its nature or essence (outside of narrowly logical contexts, Hegel uses these terms synonymously), these passages evince a commitment to constitutivism about these entities. Hegel is clearly claiming, for example, that any work of art, simply by virtue of being art, can be considered subject to evaluative assessment by a standard that is provided or entailed by the concept or essence of art. Borrowing from Aristotle, he often refers to the constitutive standard of something as its final end (*Endzweck*).

What is perhaps most unique about Hegel's constitutivism, though, is the role that the notion of contradiction plays in it. According to the passage we have just read, something is untrue or bad in the strictly philosophic sense not when it fails to correspond to reality (that would be mere 'incorrectness') or when it fails to satisfy our desires or aims (that would place the defect within us), but when it fails to agree *with itself*. For Hegel, normative defect is conceptualized as a kind of *internal contradiction*, and evaluation is a kind of *immanent critique*. Although a bad or defective state can certainly exist, Hegel wants to say that its existence somehow contradicts its own concept or essence.

This means that Hegel's constitutivism is inseparably related to one of his most notorious claims: his thesis about the reality of contradiction. This thesis has always been a great scandal or stumbling block for non-Hegelians because it seems to involve a rejection of the principle of noncontradiction. However, as Michael Wolff and many others have noted, Hegel almost never speaks of contradictions as existing between two propositions; indeed, he explicitly denies that sentences or propositions (*Sätze*) are the proper bearer of philosophic truth claims (EL §33 R). When Hegel speaks of the existence or reality of contradictions, we need not read this as involving a commitment to the controversial idea that there are some propositions that are both true and false (for the contrary view, however, see Ficara [2013]).

The kind of contradiction that Hegel claims is real is not the contradiction between one proposition and its contrary, but *self*-contradiction, the contradiction between something *and itself*. For Hegel, it is objects themselves, and not propositions about objects, that are the proper bearer of truth claims. This interpretation of Hegel's thesis might seem just as difficult to accept as the one we rejected, since it appears to fly in the face of another seemingly incontestable thought: the idea that all objects are necessarily identical with themselves. Obviously enough, if Hegel is going to earn the right to say that some object fails to agree with itself, he needs to find some way to get some distance between the object and itself. Unless he can show us how this is possible, there will be no space in the object for a self-contradiction to emerge and thus no justification for speaking of something as *intrinsically* bad or defective.

At the risk of oversimplifying things, I am going to identify three different ways that Hegel secures this space, showing how an object can manage to fall

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into contradiction with itself. A complete account of the role that contradiction plays in Hegel's thought would have to distinguish more than three, but these will be enough for my purpose here, which is to show that it is only a very specific kind of internal contradiction or untruth that allows us to speak of something as intrinsically bad or defective, that is, as violating a constitutive norm.

The first kind of self-contradiction has its home in the *Logic* and is in play whenever Hegel is assessing the truth or falsity of what he calls 'mere concepts'. It is hard to do justice to this topic in a small compass, but let it suffice to say that when a concept like 'being' or 'finitude' is shown to be untrue or self-contradictory, what we learn is not that this concept was utterly meaningless or unintelligible, but rather that it has meaning or determinate content only in conjunction with another concept, as a moment within a higher or more concrete concept. The untruth of a mere concept directly entails that it cannot exist as such at all; such a concept belongs to reality only through being present as a vanishing moment in more advanced conceptual determinations. This means that it is *not* correct to say that pure 'being' exists but is to be evaluated as bad in some way. Pure 'being' does not exist at all, and so it certainly cannot exist in a defective form. The untruth of simple concepts, then, does not entail badness and, indeed, is strictly incompatible with badness.

A second kind of self-contradiction or untruth has its home in the *Philosophy of Nature* (PN) and applies to existing things as opposed to mere concepts and so might seem more promising. When Hegel says that all finite things in nature are untrue or inherently contradictory, he certainly does not mean to deny such things manage to *exist* in this contradictory state (for a classic treatment of these issues, see Taylor [1975: 105–107]). The basic idea here would seem to be that finite things are contradictory insofar as their existence depends on their relation to other things. For example, it is in the nature of a chemical object to have certain relationships to other objects; in other words, one thing that makes gold what it is, is the fact that it is dissolved by *aqua regia* but not dissolved by fire. Although this notion of inherent contradiction is certainly compatible with existence, it is *not* compatible with surviving the manifestation of such contradictions. As Hegel puts it:

> What belongs to external nature is *destroyed* by contradiction; if, for example, gold were given a different specific gravity than what it has, it would have to perish as gold. (Hegel 1971, hereinafter: PM §382 Z, my italics)

Although gold exists and is inherently contradictory in Hegel's sense, gold perishes as gold when this latent contradiction becomes realized. In other words, when gold falls into contradiction with itself, when it loses the specific gravity essential to gold, it does not become 'untrue' gold but ceases to be gold entirely. This means that we can never say of some existing piece of gold that it is bad or defective *qua* gold. In Hegel's view, this holds for all of what James Kreines (2008a) has helpfully termed

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lower-level natural kinds: at the very moment they lose some property essential to being what they are, they cease to be instances of that kind.

We have seen, then, that when a concept like 'being' manifests an internal contradiction, it immediately passes over into another concept; when something that belongs to external nature, such as gold, manifests such a contradiction, it is destroyed. It should now be clear what we are looking for: we are looking for a sort of thing that is not only contradictory but that has what Hegel calls 'the power to preserve itself in contradiction' (PM §382 Z). This would be something that could lack or lose some property or power that is essential to its kind *without* ceasing to count as an instance of that kind. (In this regard, Hegel's concept of essence is quite similar to Aristotle's account and dissimilar to contemporary ones; for a pertinent discussion of these differences, see Boyle 2012.) This is necessary because it is only in those cases where an existing individual can survive an open contradiction with its own concept that Hegel thinks we can rightly speak of an individual entity being a bad or defective instance of its kind. Hegelian constitutivism thus rises or falls with the ontological possibility of something that admits of this third type of self-contradiction: a contradiction between an existing individual entity and its own universal concept.

3. Constitutive Norms in Nature

The most obvious place to look for such an individual is in the realm of spirit—indeed, in the discussion of gold I have just referred to, Hegel then identifies spirit as the best example of something with the power to preserve itself in contradiction. Passages like these, which are indeed ubiquitous, have led to interpretations of Hegel that attempt to restrict normative notions to spiritual phenomena, for example, the interpretations defended by Robert Pippin (2008) and Robert Brandom (2009). The prima facie problem with interpretations like these is that Hegel frequently speaks of plants and animals as defective, and this strongly suggests that he thinks normative notions apply to some merely natural beings, as many commentators have noted. Recently, however, Sebastian Rand (2015) has argued that it would be a mistake to assimilate Hegel's position on natural defect in organisms to the sort of Aristotelian naturalism that Foot (2001) defends, which understands natural defect as implying that something is not as it ought to be. Rand thus attempts to place a wedge between the notions of natural defect and evaluative badness, arguing that although Hegel thinks natural beings can be defective, this is not supposed to imply badness in any normative sense.

Rand opens his argument for this by pointing out that when Hegel treats nonevaluative judgments in the *Science of Logic* (Hegel 2010, hereinafter: SL), he freely uses examples drawn from nature, but when he arrives at evaluative or apodictic judgments, he stops using natural examples, restricting himself instead to examples like that of a house and an action, which are both activities or products of *Geist*. Rand explains this shift in Hegel's choice of examples by providing a detailed account of the role of defect in Hegel's theory of animal life, one that

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attempts to show that animals lack the kind of individuality that is necessary to support genuinely evaluative judgments.

However, contrary to Rand's view, Hegel does not in fact entirely abstain from evaluating defective animals as bad, as failing to be what they ought to be. Later in the *Science of Logic*, Hegel makes the following remark:

> Now the definition is supposed to indicate the determinateness of the concept in an immediate property; yet there is no property against which an instance could not be adduced where the whole *habitus* indeed allows the recognition of the concrete thing to be defined, yet the property taken for its character shows itself to be immature or stunted. In a bad plant, a bad animal type, a contemptible human individual, a bad state, there are aspects of their concrete existence which are indeed defective or entirely missing but that might otherwise be picked out for the definition as the distinguishing mark and essential determinateness in the existence of any such concrete entity. (SL 712; Hegel 1995b, hereinafter: GW 12:213–14; see also HA 1:119; Hegel 1969–79, hereinafter: TWA 13:162)

In this passage, Hegel is arguing that it is impossible to determine the definition of something from a single property that is exemplified by every instance of that thing. He points to both defective plants and animals as examples of things that exist despite lacking properties that would otherwise be picked out as definitive of their type; he explicitly treats this kind of defective existence as having an evaluative dimension, as implying that these plants and animals are bad (*schlecht*).

In other words, there is at least *some* textual evidence that Hegel took animal defect to imply badness. Why, then, does Rand think that this position is incompatible with Hegel's analysis of animal life in the *Philosophy of Nature*? Rand argues that since Hegel understands natural defect as an ineliminable and necessary feature of animal life, he cannot possibly have understood it as implying any negative evaluation of animals, as indicating that something is not as it ought to be. Rand is clearly right that Hegel treats defect as itself an ineliminable feature of animal life. For Hegel, animal life is nothing other than the continual process by which 'defects' like hunger or thirst are overcome by a given organism through certain characteristic activities such as hunting or grazing. From the fact that Hegel treats states such as hunger or thirst as the paradigmatic defects of animal life, Rand concludes that Hegel's frequent use of the term 'defect' (*Mangel*) in such contexts does not itself signify that something is going wrong in the animal or is not as it ought to be. Rand, of course, is aware that there is a difference between an animal that is hungry and one that is dying from hunger, but he wants to claim (2015: 78) that there is no logical distinction between these: if the former defect or lack is not indicative of something going wrong, then the latter cannot be either.

However, Hegel provides us with a clear way to distinguish between defect as mere need or desire and defect as the indication of something going wrong; he says this boundary is crossed when need or desire becomes something the individual

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organism lacks the capacity to respond to in the course of its activities (see, e.g., the definition of disease in PN §371). Based on this logical distinction, we can supplement Rand's own account to see that defect or lack (*Mangel*) plays two distinct but related roles in Hegel's analysis of animal life. Rand rightly notes that one sort of defect is built into animal life: to be an animal is to be capable of feeling or experiencing lack or pain—it is to be hungry or tired or sexually aroused. Hegel says (LPR 1:280) that in feeling such things, animal compares existence at a given moment with its nature and finds the two contradict each other. The presence of this first sort of defect or internal contradiction within the animal does not imply that anything is other than it ought to be. But when an individual animal cannot respond to these experiences as healthy animals of that kind are supposed to, when a fish is born without gills or when a hare breaks its legs and can no longer run fast enough to escape its predators, then it can be said to be defective in a second sense, namely, defective according to the standard provided by the *habitus* or way of life of its species. Here the individual is measured against the features essential to living the life of its species and is found lacking. This second form of defect is clearly an example of the kind of self-contradiction we isolated in the last section. This is a case of something lacking some property or power that is essential to its kind but without ceasing to count as an instance of that kind. As Hegel puts the point, when the individual living organism fails to conform to its kind, 'it is not the rule, the characteristic of the genus or class, etc., which is to be altered, as if this had to conform to these existences, but, conversely, it is the latter which ought to conform to the rule; and in so far as this actual existence does not do so, the defect belongs to *it*' (PN §370 R; italics in original; for a more complete discussion of this passage see Kreines 2015: 97–100).

It is worth noting, though, that Hegel does not think *every* divergence of the organism from one of the general characteristics of its species counts as a defect. Philippa Foot (2001: 30) has pointed out that there is an important difference between, say, a blue tit that is missing a characteristic round blue patch on its head and one that lacks something crucial to its way of life, such as the ability to fly; the latter is clearly defective in a way that the former is not. To mark this difference, we need to find a way to distinguish among those features and abilities that are characteristic of a given plant or animal those that are truly essential to the life of organisms of that species from those that are not essential (however widespread or typical they may be). Hegel thinks we can do this only by having recourse to the necessary determinations of the concept of life itself, whose determinations allows us to identify the three basic types of activities implied by the concept of life: growth, assimilation, and reproduction. We pick out which of the given organism's features and capacities are essential to it by seeing which features play an important role in the way organisms of that kind grow, assimilate, and reproduce. For example, if a tiger's teeth and claws are essential to its 'establishing and preserving itself', then these features will be included in the concept of a tiger (see Kreines 2008b: 359ff.). To arrive at the essence or concept of any given plant or animal thus requires that we keep one eye on the abstract, a priori determinations of the concept of life while keeping a second eye on the those concrete, empirically determined features and abilities that allow living organisms of certain species to engage in the activities

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required by the concept of life. Together, these allow us to arrive at a species concept that can serve as a rule or fixed type by which we can identify any divergences from the concept as 'defective, imperfect, and deformed' (PN §250); that is, a concept that allows us to say, for example, that some particular blue tit is defective because it lacks a capacity or feature that is essential to the *habitus* or life-form of the blue tit.

4. Constitutive Norms in Spirit

So far I have argued that for Hegel all genuine evaluation is rooted in ontology: he thinks something can be intrinsically good or bad (as opposed to being good or bad for some external purpose) only if it is the sort of thing that is capable of surviving a contradiction between its existence and its concept. We have also seen that this capacity for self-contradiction is nothing specific to spirit but is already present in the natural world: it is there any time we have a living organism that is unable, for whatever reason, to engage properly in the activities that are essential for the way of life of its species. In such cases, the species concept serves as a norm, or *Sollen*, by which individuals of this species can be evaluated as healthy or defective, good or bad. I now want to show how the transition from natural beings to spiritual brings with it the possibility of a new kind of internal contradiction and a new kind of normative defect, one that is not only unique to spiritual activities but is essential to them.

Hegel repeatedly identifies the capacity for thought as the most important difference between merely natural organisms and spiritual ones. He thinks this capacity happens to be uniquely human and that it makes human activity categorically distinct from animal behavior. For example, although animals are capable of acting according to purposes that are determined by their species concept, Hegel claims only human beings know what they are doing or are capable of entertaining 'purposes as purposes' (PN §389 R). It is important to note that on Hegel's account, this self-awareness is not just a useful indicator that we are dealing with spiritual phenomena, it is part of the formal concept of spirit and so is universally present in all forms of spiritual activity. Terry Pinkard (2014) gives a helpful illustration of what it means to treat some activity as spiritual in this sense: 'To be judging, for example, is also to be aware that one is judging, that is, to know (if for example, one is asked) that one is judging and not, say, swimming or cooking or gardening'. Hegel does not intend this as an empirical claim, one that could be falsified by finding some case where I made certain judgments without any attendant awareness of doing so; rather, this awareness is supposed to be part of the very definition or concept of spiritual activity. His claim, then, is that in order for something to so much as count as an act of judgment, the agent must know, in at least some implicit way, that she is doing something that can be characterized with the concept of judgment. On Hegel's view, this reflexive structure is a defining characteristic of spiritual activities.

My next point is less familiar, but it involves a straightforward application of Hegel's constitutivism to the case at hand: that is, the very concept of any given

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spiritual activity or enterprise provides us with norms according to which the instances of the corresponding activity or enterprise can be evaluated as good or bad. In the passage on truth quoted earlier, Hegel gave three examples of this, all drawn from the realm of spirit: action, the state, and fine art. In each of these cases, Hegel says that the individual action or state or artwork can and should be evaluated by determining how far it corresponds with the very concept of an action or state or artwork. Just as in the case of the natural organism, normative defect is traced to a contradiction between some existing entity or activity and its concept or kind. But there is a crucial difference in spirit, for now the contradiction occurs *within* consciousness. Since spiritual agents necessarily have some knowledge of the concept according to which their activity is to be judged, it is possible for the acts to fail according to a standard that the agents can appreciate or represent to themselves.

This is perhaps easiest to see in the case of the activity of willing. Just as we saw in life, a certain contradiction between my end and a state of affairs that does not yet correspond to my end is a necessary feature of all acts of the will—without this sort of contradiction there could be no willing at all. This disparity is not a sign of something going wrong any more than hunger is a sign of something going wrong in an animal. But when an agent acts in a way that prevents the realization of her own end, her activity can prove to be contradictory in a second sense. That is, it can contradict a norm implied by the agent's own conception of willing: say, that one should apply the necessary means to one's ends. In cases like these, a particular act of the will can be said to be defective *qua* act of the will and so be defective in the specifically evaluative sense (even if we are not yet talking about moral wrongness). This shows that spiritual evaluation implies the possibility of a new kind of failure: for when an agent who wills something fails to achieve her end, her activity can be understood as failing to accord *with her own conception* of what she is doing, not just failing to accord with a standard that can be derived from her life-form.

Spiritual activities are also open to a further kind of evaluation that is central to Hegel's philosophy of spirit: the evaluation of an agent's conception of some spiritual activity according to a standard implied by the very concept of that activity, an evaluation I can only hint at here. In Hegel's view, a given historical agent cannot only fail to act according to her own conception of what willing entails, but her conception itself can be defective. For example, an agent might think that willing is nothing other than doing what you arbitrarily choose to do and thus fail to realize that there are certain necessary ends that are implied by the very concept of the will. In cases like these, Hegel says the agent can be said to have a false or untrue conception of willing, one that fails to correspond to the very concept of the will. Interestingly enough, this second kind of spiritual failure is *never* imputable to the agent, for it involves measuring her conception of the will against a concept that is implied by her activity but one that she herself does not yet have access to. Historical progress in any given sphere is nothing other than the gradual overcoming of this second kind of normative defect; it is the historical movement toward a conception of any given spiritual activity that fully corresponds to its own concept. Indeed, Hegel clearly believes that it is only from some later, more advanced vantage point

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that previous *conceptions* can be judged defective or untrue—hence his famous line about the owl of Minerva flying only at dusk.

But the latter cases are clearly parasitic on the former: they presuppose the possibility of a kind of defect that can be imputed to the agent herself as opposed to her environment. In a passage where Hegel explicitly contrasts natural and spiritual defect, he focuses on just this difference:

> In man, the source of... imperfections lies in his whims, his caprice and negligence: e.g., when he brings painting into music, or paints with stones in mosaic, or when epic poetry is introduced into drama. In Nature, it is external conditions which distort the forms of living creatures; but these conditions produce these effects because life is indeterminate and receives its particular determinations also from these externalities. (PN §370 Z)[4]

In this passage, Hegel suggests that merely natural beings are never responsible for their defects—when natural beings deviate from their nature, this is always to be traced to 'external conditions' or outside interference. However, in spirit, things are different; here the source of imperfections can be the agent himself: it is in his 'whims,' 'caprice,' or 'negligence'. Again, Hegel's examples make it clear that he is not talking about specifically moral responsibility (*Schuld*), but about a more general sort of responsibility that attends all spiritual or concept-guided activity, whether moral or nonmoral (for a detailed treatment of Hegel's theory of responsibility, see Alznauer 2015). The basic claim Hegel is relying on is that when people act in accordance with a spiritual conception, they can be faulted for the lack of conformity between their act and that conception. When someone sets out to write a drama, to use Hegel's own example, he is to be understood as aware that he is writing a drama and aware that he is subject to the constitutive norms of that enterprise. If he incorporates material that does not correspond to the genre or medium he is working in, the defects of the resulting drama can and should be imputed to him and not to external conditions. (Naturally, there is some historical indexing that is necessary in cases like these; for a sophisticated treatment of these issues, see Wicks 1994.) It is the possibility of this particular sort of normative defect or failure that is unique to spiritual activities.

Let me reiterate the three points I've just attributed to Hegel so as to bring out explicitly the connection between them. I have claimed that to be engaged in any particular spiritual activity or enterprise is to have some conception of that spiritual activity or enterprise; I have claimed that this conception provides a constitutive standard by which entities of that sort can be evaluated; finally, I have claimed that

4 Elsewhere Hegel says: 'This possibility of letting oneself drift, through inertness, to the standpoint of untruth, or of lingering there consciously and willingly [*mit Wissen und Wollen*], is involved in the freedom of the subject, while planets, plants, and animals cannot deviate [*nicht abweichen können*] from the necessity of their nature, from the laws of their species, from their truth' (TWA 16: 14; LPR 1: 90). I am reading this passage as stating not that natural beings cannot fail to be as they ought to be, but that they cannot consciously or purposely deviate from what Hegel here calls the law of their species.

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these two points together imply the possibility of a distinct kind of failure, a failure that should be imputed to the agent rather than be traced to external conditions. Spiritual defects of this sort can be imputed to the agent because by acting according to some conception, the agent is committed to a standard by which the activity or the products of that activity can be assessed.

It would take more space than I have to show how this plays itself out in the various subsections of the Hegel's *Philosophy of Mind* (PM) and to show how the possibility for this kind of defect manifests itself in everything from simple acts of sense perception all the way up to states, artworks, and complex philosophical systems. Still, I want to address briefly one obvious textual objection that can be made to my attempt to identify imputable failure as part of the essence or nature of spirit—namely, that it does not seem to fit the primitive shapes of spirit Hegel treats at the very beginning of his *Philosophy of Mind* in the 'Anthropology'. The kinds of spiritual defect or disease we see in the 'Anthropology'—such as melancholy, neurasthenia, and dementia—are clearly *not* imputable to their bearers even in the broad, nonmoral sense I sketched above. For example, no one becomes demented through whim, caprice, or negligence. But these mental defects are not purely natural either—to diagnose someone as having dementia, for example, is clearly to assess him as defective in light of some view of proper mental functioning. The right thing to say to this objection is that the pathologies Hegel treats in the 'Anthropology' straddle the nature/spirit divide: they are the natural defects unique to spiritual beings, unique to beings whose destiny or *telos* is to become rational. If we want to formulate a definition of spiritual defect that includes the defects or illnesses treated in the 'Anthropology', that definition cannot be restricted to defects that can be imputed to the agent or to her civilization, but must extend to include impairments in the psychological development of those mental capacities that are presupposed by spiritual activities in the proper or narrow sense (i.e., essentially reflexive activities). This might seem a little ad hoc, but it explains why Hegel decided to treat the material in his 'Anthropology' as the first part the *Philosophy of Mind* rather than as the last part of the *Philosophy of Nature* while still doing justice to the peculiar ambivalent status of the 'Anthropology'—after all, it treats of phenomena that Hegel characterizes as simultaneously mental and physical (PM §408 R).

5. Normativity and Ontology

I want to conclude by summarizing the claims I have made about Hegel's understanding of the relation between normativity and ontology. For Hegel, as for most thinkers, to evaluate something is to judge it as adequate or inadequate, good, or bad according to some standard or end (in Hegel's typology of judgments, these are judgments of the concept). However, Hegel thinks normative evaluation comes in two forms that differ in important ways: a form that relies on a standard provided by the judge and a form that relies on a standard provided by the object. If the standard is simply provided by the judge, then you have extrinsic evaluation. There are, of course, no specific ontological presuppositions for extrinsic evaluation:

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anything at all can be judged as good or bad or as useful or useless in this external manner, and there is certainly nothing wrong with making these kinds of judgments in everyday life. For Hegel, though, there is little or no philosophical interest in extrinsic evaluation, since the standard employed in these contexts is entirely subjective and accidental. For example, he thinks we may judge a sunset beautiful, but since sunsets themselves do not aim at being beautiful, this judgment says more about us than about the sunset (see HA 1:131–32). Since nothing in nature truly aims at being beautiful, Hegel thinks there can be no science of natural beauty—no properly philosophical account of the properties natural things must have in order to be evaluated as beautiful. The problem, in cases like these, is that the goodness or badness we are attributing to the thing is not in the thing at all; it is only in our 'subjective consciousness' (SL 583; GW 12:86).

If extrinsic evaluation were the only sort available to us, then normativity could be considered as entirely independent of ontology; we could choose to judge things according to whatever standard we wanted to use. However, the kind of evaluation Hegel is primarily interested in is intrinsic evaluation; in these cases, we are judging something as good or bad according to a standard or end that is implied by the kind of thing being judged. That is, we are judging that thing according to a constitutive norm. Only this particular kind of evaluation, Hegel thinks, is genuinely objective, locating goodness or badness in the object itself rather than in the fit between the object and our subjective standard; therefore, only this kind of evaluation can be given a scientific basis. Unlike extrinsic evaluation, intrinsic evaluation has strong ontological presuppositions; that is, it applies only to objects of a certain sort. In Hegel's terms, these are objects that can survive a contradiction between their existence and their concept.

In the preceding, I have attempted to show that Hegel distinguishes between two forms of self-contradiction that differ in important ways, one characteristic of life and one characteristic of spirit, and I have argued that these forms give rise to two fundamentally different kinds of constitutive norms: natural norms and spiritual norms. Natural norms are derived from the concept of life; they cover those activities that are necessary for the flourishing of the biological species to which the individual essentially belongs. Such norms apply only to living beings—not to mere concepts or to inanimate things or to the cosmos as a whole—and in these cases, norms apply to individuals regardless of their capacity to recognize or appreciate those norms. Spiritual norms, on the other hand, are derived from the concept of spirit, that is to say, from the concept of essentially self-conscious activity. Spiritual norms have stronger application conditions than natural norms since they presuppose not just living beings, but beings with a capacity for self-consciousness, for being aware of what they do. This is required because any individual who is *not* knowingly acting under a specific spiritual concept is *not* subject to the norms that pertain to that specific concept. It is only insofar as the individual is writing a drama, for example, that she is subject to the constitutive norms of that genre. The constitutive norms of thinking and willing are, of course, harder to escape, but the basic principle here is the same.

This feature of Hegel's position shows that there is more than a grain of truth in the idea that spiritual norms are self-imposed. It is of the essence of spiritual

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norms, whether we are speaking of the norms of thinking or those of dramaturgy, that they are in force only when an agent knowingly engages in the corresponding activity. Nevertheless, we should not think that spiritual norms are in place by virtue of some decision we have made (either individually or collectively) to accept them or bind ourselves to them. Once someone is engaged in a spiritual activity of any sort, she is immediately subject to the constitutive norms of that activity or enterprise—no further step is needed here (or indeed even possible). There are certainly some spiritual activities, such as making a contract, that we cannot do on our own and that require some explicit act of self-binding, but these are only a subset of spiritual norms, and even in these cases, the fundamental norm of the practice is determined by the practice itself (e.g., the very concept of contract), and is not itself up for negotiation.

It might be thought that placing this much emphasis on constitutive norms is incompatible with Hegel's historicism, with his commitment to the idea that spiritual norms change over time, as Pinkard (2006:48) suggests. But even in those cases where Hegel thinks there is a historical story to be told about the development of our practices and institutions, all the normative heavy lifting is being done by the nature or concept of the activity or enterprise in question and not by its various historical instantiations. It is the very concept of the state, for example, that allows us to determine whether the modern state is superior to the Greek polis or the Roman Empire, and it is the very concept of art that allows us to identify classical art as superior to symbolic art. Spirit can be said to give itself its own laws, not because it can choose the content of the norms it holds itself to, but because it is answerable only to norms that are derived from its own concept (on this notion of autonomy, see Rödl 2011). These norms are in force only once spirit has recognized them, but they could not have been different than they are. This allows us to see how Hegel can assert that spirit is only what it makes of itself while insisting at the very same time that spirit only brings forth what it already essentially is.

MARK ALZNAUER
NORTHWESTERN UNIVERSITY
m-alznauer@northwestern.edu

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