

THE CONDITION OF RIGHT OR LEGAL STATUS

A further step in the realization of the principle of coherent sociality is reached when the individual is invested with the universality of the social order by definite enactments of the controlling agency of the social whole. His contingency as an individual is removed by his being expressly treated as a focal unity of the whole order, whose very existence is staked on maintaining him as a unit with a universal significance, and which stands or falls by maintaining him in this condition. The universal order is in this case no longer merely implicit, merely a matter of routine and custom; it is openly and objectively expressed in and through each individual component of society. The form this takes is the differentiation of the social substance into a totality of "persons", each and all invested with express universal, or legally acknowledged, significance. This is the sphere of legal personality, or of individuality constituted by a system of Rights. It is a supreme achievement of social existence, and the highest attainment of coherent social experience. Hence the present section.

This is a condition or stage in every developed community. But the specific historical material for this section is derived from the law-constituted social order of the Roman Empire, especially the Empire under the Antonines. Here, whether by coincidence or otherwise, the culmination of imperial rule and the "golden age" of law synchronized. The triumph of Roman imperial government and the perfecting of the system of Roman jurisprudence were accomplished during the same period of time, about A.D. 131-235. There is every reason to suppose that the two necessarily arose and fell together, and that the decline and disappearance of the Roman law-constituted state should thus prepare the way for a further achievement of the social spirit of humanity. Hence the historical justification for the transition to the next stage of social life, that of self-discordant spiritual existence.

With this section should be read Hegel's *Philosophy of History*, Part III, especially the introduction to this part, and Sect. III, c. 1., "Rome under the Emperors."

THE CONDITION OF RIGHT OR LEGAL STATUS

The general comprehensive unity, into which the living immediate unity of individuality and the ethical substance falls back, is the soulless (*geistlos*) community, which has ceased to be the un-selfconscious¹ substance of individuals, and in which they now, each in his separate individual existence, count as selves and substances with a being of their own. The universal being thus split up into the atomic units of a sheer plurality of individuals, this inoperative, lifeless spirit is a principle of equality in which all count for as much as each, i.e. have the significance of *Persons*. What in the realm of the ethical life was called the hidden divine law has in fact come out of concealment to the light of actuality. In the former the individual was, and was counted, actual merely as a blood relation, merely as sharing in the general life of the family. *Qua* particular individual, he was the selfless departed spirit; now, however, he has come out of his unreality. Because the ethical substance is only objective, "true", spirit, the individual on that account turns back to the immediate certainty of his own self; he is that substance *qua* positive universal, but his actuality consists in being a negative universal self.

We saw the powers and forms of the ethical world sink in the bare necessity of mere Destiny. This power of the ethical world is the substance turning itself back into its ultimate and simple nature. But that absolute being turning back into itself, that very necessity of characterless Destiny, is nothing else than the Ego of self-consciousness.

This, therefore, is taken henceforth as the absolutely real, as the ultimate self-contained reality. To be so acknowledged is its substantiality; but this is abstract

¹ Reading "selbstbewusstlose" (1st ed.).

universality, because its content is this rigid self, not the self dissolved in the substance.

Personality, then, has here risen out of the life and activity of the ethical substance. It is the condition in which the independence of consciousness has *actual concrete validity*. The unrealized abstract thought of such independence, which arises through renouncing actuality, was at an earlier stage before our notice in the form of "Stoical self-consciousness". Just as the latter was the outcome of "Lordship and Bondage",¹ the mode in which self-consciousness exists immediately—so personality is the outgrowth of the immediate life of spirit which is the universal controlling will of all, as well as their dutiful obedience and submissive service. What in Stoicism was implicit merely in an abstract way, is now an explicit concrete world. Stoicism is nothing else than the mood of consciousness which reduces to its abstract form the principle of legal status, the principle of the sphere of right—an independence devoid of the qualities of spirit (*geistlos*). By its flight from actuality it attained merely the idea of independence: it is absolutely subjective, exists solely for itself, in that it does not link its being to anything that exists, but is prepared to give up every kind of existence, and places its essential meaning in the unity of mere thinking. In the same manner, the "right" of a "person" is not linked on to a richer or more powerful existence of the individual *qua* individual, nor again connected with a universal living spirit, but, rather, is attached to the mere unit of its abstract reality, or to that unit *qua* self-consciousness in general.

Now just as the abstract independence of Stoicism set forth the stages of its actualization, so, too, this last form of independence [Personality] will recapitulate the process of the former mode. The former

¹ v. p. 229 ff.

[Stoicism] passes over into the state of sceptical confusion, into a broken gibber of negation, which without adopting any permanent form strays from one conflicting mode of being and thinking to another, dissipates them indeed in absolute independence, but just as readily creates them again once more. In fact, it is simply the contradiction of consciousness claiming to be at once independent and yet devoid of independence. In like manner, the personal independence characteristic of the sphere of right is really a similar universal confusion and reciprocal dissolution of this kind. For what passes for the absolute essential reality is self-consciousness in the sense of the bare empty unit of the person. As against this empty universality, the substance has the form of what supplies the filling and the content; and this content is now left completely detached and disconnected; for the spirit, which kept it in subjection and held it together in its unity, is no longer present. The empty unit of the person is, therefore, as regards its reality, an accidental existence, a contingent insubstantial process and activity that comes to no durable subsistence. Just as was the case in Scepticism, the formalism of "right" is, thus, by its very conception, without special content; it finds at its hand the fact of "possession," a fact subsisting in multiplicity, and imprints thereon the abstract universality, by which it is called "property"—the same sort of abstraction as Scepticism made use of. But while the reality so determined is in Scepticism called a mere appearance, "mere semblance", and has merely a negative value, in the case of right it has a positive significance. The negative value in the former case consists in the real having the meaning of self *qua* thought, *qua* inherent universal; the positive significance in the latter case, however, consists in its being mine in the sense of the category, as something whose validity is admitted, recognized, and actual. Both are

the same abstract universal. The actual content, the proper value of what is "mine"—whether it be an external possession, or again inner riches or poverty of mind and character—is not contained in this empty form and does not concern it. The content belongs, therefore, to a peculiar specific power, which is something different from the formal universal, is chance and caprice. Consciousness of right, therefore, even in the very process of making its claim good, experiences the loss of its own reality, discovers its complete lack of inherent substantiality; and to describe an individual as a "person" is to use an expression of contempt.

The free and unchecked power possessed by the content takes determinate shape in this way. The absolute plurality of dispersed atomic personalities is, by the nature of this characteristic feature, gathered at the same time into a single centre, alien to them and just as devoid of the life of spirit (*geistlos*). That central point is, in one respect, like the atomic rigidity of their personality, a merely single reality; but in contrast to their empty singleness, it has the significance of the entire content, and hence is taken to be the essential element; while again, in contrast to their pretended absolute, but inherently insubstantial, reality it is the universal power, and absolute actuality. This "lord and master of the world" takes himself in this way to be the absolute person, comprising at the same time all existence within himself, for whom there exists no higher type of spirit. He is a person: but the solitary single person who has taken his stand confronting all. These all constitute and establish the triumphant universality of the one person; for the single being, as such, is truly what it is only *qua* universal plurality of single units: cut off from this plurality, the solitary and single self is, in fact, a powerless and unreal self. At the same time, it is the consciousness of the content which is antithetically opposed to that universal

personality. This content, however, when liberated from its negative power, means chaos of spiritual powers, which, when let loose, become elemental independent agencies, break out into wild extravagances and excesses, and fall on one another in mad destruction. Their helpless self-consciousness is the powerless inoperative enclosure and the arena of their chaotic tumult. But this master and lord of the world, aware of his being the sum and substance of all actual powers, is the titanic self-consciousness, which takes itself to be the living God. Since, however, he exists merely *qua* formal self, which is unable to tame and subdue those powers, his procedure and his self-enjoyment are equally titanic excess.¹

The lord of the world becomes really conscious of what he is—viz. the universal might of actuality—by that power of destruction which he exercises against the contrasted selfhood of his subjects. For his power is not the spiritual union and concord in which the various persons might get to know their *own* self-consciousness. Rather they exist as persons separately for themselves, and all continuity with others is excluded from the absolute punctual atomicity of their nature. They are, therefore, in a merely negative relation, a relation of exclusion both to one another and to him, who is their principle of connexion or continuity. *Qua* this continuity, he is the essential being and content of their formal nature—a content, however, foreign to them, and a being hostile in character, which abolishes just what they take to be their very essence, viz. bare self-existence without any content, mere empty independent existence each on its own account. And, again, *qua* the continuity of their personality, he destroys this very personality itself. Juridical personality thus finds itself, rather, without

¹ Cp. with the above Hobbes' *Leviathan*. The historical reference here is to the "apothecosis" of the Roman Emperors.

any substance of its own, since content alien to it is imposed on it and holds good within it—and does so there, because such content is the reality of that type of personality. On the other hand the passion for destroying and turning over everything on this unreal field gains for itself the consciousness of its complete supremacy. But this self is sheer devastation, and hence is merely beside itself, and is indeed the very abandonment and rejection of its own self-consciousness.

Such, then, is the constitution of that aspect in which self-consciousness *qua* absolute being is *actual*. The consciousness, however, that is driven back into itself out of this actuality, *thinks* this its insubstantiality, makes it an object of *thought*. Formerly we saw the stoical independence of pure thought pass through Scepticism and find its true issue in the "unhappy consciousness"—the truth about what constitutes its inherent and explicit nature, its final meaning. If this knowledge appeared at that stage merely as the one-sided view of a consciousness *qua* consciousness, here the actual truth of that view has made its appearance. The truth consists in the fact that this universal accepted objectivity of self-consciousness is reality estranged from it. This objectivity is the universal actuality of the self; but this actuality is directly the perversion of the self as well—it is the loss of its essential being. The reality of the self that was not found in the ethical world, has been gained by its reverting into the "person". What in the case of the former was all harmony and union, comes now on the scene, no doubt in developed form, but self-estranged.

B

SPIRIT IN SELF-ESTRANGEMENT—THE DISCIPLINE
OF CULTURE

The life of spirit as found in the social self-consciousness has two fundamental factors, the universal spirit or social whole as such, and the individual member as such. The interrelation of these constitutes the spiritual existence of society. Each by itself is abstract, but the realization of complete spiritual life through and in each is absolutely essential for spiritual fulfilment. In the preceding analysis of spirit, one form of this process has been considered, the realization of the objective social order in and through individuals. In the succeeding section, with its various subsections, the other process of securing the same general result is analysed: we have the movement by which, starting from the individual spirit, the realization of complete spiritual existence is established. The former starts from the compact solidarity of the social substance, and results in the establishment of separate and individually complete legal personalities. The latter process starts from the rigidly exclusive unity of the individual self and issues in the establishment of a social order of absolutely universal and therefore absolutely free wills. Both processes are *per se* abstract, necessary though they are: hence, as we shall find, a further stage in the evolution of spirit has still to appear.

The process of spirit in this second stage assumes from the start a conscious contrast between the individual spirit and a universal spiritual whole, a contrast, which, while profound, the individual seeks to remove, because the universality of spiritual existence which he seeks to attain is implicitly involved in his very being as a spiritual entity. His spiritual life seems, to begin with, rent in twain, so complete is the sense of the opposition of these factors constituting his life. His true life, his objective embodiment, seems outside him altogether and yet is felt to be his own self. He seems "estranged" from his complete self, and the estrangement seems his own doing, because the substance from which he is cut off is felt to be his own. The contrast is the deepest that spirit can possibly experience, just because spirit is and knows itself to be self-contained and self-complete, "the only reality". The contrast can only be removed by effort and struggle, for the individual spirit has to create or recreate for itself and by its own activity a universal objective spiritual realm, which it implies and in which alone it can be free and feel itself at home. The struggle spirit goes through is thus the greatest in the whole range of its experience, for the opposition to be overcome is the profoundest that exists. Since its aim is to achieve the highest for itself, nothing sacred can be allowed to stand in its way. It will make any sacrifice, and, if necessary, produce the direct spiritual disaster, a spiritual "reign of terror", to accomplish its result.

The movement of spirit here analysed covers every form of the

The historical material the writer has in mind is a moral attitude which came into prominence at the time of the Romantic movement towards the end of the eighteenth and the beginning of the nineteenth centuries. It found its philosophical expression in the moral theories of Kant and Fichte; and Lessing may be taken as a typical representative in literature of the same attitude.

SELF-ASSURED SPIRIT: MORALITY

THE ethical order of the community found its destiny consummated and its truth realized in the spirit that merely passed away within it—the individual self. This legal person, however, has its substance and its fulfillment outside the ethical order. The process of the world of culture and belief does away with this abstraction of a mere person; and by the completion of the process of estrangement, by reaching the extremity of abstraction, the self of spirit finds the substance become first the universal will, and finally its own possession. Here, then, knowledge seems at last to have become entirely adequate to the truth at which it aims; for its truth is this knowledge itself. All opposition between the two sides has vanished, and that, too, not *for us* (who are tracing the process), not merely *implicitly*, but actually for self-consciousness itself. That is to say, self-consciousness has itself got the mastery over the opposition which consciousness involves. This latter rests on the opposition between certainty of self and the object. Now, however, the object for it *is* the certainty of self, knowledge: just as the certainty of itself as such has no longer ends of its own, is no longer conditioned and determinate, but is pure knowledge.

Self-consciousness thus now takes its knowledge to be the substance itself. This substance is, for it, at once immediate and absolutely mediated in one indivisible unity. It is *immediate*—just like the “ethical” consciousness, it knows and itself does its duty, and is bound to its duty as to its own nature: but it is not *character*, as that ethical consciousness was, which in virtue of its immediacy is a determinate type of spirit, belongs merely to one of the essential features of ethical life, and has the characteristic of not being conscious explicit knowledge. It is, again, absolute *mediation*, like the consciousness developing itself

through culture and like belief; for it is essentially the movement of the self to transcend the abstract form of immediate existence, and become consciously universal—and yet to do so neither by simply estranging and rending itself as well as reality, nor by fleeing from it. Rather, it is for itself directly and immediately present in its very substance; for this substance is its knowledge, it is the pure certainty of self become transparently visible. And just this very immediacy, which constitutes its own actual reality, is the entire actuality; for the immediate is being, and *qua* pure immediacy, immediacy purified by thoroughgoing negativity, this immediacy is pure being, is being in general, is all being.

Absolute essential Being is, therefore, not exhausted by the characteristic of being the simple essence of thought; it is all actuality, and this actuality exists merely as knowledge. What consciousness did not know would have no sense and can be no power in its life. Into its self-conscious knowing will, all objectivity, the whole world, has withdrawn. It is absolutely free in that it knows its freedom; and just this very knowledge of its freedom is its substance, its purpose, its sole and only content.

a

THE MORAL VIEW OF THE WORLD

SELF-CONSCIOUSNESS knows and accepts duty as the Absolute. It is bound by that alone, and this substance is its own pure conscious life; duty cannot, for it, take on the form of something alien and external. When thus shut up and confined within itself, however, moral self-consciousness is not yet affirmed and looked at as *consciousness*.¹ The object is immediate knowledge, and being thus permeated purely by the self, is not *object*. But, self-consciousness being essentially mediation and negativity, there is implied in its very conception relation to some otherness; and thus it is *consciousness*. This other, because duty constitutes the sole essential purpose and object of self-consciousness, is a reality completely devoid of significance for self-consciousness. But again because this consciousness is so entirely confined within itself, it takes up towards this otherness a perfectly free and detached attitude; and the existence of this other is, therefore, an existence completely set free from self-consciousness, and in like manner relating itself merely to itself. The freer self-consciousness becomes, the freer also is the negative object of its consciousness. The object is thus a complete world within itself, with an individuality of its own, an independent whole of laws peculiar to itself, as well as an independent procedure and an unfettered active realization of those laws. It is a *nature* in general, a nature whose laws and also whose action belong to itself as a being which is not disturbed about the moral self-consciousness, just as the latter is not troubled about it.

Starting with a specific character of this sort, there is formed and established a moral outlook on the world

¹ i.e. there is not the opposition of an object to subject which consciousness requires.

determination of the subject must certainly be considered: it wills something whose ground lies within the subject itself; it wills the fulfilment of its desire and the gratification of its passion. But the good and the right are also a content – not just a natural content, but a content posited by my rationality; and to make my freedom the content of my will is a pure determination of my freedom itself. The higher moral viewpoint therefore consists in finding satisfaction in one's action, not in stopping short at the gulf between the self-consciousness of the human being and the objectivity of the deed – although the latter attitude does predominate in certain periods of world history and of the lives of individuals.

§ 122

This particular aspect gives the action its subjective *value* and *interest* for me. In contrast with this end – i.e. *the intention from the point of view of its content* – the immediate character of the action in its further content is reduced to a means. In so far as such an end is a finite one, it may in turn be reduced to a means to some further intention, and so on in an infinite progression.

§ 123

For the content of these ends, all that presents itself here is (α) formal activity itself, inasmuch as the subject *actively* commits itself to whatever it is to regard and promote as its end – for human beings wish to act in support of whatever interests them, or should interest them, as their own. (β) But the as yet abstract and formal freedom of subjectivity has a more determinate content only in its *natural subjective existence* [*Dasein*] – its needs, inclinations, passions, opinions, fancies, etc. The satisfaction of this content is *welfare* or *happiness*, both in its particular determinations and in its universal aspect – the ends of finitude in general.

This is the point of view of *relationship* (see § 108), where the subject is determined in its differentiation and so counts as something *particular*, and where the content of the natural will makes its appearance (see § 11). But the will here is not as it is in its immediacy; instead, this content, belonging as it does to the will reflected into itself, is raised to a *universal* end, namely that of *welfare* or *happiness* (see *Encyclopaedia of the Philosophical*

Sciences, §§ 393ff.).¹ This is the point of view of thought which does not yet comprehend the will in its freedom, but *reflects* on its content as something natural and given – as, for example, in the days of Croesus and Solon.²

Addition (H). In so far as the determinations of happiness are present and given, they are not true determinations of freedom, which is not truly present for *itself* until it has adopted the good as an end in itself. We may ask at this point whether the human being has a right to set himself ends which are not based on freedom, but solely on the fact that the subject is a living being. The fact that he is a living being is not contingent, however, but in accordance with reason, and to that extent he has a right to make his needs his end. There is nothing degrading about being alive, and we do not have the alternative of existing in a higher spirituality. It is only by raising what is present and given to a self-creating process that the higher sphere of the good is attained (although this distinction does not imply that the two aspects are incompatible).

§ 124

Since the *subjective* satisfaction of the individual himself (including his recognition in the shape of honour and fame) is also to be found in the implementation of ends *which are valid in and for themselves*, it is an empty assertion of the abstract understanding to require that only an end of this kind shall appear willed and attained, and likewise to take the view that, in volition, objective and subjective ends are mutually exclusive. Indeed, such attitudes become even worse if they lead to the assertion that, because subjective satisfaction is present (as it *always* is when a task is completed), it constitutes the agent's *essential intention* to which the objective end was merely a *means*. – What the subject *is*, is *the series of its actions*. If these are a series of worthless productions, then the subjectivity of volition is likewise worthless; and conversely, if the series of the individual's deeds are of a substantial nature, then so also is his inner will.¹

The right of the subject's *particularity* to find satisfaction, or – to put it differently – the right of *subjective freedom*, is the pivotal and focal point in the difference between *antiquity* and the *modern* age. This right, in its infinity, is expressed in Christianity, and it has become the universal and actual principle of a new form of the world. Its more specific shapes

include love, the romantic, the eternal salvation of the individual as an end, etc.; then there are morality and conscience, followed by the other forms, some of which will come into prominence below as the principle of civil society and as moments of the political constitution, while others appear within history at large, particularly in the history of art, the sciences, and philosophy. – Now this principle of particularity is admittedly a moment within an antithesis, and in the first instance at least, it is *just as much* identical with the universal as distinct from it. But abstract reflection fixes this moment in its difference from and opposition to the universal, and so produces a view of morality as a perennial and hostile struggle against one's own satisfaction, as in the injunction: 'Do with repugnance what duty commands.'² This same [use of the] understanding produces that psychological view of history which contrives to belittle and debase all great deeds and individuals by transforming into the main intention and effective spring [*Triebsfeder*] of actions those inclinations and passions which were simultaneously satisfied by substantial activity, along with fame and honour and other consequences – indeed that whole particular aspect which it had declared in advance to be inherently inferior. The same attitude assures us that, since great actions and the activity associated with a series of these have accomplished great things in the world and have consequently brought power, honour, and fame to the *individual agent*, it is not the greatness itself which belongs to the individual, but only those particular and external consequences which accrued to him from it; and since this particular aspect is a consequence [of the individual's action], it is also supposed *for this reason* to have been the end, and indeed even the sole end in view. – Such reflection as this fixes upon the subjective side of great individuals – for its own basis is likewise subjective – and *overlooks* the substantial element in this edifice of vanity which it has itself constructed. This is the view of 'those psychological *valeurs de chambre* for whom there are no heroes, not because the latter are not heroes, but because the former are only *valeurs de chambre*' (see *Phenomenology of Spirit*, p. 616).³

dition (H). 'In magnis voluisse sat est'⁴ rightly signifies that we ought to will something great. But we must also be able to implement it, or else our willing is futile [*nichtig*]. The laurels of mere willing are dry leaves which have never been green.

⁴Translator's note: 'In great things, it is sufficient to have willed.'⁴

§ 125

Subjectivity, with its *particular* content of *welfare*, is reflected into itself and infinite, and consequently also has reference to the universal, to the will which has being in itself. This [universal] moment, initially posited within this particularity itself, includes the *welfare of others* – or in its complete, but wholly empty determination, the welfare of *all*. The welfare of *many other* particular beings in general is thus also an essential end and right of subjectivity. But since the *universal which has being in and for itself*, as distinct from such particular [kinds of] content, has not so far been determined beyond the stage of *right*, these ends of particularity, different as they are from the universal, may be in conformity with it – but alternatively, they may not.

§ 126

My particularity, however, like that of others, is only a right at all in so far as I am *free*. It cannot therefore assert itself in contradiction to this substantial basis on which it rests; and an intention to promote my welfare and that of others – and in the latter case in particular it is called a *moral intention* – cannot justify an *action which is wrong*.

One of the most conspicuous among the corrupt maxims of our time is that we ought to interest ourselves in the so-called *moral intention* behind *wrong* actions, and to imagine [*vorzustellen*] inferior [*schlechte*] subjects with allegedly good hearts, i.e. hearts which will their own welfare and perhaps even the welfare of others. This maxim derives in part from the pre-Kantian period of sensibility [*guten Herzens*]¹ and constitutes, for example, the quintessence of familiar and affecting dramatic presentations.² But this doctrine has also been revived in a more extreme shape, and inner enthusiasm and

the emotions, i.e. the *form* of particularity as such, have been made the criterion of what is right, rational, and excellent. As a result, crimes and their guiding principles, even if these should be the most banal and empty fancies and foolish opinions, are presented as right, rational, and excellent on the grounds that they are based on the *emotions* and on *enthusiasm* (for further details, see Remarks to § 140 below). – In addition, we must bear in mind the point of view from which right and welfare are being examined here – namely as formal right and the particular welfare of the individual [*des Einzelnen*]. The so-called *common weal* or *welfare* of the state, i.e. the right of the actual and concrete spirit, is an altogether different sphere, in which formal right is just as much a subordinate moment as particular welfare and the happiness of the individual. We have already noted above [see § 20] that one of the commonest errors of abstraction is to insist on private rights and private welfare as *valid in and for themselves* in opposition to the universality of the state.

Addition (H). The famous answer 'je n'en vois pas la nécessité'^a which was given to the libeller who excused himself by saying 'il faut donc que je vive'^b is relevant here.³ For life, when confronted with the higher realm of freedom, is not necessary at all. When St Crispin stole leather to make shoes for the poor, his action was both moral and wrong, and hence invalid.⁴

^aTranslator's note: 'I do not see the need for it.'

^bTranslator's note: 'But I have to live.'

§ 127

The *particularity* of the interests of the natural will, taken together as a simple *totality*, is personal existence [*Dasein*] as *life*. In *extreme danger* and in collision with the rightful property of someone else, this life may claim (not in equity, but as a right) a *right of necessity*,¹ for the alternatives are an infinite injury [*Verletzung*] to existence with total loss of rights, and an injury only to an individual and limited existence of freedom, whereby right as such and the capacity for rights of the injured party, who has been injured only in *this* specific property, continue to be recognized.

From the right of necessity arises the benefit of competence, whereby a debtor is permitted to retain his tools, agricultural implements, clothes, and in general as much of his resources – i.e. of the property of his creditors – as is deemed necessary to support him, even in his accustomed station in society.

Addition (H). Life, as the totality of ends, has a right in opposition to abstract right. If, for example, it can be preserved by stealing a loaf, this certainly constitutes an infringement of someone's property, but it would be wrong to regard such an action as common theft. If someone whose life is in danger were not allowed to take measures to save himself, he would be destined to forfeit all his rights; and since he would be deprived of life, his entire freedom would be negated. There are certainly many prerequisites for the preservation of life, and if we look to the future, we must concern ourselves with such details. But the only thing that is necessary is to live *now*; the future is not absolute, and it remains exposed to contingency. Consequently, only the necessity [*Not*] of the immediate present can justify a wrong action, because its omission would in turn involve committing a wrong – indeed the ultimate wrong, namely the total negation of the existence of freedom. The *beneficium competentiae*² is of relevance here, because links of kinship and other close relationships entail the right to demand that no one should be sacrificed completely for the sake of right.

§ 128

Such necessity [*Not*] reveals the finitude and hence the contingency of both right and welfare – of the abstract existence [*Dasein*] of freedom as distinct from the existence [*Existenz*] of the particular person, and of the sphere of the particular will as distinct from the universality of right. Their one-sided and ideal character is thereby posited, just as it was already determined for them in their concept. Right has already (see § 106) determined its *existence* [*Dasein*] as the particular will; and subjectivity, in its comprehensive particularity, is itself the existence [*Dasein*] of freedom (see § 127), just as it is in itself, as the infinite self-reference of the will, the universal aspect of freedom. The two moments in right and subjectivity, thus integrated so as to attain their truth and identity – though initially still in a *relative* relation [*Beziehung*] to one another – are the *good* (as the *fulfilled* universal, determined in and for itself) and the *conscience* (as infinite and

as the concept of the will. – But if it were now to be argued that, since evil is inherent in the concept and necessary, man would not be responsible if he committed it, it must be replied that the decision is man's own act, the product of his freedom and responsibility. Religious myth tells us that man is like God in his knowledge [*Erkenntnis*] of good and evil, and this likeness is indeed present in that the necessity here is not a natural necessity – on the contrary, the decision is in fact the cancellation [*Aufhebung*] of this duality of good and evil. Since I am confronted with both good and evil, I am able to choose between them; I can choose either of them and accept one or the other into my subjectivity. It is thus in the nature of evil that man may will it, but need not necessarily do so.

§ 140

The self-consciousness knows how to discover a *positive* aspect in its own end (see § 135); for this end, as part of the purpose of an *actual concrete* action, necessarily has a positive aspect. By virtue of this positive aspect, [which it regards] as a *duty and admirable intention*, the self-consciousness is able to assert that its action is good both *for others and for itself*. But because of its self-reflection and consequent awareness of the universal character of the will, it is also in a position to compare with this universal character the essentially *negative* content of its action, which is simultaneously present *within it*. To assert that this action is good for *others* is *hypocrisy*; and to assert that it is good for the self-consciousness *itself* is to go to the even greater extreme at which *subjectivity declares itself absolute*.

This last and most abstruse form of evil, whereby evil is perverted into good and good into evil and the consciousness, knowing that it has the power to accomplish this reversal, consequently knows itself as absolute, is the greatest extreme of subjectivity from the point of view of morality. It is the form to which evil has advanced in our time – thanks to philosophy, i.e. to a shallowness of thought which has twisted a profound concept into this shape and has presumed to call itself philosophy, just as it has presumed to call evil good. In these present Remarks, I shall briefly indicate the principal shapes which this subjectivity commonly assumes.

- (a) *Hypocrisy* contains the following moments: (α) knowledge of the true universal, whether in the form merely of a

feeling of *right* and *duty* or of a more advanced knowledge [*Kenntnis*] and cognition of these; (β) a willing of the *particular* which is at odds with this universal; and (γ) a knowing *comparison* of these two moments so that the particular volition is determined, for the willing consciousness itself, as evil. These determinations signify *acting with a bad conscience*, but not yet hypocrisy as such. – It was at one time a question of great importance *whether an action was evil only in so far as it was done with a bad conscience*, i.e. with a *developed* consciousness of the moments indicated above. – Pascal (*Lettres provinciales*, 4) describes very well what follows from answering this question in the affirmative: 'Il seront tous damnés ces demi-pécheurs, qui ont quelque amour pour la vertu. Mais pour ces francs pécheurs, pécheurs endurcis, pécheurs sans mélange, pleins et achevés, l'enfer ne les tient pas: ils ont trompé le diable à force de s'y abandonner.'⁴ – The subjective right of self-consciousness to *know* an action in its determination as either good or evil in and for itself must not be thought of as colliding with the absolute right of the *objectivity* of this determination in such a way that the two are represented as *separable*, and

⁴ *Translator's note*: 'They will all be damned, these half-sinners who retain some love of virtue. But as for those open sinners, hardened sinners, undiluted, complete, and consummate sinners, hell cannot hold them: they have deceived the devil by their complete surrender.'

⁵ *Hegel's note*: In the same context, Pascal also quotes Christ's intercession on the Cross for his enemies: 'Father, forgive them, for they know not what they do'² – a superfluous request if the fact that they did not know what they were doing removed the quality of evil from their action so that it did not require forgiveness. He likewise cites the opinion of Aristotle (*Nicomachean Ethics* III.2 [1110b27]), who distinguishes between acting *ὁὐκ εἰδώς* and acting *ἀγνοῶν*,³ in the former case of ignorance, the person concerned acts *involuntarily* (this ignorance relates to *external circumstances*; see § 117 above), and he cannot be held responsible for his action.⁴ But of the latter instance, Aristotle says: 'All wicked men fail to recognize what they should do and refrain from doing, and it is this very defect (*ἀμαρτία*) which makes people unjust and in general evil. Ignorance of the choice between good and evil does not mean that an action is involuntary (i.e. that the agent cannot be held responsible for it), *but only that it is bad*.⁵ Aristotle, of course, had a deeper insight into the connection between cognition and volition than has become usual in that superficial philosophy which teaches that *emotion and enthusiasm, not cognition*, are the true principles of ethical action.⁶

⁶ *Translator's note*: *ὁὐκ εἰδώς* ('without perception') is translated by both David Ross and Terence Irwin as 'in ignorance'; *ἀγνοῶν* ('from ignorance') is translated by Ross as 'by reason of ignorance' and by Irwin as 'caused by ignorance'.

indifferent and *contingent* towards one another; it was the latter relationship in particular which was regarded as fundamental in the old debates about *efficacious grace*.⁷ In its formal aspect, evil is the individual's most distinctive property, because it is precisely his subjectivity positing itself entirely for itself, and is therefore entirely his responsibility (see § 139 and the appended Remarks); and on the objective side, man is *by his concept* spirit and rationality in general, and has the determination of self-knowing universality wholly within himself. It is therefore to deny him the honour due to his concept if his good side – and hence also the determination of his evil action as evil – is divorced from him and he is not made responsible for his evil action either. How determinate the consciousness of these moments in their respective differences is, what degree of clarity or obscurity it has attained as *developed cognition*, and to what extent the conscience associated with an evil action is more or less evil *in form* – all these are less important questions of a more empirical character.

- (b) To act in an evil manner and with an evil conscience does not amount to *hypocrisy*.⁸ Hypocrisy includes in addition the formal determination of untruthfulness, whereby *evil* is in the first place represented *for others* as *good* and the evildoer pretends in all external respects to be good, conscientious, pious, etc. – which in this case is merely a trick to deceive *others*. But secondly, the evil person may find in the good he does at other times, or in his piety, or in *good reasons* of any kind, a means of justifying *for himself* the evil he does, in that he can use these reasons to distort it into something he considers good. This possibility exists within subjectivity, for, as abstract negativity, it knows that all determinations are subordinate to it and emanate from it.
- (c) We must in the first place include in this distortion that attitude [*Gestalt*] known as *probabilism*.⁹ It adopts the principle that an action is permissible and can be done in good conscience if the consciousness can discover *any* good reason [*Grund*] for it – even if this is merely the

authority of a single theologian, and even if other theologians are known to diverge very considerably from the former's judgement. Even in this notion [*Vorstellung*], there is still present the correct consciousness that a reason and authority of this kind affords only a *probability*, although this is regarded as sufficient to satisfy the conscience. It is at the same time conceded that a good reason is merely of such a kind that other reasons of at least equal merit may exist alongside it. A further trace of objectivity can be discerned in this attitude in so far as it assumes that a *reason* should be the determining factor. But since the decision between good and evil is made to depend upon many *good reasons*, including those authorities already referred to – despite the fact that these reasons are so numerous and discordant – it is also apparent that it is *not* this objectivity of the thing [*Sache*], but *subjectivity*, which is the decisive factor. As a result, [personal] preference and the arbitrary will are made the arbiters of good and evil, and both ethics and religiosity are undermined. But the fact that it is the agent's own subjectivity which makes the decision is not yet acknowledged as the [governing] principle – on the contrary (as already mentioned), it is claimed that a reason is the decisive factor.

- (d) To this extent, probabilism is still a form of hypocrisy. The stage immediately above this is [the view] that the good will consists in *willing the good*; this willing of *good in the abstract* is supposed to be sufficient, indeed the sole prerequisite, for the goodness of the action itself. Since the action, as *determinate* volition, has a content, whereas *good in the abstract* determines nothing, it remains the task of particular subjectivity to give this abstraction its determination and fulfilment. Just as, in the case of probabilism, anyone who is not himself a learned *Révèrend Père* relies on the authority of such a theologian in order to subsume a determinate content under the universal determination of the *good*, so in this case is every subject immediately accorded the honour [*Würde*] of providing the abstract good with a content, or – and this amounts to the same thing – of subsuming a content under a univer-

sal. This content is only one of the various aspects of a concrete action, some of which may even justify its description as criminal and bad. But that subjective determination which I give to the good is the good which I *know* in the action, i.e. my *good intention* (see § 114). There thus arises a conflict of determinations, for one of them suggests that an action is good, whereas others suggest that it is criminal.¹⁰ It thus seems that the question also arises, in the case of an actual action, whether the *intention is actually good*. But it may not only be generally the case that the good is the *actual intention*; it must in fact always be so if we adopt the point of view that the abstract good is the determining ground of the subject. An injury done by a well-intentioned action whose determination is in other respects criminal and evil is, of course, also good, and all would seem to depend on which aspect of the action is the *most essential*. But this objective question is not applicable here – or rather, it is the subjectivity of consciousness itself whose decision alone constitutes the objective element. *Essential* and *good* are in any case synonymous; the former is just as much an abstraction as the latter; good is what is essential with regard to the will, and what should be essential in this respect is precisely that an action is determined as good for me. But this abstract good, being completely lacking in content, can be wholly reduced simply to meaning anything *positive* at all – anything, that is, which has any kind of validity and which, in its immediate determination, may even count as an essential end (such as doing good to the poor, or caring for myself, my life, my family, etc.). The immediate consequence of this for itself is that any content one pleases can be subsumed under the good. Furthermore, just as the good is an abstraction, so consequently is the bad likewise devoid of content, receiving its determination from my subjectivity; and this is also the source of the moral end of hating and eradicating the bad as an indeterminate quality. – Theft, cowardice, murder, etc., as actions – i.e. as products in general of a subjective will – have the immediate determination of being the *satisfaction*

of such a will, and hence of being something *positive*; and in order to make the action into a good one, it is merely a question of knowing this positive aspect as my *intention* in performing the action, and this aspect is then the *essential* factor in determining the action as good, because I know it as the good in my intention. Theft in order to benefit the poor, theft or desertion in battle for the sake of one's duty to care for one's life or one's (perhaps even impoverished) family, murder for hatred and revenge – i.e. in order to satisfy a self-awareness of one's own rights or of right in general, and one's sense of someone else's wickedness, of wrong done by him to oneself or to others, to the world or the *people* in general, by eliminating this wicked individual who is wickedness personified, and thereby contributing at least something towards the end of eradicating the bad – all of these deeds, by virtue of the positive aspect of their content, are in this way transformed into well-intentioned and consequently good actions.¹¹ Even the *lowest degree* of understanding is enough to discover, like those learned theologians, a positive aspect in every action and hence a good reason and intention underlying it. Thus it has been said that there is in fact no such thing as an *evil man*, for no one wills evil for the sake of evil – i.e. the *purely negative* as such – but always something *positive*, and hence, according to the point of view in question, always something good. In this abstract good, the distinction between *good* and *evil*, as well as all actual duties, has vanished; consequently, merely to will the good and to have a good intention in one's action is more like evil than good, in that the good is willed only in this abstract form so that its *determination* is left to the arbitrary will of the subject.

To this context there also belongs the notorious proposition that *the end justifies the means*.¹² – Taken on its own, this expression is at first sight trivial and vacuous. It may be replied in equally indeterminate fashion that a just end doubtless justifies the means, whereas an unjust end does not. [To say] that the means is right if the end is right is a tautological statement inasmuch as the means is precisely

that which is nothing in itself [*für sich*] but exists for the sake of something else and has its determination and value in the latter as its end – *that is, if it is truly a means*. – But the meaning of the above proposition lies not just in its formal significance; it can also be understood in the more determinate sense that it is permissible, and perhaps even one's duty, to use as a means to a good end something which in itself is not a means at all, to violate something which is in itself sacrosanct, and thus to make a crime the means to a good end. In [those who follow] this proposition, there is on the one hand an indeterminate consciousness of the dialectic of the aforementioned *positive* element in isolated determinations of right or ethics, or of equally indeterminate general propositions such as 'Thou shalt not kill' or 'Care for your own welfare and that of your family'. Courts of law and soldiers have not only the right but also the duty to kill human beings; but in this case, there are *precise definitions* as to what kind of people and what circumstances make this permissible and obligatory. In the same way, my welfare and that of my family must also be subordinated to higher ends and thereby reduced to a means. But what we describe as a crime is not a general proposition of this kind, left indeterminate and still subject to a dialectic; on the contrary, it is already delimited in a determinate and objective manner. Now what is set up in opposition to this determination – namely that sacred end which is supposed to exonerate the crime – is nothing other than a *subjective opinion* of what is good or better. It is the same thing as happens when volition stops short at the abstract good, so that every determinate characteristic of good and evil or right and wrong which has being and validity in and for itself is cancelled [*aufgehoben*], and this determination is assigned instead to the feeling, imagination [*Vorstellen*], and caprice of the individual.

- (e) *Subjective opinion* is at last expressly acknowledged as the criterion of right and duty when it is alleged that the ethical nature of an action is determined by the *conviction which holds something to be right*.¹³ The good which is

willed does not yet have a content; and the principle of conviction contains the further specification that the subsumption of an action under the determination of the good is the responsibility of the *subject*. Under these circumstances, any semblance of ethical objectivity has completely disappeared. Such doctrines are intimately connected with that self-styled philosophy, already frequently referred to, which denies that *truth* – and the truth of the spirit as will, its rationality in so far as it actualizes itself, is to be found in the precepts of ethics – can be recognized. Since such philosophizing maintains that the knowledge [*Erkenntnis*] of truth is an empty vanity which transcends the sphere of cognition [*Erkennen*], and that the latter is a mere semblance, it must immediately make this very semblance its principle as far as action is concerned, and thereby equate the ethical with the *distinctive* outlook of the individual and his *particular conviction*. The degradation into which philosophy has thus sunk seems at first glance, in the eyes of the world, an utterly indifferent happening which has affected only the idle talk of academics; but such a view necessarily becomes part of our view of ethics, which is an essential component of philosophy, and only then do the implications of these views become apparent in and for [the realm of] actuality.

– The dissemination of the view that subjective conviction is the sole determinant of the ethical nature of an action has had the effect that references to *hypocrisy*, which used to be frequent, are nowadays uncommon; for to describe evil as hypocrisy implies that certain actions are *in and for themselves* misdeemeanours, vices, and crimes, and that the perpetrator is necessarily aware of them as such in so far as he knows and acknowledges the principles and outward acts of piety and integrity [*Rechtlichkeit*] even within the pretence in whose interest he misuses them. Or in relation to evil in general, it used to be assumed that it is a duty to recognize the good and to know how to distinguish it from evil. But it was at all events an absolute requirement that human beings should not commit vicious and criminal acts, and that they should be held responsible for

such acts in so far as they are human beings rather than animals. But if a good heart, good intentions, and subjective conviction are said to be the factors which give actions their value, there is no longer any hypocrisy or evil at all; for a person is able to transform whatever he does into something good by the reflection of good intentions and motives [*Bewegungsgründe*], and the element [*Moment*] of his conviction renders it good.[†] Thus, there is no longer such a thing as crime or vice in and for itself, and instead of those free and open, hardened and undiluted sinners referred to above we have a consciousness of complete justification by intention and conviction. My good intention in my action and my conviction of its goodness make it good. In so far as we speak of judging and pronouncing a verdict on an action, this principle requires that the agent should be judged only in terms of his intention and conviction, or of his faith – not in the sense in which Christ requires faith in objective truth (so that the judgement passed on a person of bad faith, i.e. on one whose conviction is bad in its content, must also be negative, in keeping with this evil content), but in the sense of loyalty to one's conviction (in so far as a person, in his action, remains true to his conviction), i.e. in the sense of formal, subjective loyalty, which is alone in keeping with duty. – Since this principle of conviction is at the same time subjectively determined, the thought of the possibility of error must also thrust itself upon us, and this in turn presupposes a law which has being in and for itself. But the law [*itself*] does not act; only an actual human being acts. And, according to the above principle, the sole criterion of the worth of human actions is the extent to which the individual

[†] Hegel's note: 'That he feels completely convinced, I do not doubt in the least. But how many people proceed from such felt conviction to commit the gravest misdeeds! Thus, if anything may be excused on such grounds, no rational judgement of good and evil or of honourable and contemptible decisions is any longer possible; delusion then has equal rights with reason, or rather, reason no longer has any rights or valid authority [*Ansehen*] whatsoever; its voice is an absurdity; he who has no doubts is the possessor of truth!'

I tremble at the consequences of such toleration, which would be exclusively to the advantage of unreason.' (F. H. Jacobi to Count Holmer, Erfurt, 5 August 1800, commenting on Count Stolberg's change of religion, in *Brennus* (Berlin, August 1802)).¹⁴

concerned has incorporated the law into his own conviction. But if, by this token, it is not actions which are to be judged by the law in question – i.e. to be measured by it in any way – it is impossible to tell what that law is for or what purpose it is to serve. Such a law is reduced to a purely external letter, indeed to an empty word, for it is only my conviction which makes it a law and a binding duty for me. – Such a law may have the authority of God and the state behind it, and the authority of the thousands of years for which it was the bond by which human beings and all their deeds and destinies were held together and sustained – authorities which encompass countless individual convictions. If I then set against all this the authority of my individual conviction – and as my subjective conviction its validity is merely [that of] authority – this may at first appear a monstrous presumption. But this appearance is refuted by the very principle which takes subjective conviction as its criterion. – If, however, the higher illogicality of reason and conscience – which shal- low science and miserable sophistry can never entirely banish – admits the possibility of error, the very fact that crime and evil in general are classed as error reduces the fault to a minimum. For to err is human,¹⁵ and who has not been mistaken about this or that circumstance, about whether there was cabbage or sauerkraut with yesterday's lunch, and about countless matters of greater and lesser importance? Yet the distinction between the important and the unimportant disappears if subjectivity of conviction and adherence to such conviction are the sole criterion. It is in the nature of the case that the higher illogicality already referred to should admit the possibility of error; but when it goes on to say that a bad conviction is merely an error, it in fact simply becomes another kind of illogicality, namely that of dishonesty. For in the first instance, conviction is supposed to be the basis of ethics and of man's supreme worth, and is thereby declared to be a supreme and sacred value; and in the second case, all that we are concerned with is error, and my conviction is insignificant and contingent, in fact a purely external

circumstance which I may encounter in one way or another. And my conviction is indeed an extremely insignificant thing if I cannot recognize the truth; for then it is a matter of indifference how I think, and all that remains for me to think about is that empty good as an abstraction of the understanding. – It may also be remarked that, as far as the mode of action of other people in relation to my own action is concerned, it follows from this principle of justification on grounds of conviction that, if their faith and conviction make them regard my actions as *crimes*, they are *quite right* to do so – a consequence whereby I am not only denied all credit in advance, but am on the contrary simply reduced from a position of freedom and honour to a situation of unfreedom and dishonour. In the justice to which I am here subjected – and which in itself is also my own justice – I merely experience someone else's subjective conviction and, when it is implemented, I consider myself acted upon merely by an external force.

(f) Finally, the supreme form in which this subjectivity is completely comprehended and expressed is that to which the term 'irony', borrowed from Plato, has been applied.¹⁶ Only the name is taken from Plato, however, for Plato used it of a method which Socrates employed in personal dialogue to defend the Idea of truth and justice against the complacency of the uneducated consciousness and that of the Sophists; but it was only this consciousness which he treated ironically, not the Idea itself. Irony concerns only a manner of speaking in relation to *people*; without this personal direction, the essential movement of thought is dialectic, and Plato was so far from treating the dialectic in itself [*für sich*], let alone irony, as the ultimate factor and as the Idea itself that, on the contrary, he ended the to and fro of thought, and particularly of subjective opinion, by submerging it in the substantiality of the Idea.¹⁷ The only

¹⁶Hegel's note: My late colleague Professor Solger¹⁷ did admittedly take over the expression 'irony' which Friedrich von Schlegel introduced during an earlier period of his literary career and whose meaning he extended to include that subjectivity which knows itself as supreme. But Solger's better judgement rejected this definition [*Bestimmung*], and his philosophical insight seized upon and retained only one aspect of it, namely the

possible culmination – and this must now be discussed – of that subjectivity which regards itself as the ultimate instance is reached when it *knows* itself as that power of resolution and decision on [matters of] truth, right, and

dialectical element proper, the activating pulse of speculative reflection. But I do not find his conclusions entirely clear, nor can I agree with the concepts which he develops in his last, substantial work, his detailed *Critique of August Wilhelm von Schlegel's Lectures on Dramatic Art and Literature* (*Wiener Jahrbuch*, Vol. VII, pp. 90ff.). 'True irony,' says Solger on that occasion (p. 92), 'starts from the point of view that, as long as human beings live in this present world, it is only in this world that they can fulfil their destiny, even in the highest sense of that word. Any means whereby we believe we can *transcend finite ends* is a vain and empty fancy . . . Even the highest of things is present to our action only in a limited and finite shape.' This, if understood correctly, is a Platonic view, very truly expressed in opposition to that empty striving for the (*abstract*) infinite which Solger had previously referred to. But to say that the highest of things is present in a limited and finite shape, like the realm of ethics – and the ethical realm is essentially actuality and action – is very different from saying that it is a finite end; the shape and form of finitude do not deprive the content, i.e. the ethical realm, of any of its substantiality or of the infinity which is inherent within it. Solger continues: 'And for this very reason, if [the highest of things] is as insignificant in us as the lowest of things, and necessarily perishes with us and our insignificant intellects. For it is truly present in God alone, and when it perishes in us, it is transfigured as something divine, in which we would have no share if there were not an immediate presence of this divinity which becomes manifest even as our actuality disappears; but the state of mind to which this presence becomes immediately evident in human events themselves is tragic irony.' The arbitrary name 'irony' would not in itself require comment, but there is an unclarity in the statement that it is the highest of things which perishes with our insignificance, and that the divine is revealed only when our actuality disappears, as when we are told on page 91: 'We see heroes lose faith in the noblest and finest aspects of their dispositions and feelings, not only in relation to what these lead to, but also in relation to their source and their value; indeed, we are elevated by the downfall of the best itself.' The tragic downfall of figures of the highest ethical worth can interest us, elevate us, and reconcile us to its occurrence only in so far as such figures appear in mutual opposition, with equally justified but distinct ethical powers which have unfortunately come into collision. (The just downfall of complete and self-important rogues and criminals – as, for instance, the hero of the modern tragedy *Guilt* [*Die Schuld*])¹⁸ – certainly has an interest for criminal law, but not for true art, with which we are here concerned.) As a result of this opposition to an ethical principle, they incur guilt, from which the right and wrong of both parties emerges, and with it the true ethical Idea which, purified and triumphing over this *one-sidedness*, is thereby reconciled in us. Accordingly, it is not the highest thing in us which perishes, and we are elevated not by the downfall of the best but, on the contrary, by the triumph of the true. This is the true and purely ethical interest of ancient tragedy, as I have explained more fully in my *Phenomenology of Spirit* (pp. 404ff.; cf. pp. 683ff.).¹⁹ (In romantic tragedy, this determination undergoes a further modification.) But the ethical Idea, without such unfortunate collisions and the downfall of the individuals caught up in this misfortune, is actual and present in the ethical world; and that this highest of things should not appear insignificant in its actuality is what the real ethical existence [*Existenz*], the state, takes as its end and puts into effect, and what the ethical self-consciousness possesses, intuitively, and knows, and thinking cognition comprehends, in the state.

duty which is already implicitly [*an sich*] present within the preceding forms. Thus, it does indeed consist in knowledge of the objective side of ethics, but without that self-forgetfulness and self-renunciation which seriously immerses itself in this objectivity and makes it the basis of its action. Although it has a relation [*Beziehung*] to this objectivity, it at the same time distances itself from it and knows itself as that which *wills* and *resolves in a particular way* but may *equally will* and resolve otherwise. – 'You in fact honestly accept a law as existing in and for itself [it says to others]; 'I do so, too, but I go further than you, for I am also beyond this law and can do *this or that* as I please. It is not the thing [*Sache*] which is excellent, it is I who am excellent and master of both law and thing; I *merely play* with them as with my own caprice, and in this ironic consciousness in which I let the highest of things perish, I *merely enjoy myself*.' – In this shape, subjectivity is not only *empty* of all ethical content [*die Eitelkeit alles stüchlichen Inhalts*] in the way of rights, duties, and laws, and is accordingly evil (evil, in fact, of an inherently wholly universal kind); in addition, its form is that of *subjective* emptiness [*Eitelkeit*], in that it knows itself as this emptiness of all content and, in this knowledge, knows *itself* as the absolute. – The extent to which this absolute self-satisfaction does not simply remain a solitary worship of the self, but may even form a *community* whose bond and substance consist, for example, in mutual assurances of conscientiousness, good intentions, and enjoyment of this reciprocal purity, but above all in basking in the glory of this self-knowledge and self-expression and of cherishing and cultivating such pursuits; and the extent to which what has been called the 'beautiful soul' (i.e. that nobler kind of subjectivity which fades away inasmuch as it is empty of all objectivity and thus has no actuality of its own), and certain other phenomena [*Gestaltungen*] are related to the stage [of subjectivity] which we are here considering – these are questions which I have discussed in the *Phenomenology of Spirit* (pp. 605ff.). The whole of Section (c) of that work, 'The Conscience', should be

compared with what is said here, especially in relation to the transition to a higher stage in general (although the latter is defined differently in the *Phenomenology*).²⁰

Addition (H). Representational thought [*Vorstellung*] can go further and transform the evil will into a semblance of goodness. Even if it cannot alter the nature of evil, it can nevertheless make it appear to be good. For every action has a positive aspect, and since the determination of good as opposed to evil can likewise be reduced to the positive, I can maintain that my action is good with reference to my intention. Thus, evil is connected with good not only within the consciousness, but also in its positive aspect. If the self-consciousness passes its action off as good only for the benefit of other people, it takes the form of *hypocrisy*; but if it is able to assert that the deed is good in its own estimation, too, we have reached that even higher level of subjectivity which knows itself as absolute. For subjectivity of this kind, good and evil in and for themselves have disappeared, and it can pass off as good or evil whatever its wishes and its ability dictate. This is the point of view of absolute sophistry which sets itself up as a legislator and refers the distinction between good and evil to its own arbitrary will. As for hypocrisy, this includes above all those religious hypocrites (or Taruffes) who comply with all ceremonial requirements and may even be pious in themselves [*für sich*], while at the same time doing whatever they please. Nowadays, there is no longer much talk of hypocrites, partly because this accusation appears too harsh, and partly because hypocrisy in its immediate shape has more or less disappeared. This barefaced lie and cloak of goodness has now become too transparent not to be seen through, and the distinction between doing good on the one hand and evil on the other is no longer present to the same extent since increasing education has made such antithetical determinations seem less clear-cut. Instead, hypocrisy has now assumed the subtler guise [*Gestalt*] of *probabilism*, which consists in the attempt to represent a transgression as something good from the point of view of one's own conscience. This can only occur where morality and goodness are determined by an authority, so that there are as many reasons as there are authorities for maintaining that evil is good. Casuistic theologians, especially Jesuits, have worked on these cases of conscience and endlessly multiplied them.

As these cases are refined to the highest pitch of subtlety, numerous collisions arise, and the antithesis of good and evil becomes so blurred that, in individual instances, the opposite poles prove interchangeable. All that is asked for is *probability*, that is, an approximation to goodness which can be substantiated by some reason or by some authority. Thus, this point of view has the peculiar determination of possessing only an abstract content; the concrete content is presented as inessential – or rather, it is

allowed to depend on mere opinion. In this way, someone may have committed a crime while willing the good. If, for example, an evil man is murdered, the assertion that the murderer wished to resist evil and to diminish it can be passed off as the positive aspect [of the deed]. The next step beyond probabilism is that it is no longer someone else's authority or assertion that counts, but the subject itself, i.e. its *own* conviction, which can *alone* make something good. The inadequacy of this is that everything is made to refer solely to conviction, and that there is no longer any right which has being in and for itself, a right for which this conviction would merely be the form. It is not, of course, a matter of indifference whether I do something from habit or custom or because I am thoroughly persuaded of its truth. But objective truth is also different from my conviction, for the latter makes no distinction whatsoever between good and evil; conviction always remains conviction, and the bad can only be that of which I am not convinced. While this point of view is that of a supreme instance which obliterates good and evil, it at the same time acknowledges that it is subject to error, and to this extent, it is brought down from its exalted position and again becomes contingent and appears to deserve no respect. Now this form is *irony*, the consciousness that such a principle of conviction is of little value and that, within this supreme criterion, only arbitrariness prevails. This point of view was in fact a product of Fichte's philosophy, which maintains that the 'I' is absolute, i.e. that it is absolute certainty, the universal selfhood [*Ichheit*] whose further development leads to objectivity.²⁷ It cannot in fact be said of Fichte that he made the arbitrary will of the subject into a principle in the practical sphere, but this [principle of the] particular, in the sense of Friedrich von Schlegel's 'particular selfhood', was itself later elevated to divine status in relation to the good and the beautiful. This implies that objective goodness is merely something constructed by my conviction, sustained by me alone, and that I, as lord and master, can make it come and go [as I please]. As soon as I relate myself to something objective, it ceases to exist for me, and so I am poised above an immense void, conjuring up shapes and destroying them. This supremely subjective point of view can arise only in a highly cultivated age in which faith has lost its seriousness, which now exists essentially only in the vanity of all things.

TRANSITION FROM MORALITY TO ETHICAL LIFE

§ 141

For the *good* as the substantial universal of freedom, but still as something *abstract*, determinations of some kind are therefore *required*, as is a determining principle (although this principle is *identical* with the good itself). For the *conscience* likewise, as the purely abstract principle of determination, it is required that its determinations should be universal and objective. Both of them [i.e. the good and the conscience], if raised in this way to independent totalities [*für sich zur Totalität*], become the indeterminate which *ought* to be determined. – But the integration of these two relative totalities into absolute identity has already been accomplished *in itself*, since this very subjectivity of *pure self-certainty*, melting away for itself in its emptiness, is *identical* with the *abstract universality* of the good; the identity – which is accordingly *concrete* – of the good and the subjective will, the truth of them both, is *ethical life*.

A conceptual transition of this kind can be understood more fully with the help of logic. Here, it need only be said that the nature of the limited and the finite – which in this case are the abstract good which merely *ought to be*, and an equally abstract subjectivity which merely *ought to be good* – is for them to have their opposite present *within them*, the good its actuality, and subjectivity (the moment of the *actuality* of the ethical) the good; but since they are one-sided, they are not yet *posited* as what they are *in themselves*. They become posited in their negativity, for as they *one-sidedly* constitute themselves as independent totalities, both refusing to accept what is present *in itself* within them – the good lacking subjectivity and determination, and the determinant, i.e. subjectivity, lacking what has being in itself – they cancel themselves out [*sich aufheben*] and are thereby reduced to moments, to moments of the *concept* which becomes manifest as their unity and has attained *reality* through this very positing of its moments, so that it now exists as *Idea*; this is the concept which has developed its determinations to reality and which is simultaneously present in their identity as their essence *which has being in*

itself. – That existence [*Dasein*] of freedom which was immediately present as *right* is determined in the reflection of self-consciousness as the *good*; the third stage, present here in its transition as the truth of this good and of subjectivity, is therefore also the truth of subjectivity and of right. – The *ethical* is a subjective disposition, but of that right which has being in itself. That this Idea is the *truth* of the concept of freedom cannot be assumed or derived from feeling or from any other source, but, in philosophy, can only be *proved*. Its deduction consists solely in the fact that right and the moral self-consciousness can be seen in themselves to return to this Idea as their own *result*. – Those who think they can dispense with proofs and deductions in philosophy show that they are still far from forming the least idea of what philosophy is; they may well speak on other matters, but those who wish to speak without the concept have no right to participate in philosophical discourse.

Addition (H). Both principles which we have so far considered, the abstract good and the conscience, lack their opposite: the abstract good evaporates into a complete powerlessness which I can endow with any content whatsoever, and subjectivity of spirit becomes no less impoverished in that it lacks any objective significance. A longing may therefore arise for an objective condition, a condition in which the human being gladly debases himself to servitude and total subjection simply in order to escape the torment of vacuity and negativity. If many Protestants have recently gone over to the Catholic Church, they have done so because they found that their inner life was impoverished, and they reached out for a fixed point, a support, and an authority, even if what they gained was not exactly the stability of thought. The unity of the subjective with the objective good which has being in and for itself is *ethical life*, and the reconciliation which takes place in it is in accord with the concept. For whereas morality is the form of the will in general in its subjective aspect, ethical life is not just the subjective form and self-determination of the will: it also has its own concept, namely freedom, as its content. The sphere of right and that of morality cannot exist independently [*für sich*]; they must have the ethical as their support and foundation. For right lacks the moment of subjectivity, which in turn belongs solely to morality, so that neither of the two moments has any independent actuality. Only the infinite, the Idea, is actual. Right exists only as a branch of a whole, or as a climbing plant attached to a tree which has firm roots in and for itself.

PART THREE

Ethical Life

in such cases, the ethical and its actualization depend more on individual discretion and on the distinctive natural genius of individuals. In this way, the ancients ascribed virtue to Hercules in particular.² And since, in the states of antiquity, ethical life had not yet evolved into this free system of self-sufficient development and objectivity, this deficiency had to be made good by the distinctive genius of individuals. – If the theory [*Lehre*] of virtues is not just a theory of duties and thus includes the particular aspects of character which are determined by nature, it will therefore be a *natural history of spirit*.

Since virtues are the ethical in its particular application, and since, in this subjective respect, they are indeterminate, the quantitative principle of more or less will play a part in their determination.³ Discussion of them will therefore involve those defects or vices which are opposed to them, as in Aristotle, who judiciously defined each particular virtue as a mean between an *excess* and a *deficiency*. – The same content which assumes the form of *duties* and then of *virtues* also takes the form of *drives* (see Remarks to § 19). Their basic content is the same, but in drives, this content still belongs to the immediate will and to natural sensation and has not developed far enough to attain the determination of the ethical. Drives therefore have in common with the content of duties and virtues only their abstract object [*Gegenstand*], and since this is indeterminate in itself, it cannot serve to distinguish them as good or evil. Alternatively, if we abstract their positive aspect from them, they are *good*, and conversely, if we abstract their negative aspect, they are *evil* (see § 18).

Addition (H,G). If this or that particular action of a person is ethical, this does not exactly make him virtuous; it does so only if this mode of conduct is a constant feature of his character. Virtue consists rather in ethical virtuosity, and if we speak less about virtue nowadays than before, the reason [*Grund*] is that the ethical is no longer so much the form of a particular individual. The French, above all, are the people who speak most of virtue, because with them, the individual is characterized more by his distinctive qualities and by a natural mode of behaviour. The Germans, on the other hand, are more thoughtful, and in their case, the same content acquires the form of universality.

§ 151

But if it is simply *identical* with the actuality of individuals, the ethical [*das Sittliche*], as their general mode of behaviour, appears as *custom* [*Sitte*]; and the *habit* of the ethical appears as a *second nature*¹ which takes the place of the original and purely natural will and is the all-pervading soul, significance, and actuality of individual existence [*Dasein*]. It is *spirit* living and present as a world, and only thus does the substance of spirit begin to exist as spirit.

Addition (H,G). Just as nature has its laws, and as animals, trees, and the sun obey their law, so is custom the law appropriate to the spirit of freedom. Custom is what right and morality have not yet reached, namely spirit. For in right, particularity is not yet that of the concept, but only of the natural will. Similarly, from the point of view of morality, self-consciousness is not yet spiritual consciousness. At this stage, it is merely a question of the value of the subject in itself – that is, the subject which determines itself in accordance with good as opposed to evil still has the form of arbitrary will. Here, on the other hand, at the level of ethics, the will is present as the will of spirit and has a substantial content which is in conformity with itself. Education [*Pädagogik*] is the art of making human beings ethical: it considers them as natural beings and shows them how they can be reborn, and how their original nature can be transformed into a second, spiritual nature so that this spirituality becomes *habitual* to them. In habit, the opposition between the natural and the subjective will disappears, and the resistance of the subject is broken; to this extent, habit is part of ethics, just as it is part of philosophical thought, since the latter requires that the mind [*der Geist*] should be trained to resist arbitrary fancies and that these should be destroyed and overcome to clear the way for rational thought. Human beings even die as a result of habit – that is, if they have become totally habituated to life and mentally [*geistig*] and physically blunted, and the opposition between subjective consciousness and mental activity has disappeared. For they are active only in so far as they have not yet attained something and wish to assert themselves and show what they can do in pursuit of it. Once this is accomplished, their activity and vitality disappear, and the loss of interest which ensues is mental or physical death.

§ 152

In this way, *ethical substantiality* has attained its *right*, and the latter has attained *validity*. That is, the self-will of the individual [*des Einzelnen*],