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The comedy so separates the two zones of the ethical that it allows each to proceed entirely on its own, so that in the one the conflicts and the finite are shadows without substance, while in the other the Absolute is an illusion. But the true and absolute relation is that the one really does illumine the other; each has a living bearing on the other, and each is the other's serious fate. The absolute relation, then, is set forth in tragedy.

For although, in the living shape or organic totality of ethical life, that which constitutes the real side of that life is in the finite, and therefore cannot fully take up the bodily essence of the finite into the divinity of that life; it nevertheless expresses in itself the absolute Idea of divinity, though in a distorted way. Ethical life, to be sure, does not inwardly unite into absolute infinity the moments of this Idea that are kept separate as necessity; on the contrary, it has this unity only as a counterfeit negative independence—i.e., as freedom of the individual. But yet this real essence is utterly bound up with the absolute indifferent nature and shape of ethical life. While it must look upon that nature as something *alien*, it nonetheless looks on it and is in spirit one with it. Even for that essence itself, the very first thing is that the absolutely pure and indifferent shape and the absolute ethical consciousness shall *be*, and the second thing is the irrelevancy that, as the real, this essence shall be related to that consciousness merely as its empirical consciousness; just as it is primary that an absolute work of art shall *be*, and it is only secondary whether this specific individual is its creator or only an onlooker who enjoys it. This existence of the Absolute is necessary, but equally necessary is this partition: i.e., on the one hand the living spirit, the absolute consciousness, and the absolute identity of the ideal and the real sides of ethical life itself shall harmonize; while on the other hand, the spirit's corporeal and mortal soul cannot in its empirical consciousness completely unify its absolute form with its inner essence. Nevertheless, this spirit enjoys a view of the Absolute, as it were, as alien. In its real consciousness, it is one with the Absolute through fear, trust, and obedience, while in its ideal

consciousness it is wholly united with the Absolute in religion, the God of the community, and his service.

But what we have to put to one side, under the external form of the first class, is the real absolute consciousness of ethical life. It is consciousness and, as such (on its negative side), pure infinity and the supreme abstraction of freedom; i.e., the relation of coercion pushed to the point of cancellation, or freely chosen violent death. On the positive side, however, this consciousness is the singularity and separateness of the individual. But this inherent negativity (consciousness as such), of which the distinctions just made are merely its two aspects, is absolutely taken up into the positive; its separateness and infinity, or ideality, is absolutely and perfectly taken up into the universal and the real. This unity [of universal and particular] is the Idea of the absolute life of the ethical. In this oneness of infinity and reality in the ethical organization, the Divine nature—of which Plato says, "It is an immortal animal whose soul and body are eternally born together"*—seems to display the wealth of its multiplicity both in the highest energy of infinity and in unity which is the wholly simplex nature of the ideal element.

The most perfect mineral displays the nature of the whole in each part that is broken from a lump, but its ideal form is separateness, whether as the inner form of the fragment or the outer form of crystallization. This differs from the elements of water, fire, and air, where each particle is the perfect nature and representative of the whole, both in its essence and in its form or infinity. Moreover, the mineral's real form is not permeated with the true identity of infinity; its senses have no consciousness; its light is a single color, and cannot see; or if it is the indifference of colors, there is no point at which the passage of colors through it is impeded. It sounds when struck by some other object, but not of itself; its taste cannot taste; its smell cannot smell; its weight and hardness feels nothing. If it does not belong to the individuality of the characteristics of sense, but unites them in indifference, it is the undeveloped shut-in

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absence of difference—not the unity which divides itself inwardly and subdues its division. So too, the elements which are the same in all their parts have in them only the possibility (not the actuality) of differences, and have indifference only in the form of quantity, not indifference in qualitative terms. But the earth as the organic and individual element extends through the system of that element's shapes, from primal rigidity and individuality into the qualitative sphere and difference. And only in the absolute indifference of ethical nature does it resume the complete equality of all its parts and the absolute oneness of the individual and the absolute—in the first aether* which, from its self-identical fluid and soft form, scatters its pure quantity through individual formations into individuality and number, and completely controls this absolutely brittle and rebellious system by the fact that number is purified to become pure unity and infinity, and becomes intelligence. Thus, by becoming absolutely negative, the negative can become perfectly one with the positively absolute; for the absolute Concept is its own absolute immediate opposite and, as one of the ancients says, "is nothing no less than it is something."† In intelligence the form or the ideal is absolute form, and real as such; and in the absolute ethical order absolute form is in the most genuinely possible way bound up with absolute substance. Of the individual formations that lie between simple substance in reality (as pure aether), and the marriage with absolute infinity, none can bring form and qualitative unity into absolute indifference with the essence and substance present in the ethical order (whether through the quantitative elemental equality of whole and parts or, in higher formations, through the individualization carried out in still more individual parts), or bring the formal unification of the parts into a whole by

*[Aether—primordial matter or absolute being, according to Hegel's *Jenenser Realphilosophie* (Leipzig, 1932), and to Schelling's philosophy of Nature, from which Hegel borrowed it.]

†[This may be an allusion to the discussion in Plato: *Sophist* 237–241, or (as Poggeler suggests) to Aristotle: *Metaphysics* 985 b, 8–9, where this is said to be a doctrine of Leucippus.]

means of the fellowship of leaves in plants, of species, of the herd-wise life and common labor of animals. This is because in intelligence alone is individualization carried to the absolute extreme (i.e., to the absolute Concept), and there alone is the negative carried to the absolute negative; i.e., to being its own immediate opposite. Intelligence alone is thus capable (i) as absolute individuality, of being absolute universality, (ii) as absolute negation and subjectivity, of being absolute position and objectivity, and (iii) of being the supreme identity of reality and ideality, since it is absolute difference and infinity, absolute indifference, and the totality—*actu* in the unfolding of all clashes, *potentia* in their absolute annihilation and unification.

In the differences of light, the aether has scattered its absolute indifference into a multiplicity; in the blooms of the solar system it has born its inner reason and totality out into expansion. But the individualizations of light are dispersed in multiplicity, while those which form the orbiting petals of the solar system must maintain towards them a rigid individuality. And so the unity of the system lacks the form of universality, while the unity of the petals lacks pure unity, and neither carries in itself the absolute Concept as such. By contrast, in the system of the ethical order, the separately developed flowers of the heavenly system are closed; the absolute individuals are perfectly united into universality; reality, or the body, is supremely at one with the soul, because the real multiplicity of the body is itself nothing but abstract ideality, the absolute concepts of pure individuals; and thereby these latter can themselves be the absolute system. The Absolute is that which intuits itself as itself, and that absolute intuition and this self-knowing, that infinite expansion and this infinite recovery into itself, are simply one. But on this account, if both, as attributes, are real, spirit is higher than nature. For if nature is absolute self-intuition and the actuality of the infinitely differentiated mediation and unfolding, then spirit, which is absolute intuition of itself as itself (or absolute knowing), is, in the recovery of the universe into itself, both the scattered totality of this multiplicity, which it overarches, and the absolute ideality thereof in which it annihilates this separateness,

and reflects it into itself as the unmediated point of unity of the infinite Concept.*

From this idea of the nature of absolute ethical life there arises a relationship still to be discussed: the relationship of the *individual's* ethical life to *real absolute* ethical life, and the relationship between the sciences thereof, namely morality and natural law. Since real absolute ethical life, united in itself, comprehends infinity (or the absolute Concept), pure individuality *sans phrase* and in its supreme abstraction, it is directly the ethical life of the individual. Conversely, the essence of the ethical life of the individual is *the* real and therefore universal absolute ethical life; the ethical life of the individual is one pulse beat of the whole system and is itself the whole system. We notice here too a linguistic allusion, elsewhere repudiated, which is fully justified by what has been said—namely that it is of the nature of absolute ethical life to be a universal or an *ethos*. This Greek word for ethical life, like the German one [*Sitte*], expresses this nature admirably, while the newer systems of ethics, in making independence and individuality into a principle, cannot fail to expose the relation of these words. This inner allusion proves so powerful that these systems, to define their subject-matter, could not misuse these words and so adopted the word "morality," which indeed originally meant the same thing, but, because it is rather only an invented word, does not quite as directly resist its inferior meaning.†

But, as has been shown, absolute ethical life is so essentially the ethical life of all that we can scarcely say of it that it mirrors itself as such in the individual. For it is of the essence of the individual, just as much as the aether which permeates nature is the inseparable

*[At this point Hegel's editors insert a space, but his essay appeared in two installments, and this is simply the point at which the first installment ended.]

†[In his later work, the *Philosophy of Right*, Hegel makes a clear distinction between *Sittlichkeit* and *Moralität*. These words are ordinarily synonyms for "morality." But Hegel uses *Sittlichkeit* to mean conscientious abiding by the laws and customs or *ethos*—*Sitte*—of one's nation, and *Moralität* to mean conscientiousness simply. Thus a wrongdoer may be *moral* but not *sittlich*. English usage is different: a man may abide by the *mores* but not be moral. The translation of this essay usually renders *Sittlichkeit* by "ethical life" in accordance with the terminology of the *Philosophy of Right*, but "morality" is sometimes used where Hegel seems to be referring to individual, rather than social, behavior.]

essence of the configurations of nature, and, as space (the ideality of nature's appearances), is not separate at all in any of them. On the contrary, just as the lines and angles of the crystal (in which it expresses the external form of its nature) are negations, so too ethical life, in so far as it expresses itself in the individual as such, is something negative. *First*, it cannot express itself in the individual unless it is his soul, and this it is only in so far as it is a universal and the pure spirit of a people. The positive is prior by nature to the negative, or, as Aristotle says: "The state comes by nature before the individual; if the individual in isolation is not anything self-sufficient, he must be related to the whole state in one unity, just as other parts are to their whole. But a man incapable of communal life, or who is so self-sufficing that he does not need it, is no part of the state and must be either a beast or a god."²

Secondly, in so far as ethical life expresses itself in the individual as such, it is posited in the form of a negation; i.e., it is the possibility of the universal spirit. And the ethical qualities of the individual, such as courage or moderation or frugality or generosity, etc., are negative ethical life (i.e., in the particularity of the individual a singularity is not genuinely fixed and no real abstraction is genuinely made) and are possibilities or potentialities of being in universal ethical life. These virtues, which in themselves are potentialities and have a negative meaning, are the subject-matter of morality, and we now see that the relation of natural law to morality has in this fashion been reversed; I mean that morality properly deals only with the area of the inherently negative, while the true positive belongs to natural law as is implied in its name. Natural law is to construct how ethical nature attains its true right. If, on the other hand, the negative—both in itself and as the abstraction of externality, of the formal moral law, of the pure will, and the individual's will—and further, the syntheses of these abstractions (such as coercion, the limitation of individual freedom by the concept of universal freedom, etc.) were to express the specific character of natural law, it then would be a natural *wrong*, since on the basis of such negations as realities, ethical nature is thrown into utter corruption and misery.

²[*Politics*, 1253^a, 25-29.]

But since these properties are the reflex of absolute ethical life in the individual as the negative (but the individual who is in absolute indifference with the universal and the whole), and so are its reflex in that life's pure consciousness, there must also be a reflex of them in that life's empirical consciousness, and this reflex must constitute the ethical nature of the second class, the one preoccupied with fixed reality, with possession and property and not with courage. Now this is the reflex which morality, in the usual meaning, would more or less fit—the *formal* positing, in mutual indifference, of the specific terms of the relation; i.e., the ethical life of the *bourgeois* or private individual for whom the difference of relations is fixed and who depends on them and is in them. A science of this morality is thus, first, a knowledge of these relations themselves, so that insofar as they are studied with reference to ethical life, a reference that can only be formal owing to their absolute fixity, the above-mentioned enunciation of tautology finds its place here: this relation is only this relation. If you are in this relation, then be in it with reference thereto; for if you perform actions bearing on this relation without acting with reference to it, you are annihilating the relation, canceling it. At the same time, the true sense of this tautology directly implies that this relation itself is not absolute, and thus that morality too, which is dependent on it, is something contingent and not truly ethical. This true sense, according to what was said above, emerges from the fact that only the form of the concept, the analytic unity, is the absolute, and hence the negatively absolute, because the content, by being specific, contradicts the form.

But those properties (which are truly ethical, since in them the particular or the negative appears) taken purely into indifference may be called ethical properties. They may be called virtues only if they are individualized again to a higher power, and become like proper living shapes, though within absolute ethical life—such as the virtues of Epaminondas, Hannibal, Caesar, and some others. As powers of this kind, they are shapes, and thus are no more absolute themselves than the shapes of other organic formations. On the contrary, they are the stronger emergence of one aspect of the Idea of the whole. And the morals of virtues or ethics (if we wish to characterize the morals generally of morality and adopt the title of

"ethics" to describe virtue) must therefore be exclusively a natural description of the virtues.

Now just as ethics has a bearing on the subjective or the negative, so a distinction must be made between the negative as the maintenance of difference and the negative as its absence. Hitherto the discussion has been about the former negative, but this other one, the absence of difference, presents the totality as something enclosed and not unfolded, where movement and infinity are not present in their reality. The living being under this form of the negative is the budding of ethical life, and *education* is by definition the emerging progressive cancellation of the negative or subjective; for the child, as the form of the potentiality of an ethical individual, is something subjective or negative, whose development to manhood is the cessation of this form and whose education is the disciplining or subjugation of the form. But the positive aspect and the essence of the child is that it is suckled at the breast of universal ethical life; it lives first in an absolute vision of that life as alien to it, but comprehends it more and more and so passes over into the universal spirit. It follows automatically that those virtues, as well as absolute ethical life, are not an effort to achieve a private and separate ethical life any more than is their development through education, and that it is vain and inherently impossible to strive after a private positive ethical life. As regards ethical life, the saying of the wisest men of antiquity is alone true, that "to be ethical is to live in accordance with the ethics of one's country." And as regards education, the reply of a Pythagorean* to the question: "What is the best education for my son?" is "Make him a citizen of a well-ordered state."

Thus the absolutely ethical has its own proper organic body in individuals, and its movement and vitality in the common being and doing of everyone is absolutely identical as both universal and particular. We have treated it in particularity, but in such a way that its essence is the absolutely identical, and thus, in general, have treated it in that identity. Therefore in the form of universality and knowledge too, it must present itself as a system of *legislation*, in

*[Xenophilus, according to Diogenes Laertius VIII. 1, ch. xv.]

such a way that this system completely expresses reality or the living customs present in the nation. This obviates what is often the case, namely that the laws of a nation fail to reveal what in that nation is right and realized. A lack of skill in formulating the true ethical principles as laws, and the fear of thinking these principles, of regarding them, as one's own, and acknowledging them, is the sign of barbarism. Yet this ideality of ethics and their form of universality in the laws must, insofar as it subsists as ideality, also be perfectly united with the form of particularity. In this way the ideality as such must be given a pure absolute shape, and so must be regarded and worshipped as the nation's God; and this view must in turn have its own vivacity and joyful movement in a cult.

We have now presented absolute ethical life, in the moments of its totality, and constructed its Idea. We have also done away with, as unsubstantial *entia rationis*, the prevailing distinction, in reference to ethical life, between legality and morality, and also the affiliated abstractions of the universal freedom of a formal practical reason. And we have specified—not at all by confusing both principles, but by cancelling them and constituting the absolute ethical identity—what the distinctions are between the science of natural law and of morals in accordance with the absolute Idea. Thus we have established that the essence of this Idea is not an abstraction but the living reality of the ethical, and that its difference concerns only the external and negative side. We have established that this difference is at the same time the completely reversed relation to the other difference, since according to the latter it is the formal and negative which is to be ascribed to natural law as its essence, and the absolute and positive to morality as its essence, yet such that even this absolute is in truth something no less formal and negative; and what is here called formal and negative is in the last resort simply nothing.

Now in order to expound the relation of *natural law* to the *positive sciences* of law, we only need to pick up its threads at the point where we left it and to indicate the place where it ends.

At the outset we note in general that philosophy arbitrarily sets its own limits in respect of a given science by means of the universality of the concept of a specific character or an element. A specific science is precisely the progressive presentation and analysis (in the

higher sense of the word) of how that which philosophy leaves undeveloped as a simple specific character ramifies once more and is itself a totality. But the possibility of such a development lies *formally* in the fact that the law of absolute form and totality, by which a specification is to be further known and developed, is directly present in the Idea. But the *real* possibility is present in virtue of the fact that such a specific character or element, undeveloped by philosophy, is not an abstraction or a truly simple atom, but, like everything in philosophy, is reality; and a reality is reality because it is totality and itself the system of stages or elements. To display the element in this way is the development belonging to the specific science.

Consequently, we might say in advance that a good part and perhaps all of the sciences called positive jurisprudence would fall within a completely developed and elaborated philosophy, and that, by their constitution as sciences proper, they are neither excluded from philosophy nor opposed to it. Owing to the empirical distinction within this body of sciences and their independence, no true distinctions within the body are laid down by philosophy. No necessarily exclusive difference from philosophy is set up by the fact that they call themselves empirical sciences, some of which have their application in the actual world and propose to make their laws and procedure prevail in the eyes of the common way of conceiving things, while others bear on individual systems of existing constitutions and legislations and belong to a specific nation and time. For nothing needs to be so applicable and, in the eyes of the universal—the truly universal—way of conceiving things (for there are common ways which are very particular in this respect), needs to be so fully justified as what proceeds from philosophy, just as nothing needs to be so highly individual, living, and permanent as that. In order to discuss the relations of these sciences to philosophy, we must first establish and define a difference which makes them positive sciences.

In the *first* place, the positive sciences comprise, in the actuality on which they profess to have a bearing, not only historical matter but also concepts, principles, relations, and, in general, much which in itself belongs to reason and is supposed to express an inner truth and

necessity. Now to invoke actuality and experience in favor of such matter, and to insist on them as something positive in contrast to philosophy, must be recognized as absolutely inadmissible. It is quite impossible that anything which philosophy has proved to be non-real should occur truly in experience. And if positive science invokes reality and experience, philosophy can declare its proof of the non-reality, even in its empirical bearing, of a concept upheld by positive science, and deny that the things that positive science claims to find in experience and actuality can indeed be found there. Philosophy will of course grant the notion that something is so experienced—a casual and subjective view. But when positive science claims to find and exhibit its ideas and basic concepts in experience, it means to assert something real, necessary, and objective—not a subjective view. Whether something is a subjective view or an objective idea, an opinion or a truth, philosophy alone can decide. It can leave to positive science its own method *ad hominem* and, besides denying that a scientific idea does in fact occur in experience, can maintain on the contrary that it is only a philosophic idea which is to be found in experience. Philosophy can exhibit its ideas in experience; the reason for this lies directly in the ambiguous nature of what is called experience. For it is not immediate intuition itself, but intuition raised into the intellectual sphere, thought out and explicated, deprived of its singularity, and expressed as a necessity, that counts as experience. Therefore the principal thing, in what is exhibited in and as experience, is not what (with reference to the cleavage introduced into intuition by thinking) we may call actuality. But when intuition is drawn into the sphere of thought, opinion must give way to the truth of philosophy. The distinction between what positive science assumes to have drawn directly from intuition (though thereby it has determined itself into being a relation and a concept of intuition), and what does not belong to thinking, is easily demonstrated in each case, as is the proof of philosophy's complete authority and mastery in the matter.

Secondly, thinking of this kind, which appeals to actuality, tends to be truly positive in its views, because it rests in opposition and holds on to specific details, and so takes *entia rationis* or *entia imaginationis* as absolute and derives its principles from them. Thus

it runs the risk of having every specific detail prove to it to be the opposite specific detail, and that from whatever it accepts, the very opposite is derived. For example, if the increased density or specific weight of a body is explained as an increase in the force of attraction, the same phenomenon can be explained with equal ease as an increase in the force of repulsion, for there can be only as much attraction as there is repulsion—the one has meaning only with reference to other. To the extent to which the one were greater than the other, to that same extent it would not exist at all. What is to be regarded as an increase in the one, can be considered as exactly an increase in its opposite.

Thus, in natural law generally, or in the theory of punishment in particular, a relation might be defined as coercion, though philosophy proves the nullity of this concept, and the positive science calls on experience and actuality to show that coercion is actually real, that coercion actually takes place. But the non-reality of this concept, proved by philosophy, can be asserted with just as much justice and with the appeal to experience and actuality—stating that there is no coercion, that no man has ever been coerced or ever will be. For here it all depends on how the phenomenon is explained, whether in support of the idea of coercion something is being considered as purely external or as something internal. Whenever the presence of coercion is to be demonstrated, the very opposite of one and the same phenomenon can be shown to be present (namely that it is not a coercion but rather an expression of freedom), for the phenomenon, by being taken in the form of idea and thus being determined by the inner and the ideal, leaves the subject in his freedom against coercion. And if, in order to remove the opposition of the internal and of freedom, what is supposedly external and coercion is itself transferred into the internal, so that psychological coercion is being asserted, this transfer of the outer into the inner is no help either. For thought remains free without qualification, and psychological or conceptual coercion cannot bind it. The possibility of cancelling the specific thing which is envisaged and is supposed to serve as coercion is absolute. It is perfectly possible that the loss of something specific, threatened by punishment, be accepted, and that what the law means to take forcibly by punishment be freely

given up. Thus if the explanation of a phenomenon claims that the idea of something specific is or has been effective as coercion, the explanation on the opposite ground (that the phenomenon is an expression of freedom) is just as absolutely possible. The fact that the sensuous incentive (whether the one that supposedly prompts the action, or the one by which the law is supposed to deter from it) is psychological (i.e., something internal), at once places it in the sphere of freedom, freedom which could abstract from it or not—either of which is freedom of the will. If, on the other hand, it is held that we *suppose* that there is coercion (of a psychological sort) and that this is the common way of looking at things, this is, in the *first* place, not true; it is just as easy and doubtless more common to hold that an action or failure to act arises from free will. *Secondly*, in setting up principles and in making laws we would need to pay as little attention to opinion as astronomers, investigating the laws of the heavens, allow themselves to be hampered by the opinion that the sun, the planets, and all the stars revolve round the earth, and are just as big as they seem, etc.; and as little as the ship's captain bothers about the opinion that the ship is at rest and the shore is moving away. If those two were to accept those opinions, the astronomer would find it impossible to understand the solar system, while the captain would stop the oarsmen or lower the sails. Both would at once find it impossible to attain their objective and would be forthwith convinced of the unreality of the opinion at the moment they want to concede its reality. As was shown above, conceive coercion as reality (i.e., imagine it in a system and in the totality), and it at once annihilates itself and the whole.

Since such a specific detail, maintained by positive scientific opinion, is the very opposite of itself, it is equally possible for either of the two parties, holding one of the opposite details, to refute the other. This possibility of refutation consists in the fact that every specific detail can be shown to be neither thinkable, nor to exist at all, except in relation to its opposite. But because it exists and has meaning only in relation to the other, this opposite must directly exist and be shown just as much. If $+A$ is meaningless except in relation to $-A$, it follows that, along with $+A$, $-A$ is directly present.

The opponent now says that what is here is $-A$ rather than $+A$; but the same reply can be made to his $-A$.

Often, however, we do not take even this much trouble. For instance, regarding *that* freedom which is opposed to sensuous incentives and which, because of this opposition, is no more a true freedom than they, we fail to show that everything proposed as its expression must in reality be explained as the effect of sensuous motives. This explanation can be made with ease; but with the same ease it can be shown, on the other hand, that what is supposed to be experienced as an effect of sensuous motives ought properly to be experienced as an effect of freedom. On the contrary we simply abstract from freedom and assert that freedom has no place here because it is something internal, nay more, something moral and indeed metaphysical. But no thought is given to the fact that the other specific detail at which we stop (i.e., coercion and the sensuous motive whereby coercion is to be established) is, as something external, meaningless without the internal, or freedom—and that freedom cannot possibly be severed from coercion. When we consider a criminal action as intending something *specific* which is contrary to the punishment threatened, and to the sensuous motive which the law establishes by that threat, then this specific thing means something sensuous and it will be said that the crime originates from a sensuous impulse. But if the action is regarded as an act of the will, with the implication of the possibility of abstracting from the sensuous motive set up by the law, then it appears as free. Neither view, neither the specific something nor this possibility, can be discarded; the one is flatly bound up with the other, and therefore each can be directly derived from its opposite. But the logic of opinion opines that if something specific, an opposite, is established, we can then actually abstract from the other, the opposite, and dispense with it. Indeed this logic, owing to its sort of principle of contradiction, simply cannot grasp that, with such specific things, the opposite of each is wholly irrelevant in settling what view to take; or that in this abstraction and negative nature one opposite is entirely like the other; and still less can it grasp that the two together, such as freedom contrasted with sense-

awareness, and sense-awareness and coercion, are simply nothing real but mere *entia rationis* and creatures of the imagination.

Thus, inasmuch as a science of law is positive because it keeps to opinion and abstractions without substance, it follows that its appeal to experience, or to its criterion of applicability to actuality, or to "healthy common sense" and the common way of looking at things, or even its appeal to philosophy, makes no sense at all.

If we now look more closely at the grounds on which science becomes positive in the manner shown, and in general consider the grounds for appearance and opinion, it is clear that they are in the *form*: what *ideally* is an opposite, one-sided, and has *reality* solely in absolute identity with its opposite, is isolated, put independently, and declared to be real. It is by this form that intuition is directly cancelled, and the whole, dissolved, ceases to be a whole or a reality. Thus this distinction between the positive and the non-positive does not concern the *content*. It is this form which makes it possible not only, as was shown above, for a purely formal abstraction to be fixed and falsely maintained to be truth and reality, but also for a true idea and genuine principle to be misconceived in reference to its limit, and to be laid down apart from the sphere in which it has its truth, so that it loses its truth altogether. The fact that a principle belongs to one sphere is the aspect of its specific character; but in the sphere itself this specific character is present both undifferentiated [from another such character] and also really permeated by the Idea, and this makes it a true principle. In that case the principle is known as the Idea appearing in these specific characters as its shape, but only as the principle of this sphere, and thus its limits and conditions are known. But it is wrested altogether from its truth if in its conditioned character it is made absolute or even extended to cover the nature of other spheres.

The absolute and clear unity of ethical life is absolute and living in virtue of the fact that neither a single sphere nor the subsistence of spheres in general can be fixed—that on the contrary, while ethical life eternally protracts them, at the same time it absolutely collapses and cancels them, and enjoys itself in undeveloped unity and clarity. In relation to the spheres, secure of its own inner life and indivisible, it now reduces one by the other, now passes over wholly into one

and destroys the other, and in general withdraws from this movement into absolute rest, in which all are cancelled. On the other hand, sickness and the onset of death are there when one part organizes itself and eludes the dominion of the whole. By this isolation the part affects the whole negatively or even compels it to organize itself for this sphere alone—as, for example, when the vitality of the entrails, in obedience to the whole, develops into individual animals, or the liver makes itself into the ruling organ and forces the whole organism to do its bidding. Thus it may happen that, in the general system of ethical life, the principle and system of civil law, for example, which is concerned with possession and property, becomes wholly absorbed in itself, and in the diffuseness in which it loses itself takes itself to be a totality supposedly inherent, absolute, and unconditional. The inner negativity of this sphere, even in terms of its content which is the persistently finite, has already been expounded above, and the reflection of the indifference possible in the finite can all the less be taken for an absolute. It is just as impossible to turn the system of acquisition and possession, the wealth of a nation, or a single sphere within this system, be it agriculture, or manufacturing, or trade, into something unconditional.

But a single sphere becomes even more positive if it and its principle so far forget their conditioned character as to encroach on others and subjugate them. Just as the principle of mechanics has intruded into chemistry and natural science, and the principle of chemistry has intruded especially into the latter, so too the philosophy of ethics has at various times been invaded by various principles. Of late, however, in the internal economy of natural law, this external justice (infinity reflected in the persistent finite, and for this reason formal infinity) that constitutes the principle of civil law has secured a special predominance over constitutional and international law. The form of such an inferior relation as the contractual one has forced its way into the absolute majesty of the ethical totality. In the case of the monarchy, for example, the absolute universality of the center and the oneness of the individual therein is understood, now according to a contract of full authorization as a relation between a supreme civil servant to the abstraction of the

state, now according to the relation of an ordinary contract as a matter between two specific parties each of whom needs the other, and so as a relation of *quid pro quo*—and by relations of this kind which are wholly in the sphere of the finite, the Idea and the absolute majesty of the ethical totality are destroyed. Similarly, it is inherently a self-contradiction if, in international law, the relation of absolutely independent and free nations (which are ethical totalities) is to be regulated after the model of a civil contract which relates directly to the individuality and dependence of the citizens. So constitutional law too could as such presume to relate directly to the individual, and, as a perfect police, totally permeate his existence and destroy civic freedom (which would be the harshest despotism) in the way in which Fichte* wants to see every action and the whole existence of the individual as an individual supervised, known, and regulated by the universal and the abstraction that are set up in opposition to him. The moral principle could also intrude into the system of absolute ethical life and propose to put itself at the head of public and private law, and international law too. That would be both the greatest weakness and the profoundest despotism, and the complete loss of the Idea of an ethical organization, because the moral principle, like that of civil law, belongs only to the sphere of the finite and the individual.

In science this hardening and isolation of individual principles and their systems, and their encroachment on others, is prevented only by philosophy. The part does not know its own limits but must rather tend to constitute itself a whole and an absolute. Philosophy, however, stands in the Idea of the whole, above the parts; thereby it keeps each part in its limits and also, by the majesty of the Idea itself, prevents the part from burgeoning by subdivision into endless minutiae. In the same way, this limitation and idealization of the various spheres presents itself in reality as the history of the ethical totality. There, in the dimension of time, this totality, secure in its absolute equilibrium, balances between the opposites. At one time, it reminds constitutional law of its specific function by giving a slight preponderance to civil law; at another time, by giving preponder-

* [Grundlage des Naturrechts, §21.]

ance to the former, it makes breaches and rents in the latter; thus in general it revitalizes each system by for a time inhabiting it more strongly, and reminds all, in their separation, of their impermanence and dependence. What is more, it destroys their uncontrolled growth and their self-organization by at moments confounding all of them at once, presenting them re-absorbed into totality, and letting them go again reborn out of this unity, with the reminder of this dependence and the sense of their weakness if they wanted to be on their own.

This character of the positivity of legal science affects the form whereby one sphere isolates itself and sets itself up as absolute. By such a course, religion and whatever else (and indeed any philosophy) can become perverted and corrupted. But we must study positivity also from the material side. For although both (what we have earlier called positive, and what we are now studying as material) belong to the sphere of the particular, we earlier dealt with the external linking of the form of universality with particularity and specification, while now we are dealing with the particular as such.

And in this context we must above all guard against formalism in respect of everything that, in terms of its matter, can be posited as positive. For formalism disrupts perception and its identity of the universal and the particular, and places the abstractions of universal and particular in opposition, while counting anything it can exclude from this emptiness, but subsume under the abstraction of particularity, as something positive. It does not consider that by this opposition [of particular to universal] the universal becomes positive just as much as the particular. For, as was shown above, it becomes positive through the form of opposition in which it is present in that abstraction. The real, however, is a sheer identity of the universal and the particular; therefore, that abstraction and the positing of one of the opposites that arise from this abstraction, the positing of the universal as inherently self-subsistent, cannot take place. In general, if formal thinking is logical, it must be altogether devoid of content if it conceives the particular as positive. In the pure reason of formal thinking, every multiplicity and distinguishability must altogether disappear, and it is quite impossible to see how even the scantiest multiplicity of rubrics and headings could be

obtained. Indeed, those who conceive the nature of the organism to be the abstraction of some vital force must, strictly speaking, conceive of the limbs and the brain and the heart and the viscera as something particular, positive, and accidental, and leave them out.

Like everything living, ethical life is a sheer identity of universal and particular, and for that reason is an individuality and a shape. It carries in itself particularity, necessity, relation (i.e., relative identity), but these are identified with and assimilated to it, so that it is free in this identity. And this ethical life, which reflection may consider to be particularity, is not something positive, or opposed to the living individual which is thereby tied to chance and necessity, but is alive. This side is its inorganic nature, though it has attached that side organically to itself in shape and individuality. Thus, to mention the most common thing, the specific climate of a people—and its epoch in the development of the race—belong to necessity. And of the far-flung chain of necessity, only one link covers this people's present period; this link can be understood, in one respect, in terms of geography, and, in another, of history. But the individuality of ethical life has organized itself into this link, and the specific character of this link depends not on this individuality but on necessity. For the ethical vitality of the people lies precisely in the fact that the people has a shape in which a specific character is present—though not as something positive (in our use of this word so far) but as something absolutely united with universality and animated by it. And this aspect is very important also, partly in order to recognize how philosophy learns to honor necessity; partly because this aspect is a whole, and only a narrow view sees merely the individual detail and rejects it as accidental; and partly also because this aspect cancels the view of the individual and accidental by showing that it does not inherently hinder life, but that life, on the contrary, by letting the individual and accidental persist as they are of necessity, removes them from this necessity and permeates and vitalizes them. The element of water to which part of the animal kingdom organically adapts itself, and the element of air, to which another part does, are not something dead or positive because they are single elements, one for the fish and the other for the bird. Neither is *this* form, in which ethical life is organized in *this* climate

and *this* period of a particular or universal culture, something positive *there*. Just as the totality of life is fully as present in the nature of the polyp as in that of the nightingale and the lion, so the world-spirit, in every one of its shapes, has enjoyed its self-awareness, weaker or more developed but always absolute; it has enjoyed itself and its own essence in every nation under every system of laws and customs.

This stage is thus justified externally; this external aspect belongs to necessity as such. For even in this abstraction of necessity, singularity is again simply cancelled by the Idea. This singularity of the stage of polyp and nightingale and lion is an element in a whole, and in this connection with the whole it is respected. Over the single stages there floats the idea of totality which, however, is mirrored back by its whole scattered image, and sees and recognizes itself therein. This totality of the widespread image is the justification of the single as an existent. It is therefore the *formal* standpoint which gives the form of particularity to an individuality and cancels the life in which particularity is real; it is the *empirical* standpoint, on the other hand, which demands a higher stage where the reality of a specific stage is laid down. That higher stage, even in its developed reality, is empirically just as much present [as the lower one]; the higher development of the life of the plant is present in the polyp, the polyp's higher development in the insect, etc. Only empirical unreason proposes to discern in the polyp the empirical manifestation of the higher stage of the insect. A polyp, assuming it were not a polyp, still is nothing but this specific dead bit of matter, empirically related to me—dead matter because I take it for an empty possibility of being something else, and this emptiness is death. If it is a question of the higher manifestation, with absolutely no empirical relation, that manifestation can be found; for, in accordance with absolute necessity, it must be there.

Thus the feudal system, for example, may well appear as something entirely positive. But in the first place, from the aspect of necessity, it is not something absolute and single; it exists wholly in the totality of necessity. But inwardly, in face of life itself, the question whether the feudal system is positive depends entirely on whether the nation has truly organized itself within that system as an

individuality, whether it completely fills the shape of this system and vitally permeates it—whether the law of these relations is *ethos*. Thus if, for example, the genius of a people is in general on a lower level and weaker, and the weakness of ethical life is at its most stubborn in barbarism and in a formal culture; if the nation has allowed itself to be conquered by another and has had to lose its independence (i.e., if it has preferred misfortune, and the disgrace of loss of independence, to battle and death); if it has sunk so crudely into the reality of animal life that it does not even rise to formal ideality, to the abstraction of a universal, and thus in determining relationships for physical necessities cannot bear the relation of law but only of personality; or, equally, if the reality of the universal and of law has lost all conviction and truth, and the nation cannot feel and enjoy the image of divinity in its own being, but must put that image outside itself and must make do instead with a dim feeling, or even the painful feeling of vast distance and lofty eminence: if all this occurs, then the feudal system and serfdom have absolute truth, and this relationship is the one possible form of ethical life and is therefore the necessary and just and ethical form.

This individuality of the whole, and the specific character of a nation, then do indeed allow us to understand the whole system into which the absolute totality organizes itself. We can understand how all parts of the constitution and the laws, all specific details of ethical relationships, are entirely determined by the whole and form a structure in which no joint and no ornament has been independently present *a priori*, but each element has been brought about by the whole and is subservient to it. In this sense Montesquieu based his immortal work on the view of the individuality and character of nations, and while he did not rise to the height of the most living Idea, he yet did not merely deduce individual institutions and laws from so-called reason, nor merely abstract them from experience to raise them thereafter to some universal. On the contrary, he comprehended both the higher relationships of constitutional law and the lower specifications of civil relationships down to wills, marriage laws, etc., entirely from the character of the whole and its individuality. And those empirical theorists who imagine that they understand the accidents of their political and legal systems through

reason, or that they have derived these systems from common-sense itself or even from common experience, have been shown by Montesquieu in a way comprehensible to them that reason and common-sense and experience, from which specific laws arise, are not reason and common-sense *a priori* or experience *a priori*, which would be absolutely universal. He has shown that these systems are wholly and solely the living individuality of a nation, an individuality whose highest specifications are to be comprehended once again from a more universal necessity.

It has been shown above in reference to science that each individual sphere can be fixed and that science thereby can become positive; and the same claim must be made in reference to the ethical individual or the nation. For in accordance with necessity, the totality must present itself in the individual and the nation as the persistence of the dispersed characteristics; and the single link in the chain, within which the individual and the nation are set in the present, must pass on and give place to another. Since the individual grows in this way and one sphere emerges more strongly, while another recedes, the parts organized in the latter find themselves ejected and dead. This division, in which some things mature towards new life while others, which have become settled at the stage of one specific feature, remain behind and see life flow away from them, is possible only because the specific feature of one stage has become fixed and made formally absolute. The form of law which is given to the specific *ethos*, and which is universality or the negative absolute of identity, lends to the *ethos* the appearance of something inherently [necessary]. If the mass of a nation is large, so too is that part of it which is organized in the specific feature of that stage; and the law's consciousness of this large part greatly outweighs the law's unconsciousness of the newly emerging life. When *ethos* and law were one, the specific feature was not anything positive. But if the whole does not advance in step with the growth of the individual, law and *ethos* separate; the living unity binding the members together is weakened and there is no longer any absolute cohesion and necessity in the present life of the whole. At this stage, therefore, the individual cannot be understood on his own, since his specific character lacks the life which explains it and makes it

intelligible; and since the new *ethos* now also begins to shape itself into laws, an inner contradiction of laws amongst themselves is simply bound to arise. In the foregoing, history is only one side of the picture, and what is necessary is also free, while here, by contrast, necessity is no longer at one with freedom and thus falls prey entirely to pure history. If something has no true ground in the present, its ground lies in a past; and so we must look for a time in which the specific feature, fixed in law but now dead, was a living *ethos* and in harmony with the rest of the laws. But beyond precisely this aim to know, the effect of a purely historical explanation of laws and institutions cannot go. It would exceed its function and truth if it were used to justify, for the present time, the law which had truth only in a life that is past. On the contrary, this historical knowledge of the law, which can exhibit the ground of the law only in lost customs and a life that is dead, proves precisely that now in the living present the law lacks understanding and meaning, even though it still may have power and force on the strength of the form of law, owing to the fact that parts of the whole are still in its interest and survive because of it.

But to distinguish properly what is dead and without truth from what is still living, we must recall a distinction which can elude a formal insight and which must prevent us from taking what is inherently negative for the living law, and the rule of inherently negative laws for the life of the organization. For laws which withdraw specific features and parts from the supremacy of the whole, which preclude the law from ruling over them, and which exempt the individual from the universal, are inherently negative and are the signs of approaching death—a death which becomes ever more menacing to life as these negatives and withdrawals increase in number, and as these laws tending towards this disintegration get the upper hand of the true laws constituting the unity of the whole. Therefore, among the positive and the dead there must not merely be counted what belongs entirely to a past and what no longer has any living present and possesses only an unintelligent and, for lack of an inner meaning, shameless power; but that too which establishes the negative (i.e., the disintegration and severance from the ethical whole) is devoid of genuinely

positive truth. The former is the history of a past life, the latter the definite representation of present death.

Thus, in a disintegrated nation such as the German, the laws may of course appear to have truth, provided we do not distinguish between whether they are laws of the negative and of separation, or laws of the truly positive and of unity. When laws organizing a whole have meaning solely for a past, and relate to a shape and an individuality discarded long ago as a dead husk; when they are no longer interested in any but parts of the whole, and therefore establish no living relation to the whole but confront it as a foreign power and rule; when those things which express a living bond and inner unity are no longer appropriate in the slightest as means to their ends, and the means therefore have neither intelligibility nor truth (because the truth of a means lies in its adequacy to the end); when this inmost lack of truth of the whole results after all in there being little truth in the science of philosophy in general, in ethical life, and in religion too—then indeed disintegration is confirmed and stabilized; it settles in a system of the negative and so puts on the formal semblance of knowledge, and of laws whose inner essence is nothingness. If the knowledge and science of such a people asserts that reason comprehends and knows nothing and consists only in empty freedom (i.e., in a flight, in nothingness and its appearance), then the content and essence of the negative legislation is that there is no law, no unity, no whole. The former untruth is the one that is untrue unknowingly and innocently; but this second untruth is the one that entrenches itself by arrogating form to itself.

Thus it is not philosophy which takes the particular for something positive, just because it is a particular. On the contrary, philosophy does so only if the particular has won independence as a single part outside the absolute cohesion of the whole. The absolute totality restricts itself as necessity in each of its spheres, produces itself out of them as a totality, and recapitulates there the preceding spheres just as it anticipates the succeeding ones. But one of these is the greatest power, in whose color and character the totality appears, yet without being in any way restrictive for life any more than water is for the fish or air for the bird. At the same time it is necessary for individuality to advance through metamorphoses, and

for all that belongs to the dominant stage to weaken and die, so that all stages of necessity appear as such stages in this individuality. But the misfortune of the period of transition (i.e., that this strengthening of the new formation has not yet cleansed itself absolutely of the past) is where the positive resides. And although nature, within a specific form, advances with a uniform (not mechanically uniform, but uniformly accelerated) movement, it still enjoys a new form which it acquires. As nature enters that form, so it remains in it, just as a shell starts suddenly towards its zenith and then rests for a moment in it; * metal, when heated, does not turn soft like wax, but all at once becomes liquid and remains so—for this phenomenon is the transition into the absolute opposite and so is infinite, and this emergence of the opposite out of infinity or out of its nothingness is a leap. The shape, in its new-born strength, at first exists for itself alone, before it becomes conscious of its relation to another. Just so, the growing individuality has both the delight of the leap in entering a new form and also an enduring pleasure in its new form, until it gradually opens up to the negative, and in its decline too it is sudden and brittle.

Now the philosophy of ethics teaches us to comprehend this necessity, and to know the connection of its content and the content's specific character as absolutely bound up with the spirit, and as its living body; it opposes itself to the formalism which regards as contingent and dead what it can subsume under the concept of particularity. At the same time, this philosophy recognizes that this vitality of individuality as such, whatever its shape, is a formal vitality. For the restrictedness of what belongs to necessity, even if it be absolutely absorbed into indifference, is only a part of necessity, not absolute total necessity itself, and so it is always an incongruity between absolute spirit and its shape. But it cannot attain this absolute shape by escaping into the shapelessness of cosmopolitanism, still less into the void of the Rights of Man, or the like void of a league of nations or a world republic. These are abstractions and formalisms filled with exactly the opposite of

* [Prior to Newton it was believed that a projectile came momentarily to rest at the upward point of its trajectory before beginning its downward flight.]

ethical vitality and which in their essence are protestants against individuality and are revolutionary, while philosophy must describe the most beautiful shape befitting the high Idea of absolute ethical life. Since the absolute Idea is in itself absolute intuition, its construction immediately determines also the purest and freest individuality in which spirit intuitively beholds itself with perfect objectivity in its shape, and, without returning into itself out of intuition, immediately recognizes itself in intuition itself, and by that very recognition is absolute spirit and perfect ethical life. At the same time, in the manner presented above, this life finds off involvement with the negative—for (since what we have so far called positive has in the event turned out to be the negative considered in itself) it confronts the negative as objective and fate, and by consciously conceding to the negative a power and a realm, at the sacrifice of a part of itself, it maintains its own life purified of the negative.