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Heroism and Magnanimity:
The Post-Modern Form of Self-Conscious Agency¹

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I. Introduction: Three Ages of Spirit

Hegel thinks that the most important event in human history—the single biggest thing that ever happened to us—is the extended transition from long-standing traditional forms of life to distinctively modern ones. The great thinkers of the Enlightenment, and in particular the philosophers in the canonical tradition that leads from Descartes to Kant, worked out ideas that articulate the characteristically modern understanding both of our cognitive, practical, and political activity, and of the world we know about and act in and on. But Hegel was the first to see modernity whole: the first to see those new Enlightenment modes of understanding as of a piece with the massive rolling changes in social, political, and economic institutions that gave rise to them and to which they gave voice, the first to see the Enlightenment as the form of consciousness and self-consciousness appropriate to a new world and a new way of being in the world.

¹ The material in this lecture is adapted from *A Spirit of Trust: A Reading of Hegel's Phenomenology*, forthcoming from Harvard University Press, 2019. Hegel citations are by paragraph numbers in G.W.F. Hegel, A.V. Miller (trans.) *Phenomenology of Spirit* [Oxford University Press, 1977].

In order to write the *Phänomenologie des Geistes*, Hegel had first to come up with its topic: *Geist*. There is clearly a sense in which no-one had ever thought about this topic before he did. Yet it is part of his argument that everyone had been thinking about it all along. He introduces and develops an original conception of the *subject* of the great sea-change that is the advent of modernity: what he calls “*Geist*,” Spirit. *Geist* is us as discursive beings, knowers and doers, and it includes all of our norm-governed doings, thinkings, sayings, practices, and institutions, and all of their products. The idea of a “phenomenology” of *Geist* is the idea that rehearsing the right sort of survey of the ways in which *Geist* has shown up to us (which is to itself) will reveal what it has in fact always been. Such a phenomenology is a retrospective recollective narrative that makes explicit a noumenal reality found to be already implicit in its various phenomenal appearances, which are what we have made of it, the way it has appeared to us.

Hegel’s conception of *Geist* is what he makes of Kant’s revolutionary insight into the fundamentally *normative* character of discursive intentionality. That is the idea that what distinguishes judgments and intentional doings from the performances of merely natural creatures is that they are things their subjects are in a distinctive sense *responsible* for, as exercises of their *authority*. They express *commitments* of knowers and agents, whose *entitlement* to those commitments is always potentially at issue. Indeed, knowers and agents count as *rational* subjects just insofar as assessment of their entitlement to doxastic and practical commitments appeals as its standard to the *reasons* there are for those judgments and intentions.

Hegel synthesizes Kant's normative understanding of mindedness with his reading of Enlightenment traditions of thought about the nature of normativity to yield a naturalized social-practice account of norms. As he understands them, *normative statuses* are *social statuses*. He takes them to be products of the practices of those who attribute and are governed by and assessed according to those norms. In particular, he understands normative *statuses* of authority and responsibility as constituted by normative *attitudes*. The social structure of the constellation of what he calls “recognitive” attitudes determines the metaphysical structure of the resulting forms of normativity. Such a constellation of practical attitudes constitutes both cognitive communities (“social substance”) and the self-conscious individual normative selves that are the subjects of normative statuses just insofar as they are members of such communities constituted by their attitudes. What is brought into existence in this way is what Hegel calls “Geist.” *Geist* comprises all our normative doings, and everything they make possible: all the norms and cognitive attitudes and their subjects (“subjective Geist”), the practices they engage in and the communities and institutions they produce (“objective Geist”). *Geist* is us described in a normative vocabulary.

Prelapsarian traditional understanding took normative statuses to be features of the objective world. How it is proper to behave, how things ought to be done, what things are “fitting,” proper relations of subordination and superiority are all thought of as central features of how things anyway are, like the weight of stones or the height of trees. Our stations and duties are construed as being what they are antecedently to and independently of the practical attitudes of those whose stations and duties they are. It is the job of individual subjects to reflect those self-standing normative statuses in their attitudes, to shape their acknowledgements and

attributions of authority and responsibility so that they fit the normative facts. The principle defining traditional *sittlich* forms of *Geist* is commitment to the *norm-governedness* or *status-dependence of normative attitudes*.

The contrasting core modern idea, articulated and developed by Enlightenment thinkers, is that there were no normative statuses of subordination and superiority, no authority and responsibility, until people started practically taking or treating each other *as* subordinates and superiors, authoritative and responsible. (“When Adam delved and Eve span, who was then the gentleman?”) It is the idea of the *attitude-dependence of normative statuses*. This idea takes a particularly clear and explicit form in social contract theories of political obligation. For there, attitudes of consent by the governed are treated as essential to the legitimate authority of those who govern, epitomized in the model of instituting normative statuses of reciprocal obligation by attitudes of intending to be bound, manifested practically by entering into an explicit contract or compact. On this model, norms are not found, but made. Normative statuses are instituted by social normative practical attitudes such as promising, agreeing, or contracting.

It can seem that there is more involved in saying normative statuses are *instituted* by attitudes than there is in saying just that normative statuses are *attitude-dependent*. That is so only if one misunderstands what is involved in such institution. But the particular misunderstanding involved is part and parcel of modernity’s self-understanding. It is just what needs to be overcome to move to the third, post-modern age of *Geist*. As I read Hegel’s idiom, dependence on the side of subjects is responsibility. The attitude-dependence of normative statuses is the responsibility of normative statuses to normative attitudes, or, equivalently, the authority of attitudes over statuses. Talk of “institution” makes it sound as though that authority

were *total*, involving no reciprocal responsibility of attitudes to statuses. That would be a mistake: the mistaken conception of *pure independence*, which Hegel allegorizes under the heading of “Mastery.” That attitudes institute statuses does not mean that the statuses just are whatever the attitudes take them to be (whatever is acknowledged or attributed). The problem for modernity is precisely coming to understand how its institution of statuses by attitudes involves reciprocal responsibility of attitudes, including the instituting ones, to statuses. This difficulty is resolved by construing thing according to the categories of *Vernunft* rather than those of *Verstand*. Genuine reciprocity between statuses and attitudes is re-achieved in the third age of *Geist*, and its *vernunfig* self-understanding shows us what was right about the apparently over-reaching interpretation of attitude-dependence of statuses as the institution of statuses by attitudes.

Hegel both sees the replacement of traditional thought, institutions, and selves by modern ones as a decisive, irrevocable advance, and diagnoses it as a disruption that inevitably incurs substantial costs. The cover-term he coins to characterize that unavoidable loss is “alienation,” *Entfremdung*. Although it has psychological consequences, alienation is not at base a psychological phenomenon. It is a distinctive metaphysical structure of normativity itself. It is characterized by the absence of the *bindingness* of norms. It is a structure in which attitudes no longer acknowledge the authority of norms, are no longer answerable or responsible to them. The largest philosophical lesson Hegel thinks we can learn from thinking about the great structural shift of *Geist* from its pre-modern to its modern form is the result of the detailed interplay of gain and loss, advance and retreat, that characterizes that transition. The right

understanding of how these interwoven strands are related points the way, he thinks, towards the *third* stage in the development of *Geist*.

Such a third structure of *Geist* must retain the irreversible progress in self-consciousness of ourselves as free that consists in realizing the attitude-dependence of normative statuses, while re-achieving practical *sittlich* appreciation of the status-dependence of normative attitudes: the way in which normative attitudes are obliged to respect and reflect norms that serve as standards of assessment for the correctness of those attitudes. *Sittlichkeit* is practically appreciating and responding to the obligation to conform our attitudes to the actual normative statuses those attitudes acknowledge and attribute. This is to aim at acknowledging and attributing what we and others are *really* committed to, our actual responsibilities. It is the loss of this *sittlich* practical appreciation of the status-dependence of normative attitudes that Hegel denominates “alienation,” and takes to be a hallmark of modernity. What we are alienated from is the norms that we have made, and that make us what we are.

So there is a tension between the claim (central to modernity) that normative statuses are instituted by normative attitudes and the claim (central to premodern understanding) that normative statuses provide the standards for assessment of the correctness of attitudes. How can we both make the norms and be genuinely governed by them? (Here one might think of Wittgenstein’s observation that if “whatever is going to seem right to me is right...that only means that here we can’t talk about ‘right.’²) The third, postmodern stage of *Geist* is defined by its reconciliation of these opposed insights. How does Hegel propose that these two criteria of

² *Philosophical Investigations* §258.

adequacy on an account of the relation between normative attitudes and normative statuses can both be satisfied? The short answer, I think, is that our *past* attitudes institute norms that provide the normative standards of assessment for our *current* attitudes. Such a slogan conceals the rich fine-structure of his account, however.

He thinks that we institute norms that govern our attitudes by engaging in a special kind of process: *recollection* [*Erinnerung*]. Recollection retrospectively rationally reconstructs the prior applications of a concept, picking out an expressively progressive trajectory through them. To say that the rationally reconstructed tradition is “expressively progressive” is to say that it takes the form of the gradual emergence into explicitness of a determinate conceptual content, which provides a norm governing applications of that concept. That content is exhibited as having been all along implicit in actual applications of the concept. Each application reveals, makes explicit, some contour of the concept that it can then be seen to have had implicitly all along. Recollection is a distinctive form of concept-constitutive practical rationality. It is a semantogenic doing: a kind of *making* that is the *finding* of determinate conceptual content. (It is, *inter alia*, the form of rationality Hegel himself practiced in inventing/discovering the concept of *Geist*.)

The process of recollection adopts an essentially *retrospective* perspective: “The owl of Minerva flies only at dusk....” It is this process that turns a mere *past* into a *history*, something with the edifying narrative structure of a *tradition*: a past as *comprehended*. Hegel concludes the *Phenomenology* by emphasizing the constitutive significance of recollection for the higher sort of self-consciousness working through the book he is supposed to make accessible to us:

As its fulfilment consists in perfectly knowing what it is, in knowing its substance, this knowing is its withdrawal into itself in which it abandons its outer existence and gives its existential shape over to **recollection**. Thus absorbed in itself, it is sunk in the night of its self-consciousness; but in that night its vanished outer existence is preserved, and this transformed existence—the former one, but now reborn of the Spirit's knowledge—is the new existence, a new world and a new shape of Spirit. In the immediacy of this new existence the Spirit has to start afresh to bring itself to maturity as if, for it, all that preceded were lost and it had learned nothing from the experience of the earlier Spirits. But **recollection**, the inwardizing, of that experience, has preserved it and is the inner being, and in fact the higher form of the substance.

...

The goal, Absolute Knowing, or Spirit that knows itself as Spirit, has for its path the **recollection** of the Spirits as they are in themselves and as they accomplish the organization of their realm. Their preservation, regarded from the side of their free existence appearing in the form of contingency, is History; but regarded from the side of their [philosophically] comprehended organization, it is the Science of Knowing in the sphere of appearance: the two together, comprehended History, form alike the inwardizing and the Calvary of absolute Spirit, the actuality, truth, and certainty of his throne, without which he would be lifeless and alone. [PG

§808]

Recollection is “Reason’s march through history.” The idea of recollective rationality is one of Hegel’s Big Ideas.

II. Traditional and Modern Practical Conceptions of Agency

In the rest of this essay I want to drill down by looking at a special case of that recollective reconciliation of traditional and modern structures of norm-governed and norm-instituting practices and the sort of understanding of them that is enabled by the metaconcepts of Hegelian *Vernunft*. The particular dimension of our *geistig* activities I will address is *intentional agency* and the self-conscious understanding of it, both theoretical and practical, that is an essential aspect of it, and so, in the end, of us.

Hegel calls the traditional *sittlich* practical understanding of intentional agency “heroic.” By this he means that agents take responsibility for their doings under *all* the descriptions true of those doings. No normative distinction is made between what was done intentionally, or what the agent knew he was doing, on the one hand, and what he did unintentionally and without realizing that that is what he was doing, on the other. Thus Oedipus is held responsible for killing his father and marrying his mother, even though he did not intend to do those things and was not aware that that is what he was doing. For those are still things he *did*, not just things that *happened*. (Anscombe: “I do what happens.”) Oedipus did intend to, and did, kill *that man* and marry *that woman*. On the traditional, heroic conception it is the normative statuses that matter, not the agent’s attitudes. Parricide and incest *ought not to be*. One should not act so as to incur the normative status of father-killer and mother-fucker. The “ought-to-do”s governing attitudes are just to be read off of the “ought-to-be”s that articulate statuses. Attitudes of knowing and intending matter only in determining *that* one is responsible for a deed, not for determining *what*

one thereby did. The *status* one acquires by doing something is not itself construed as mitigated by or otherwise relativized in any way to the *attitudes* of intending and knowing in virtue of which it counts as one's doing in the first place. That one did not mean to do what one did can engender sympathy, but it cannot diminish responsibility.

It is for this reason, Hegel thinks, that the traditional *heroic* practical conception of agency is inevitably always also a *tragic* conception. The tragedy does not consist in the transcendent awfulness of the outcome. It consists in the fact that in acting at all one puts oneself at the mercy of forces outside of one's knowledge and control. Those alien forces determine the content of one's actual deed, what one turns out to have done and to be responsible for having done. (Hegel quotes in this connection a medieval European proverb "When a flung stone leaves the hand, it belongs to the devil.") Tragedy is the submission of the heroic agent to *fate*. The idea of fate invokes not some sort of determinism or antecedent necessitation of outcome, but just those dark (because unknowable and uncontrollable) forces that engulf and overwhelm what is launched by one's limited knowledge and intention, transforming it into deeds that reach far beyond those attitudes into unforeseeable culpability. Shouldering the responsibility that fate in this sense brings down upon one who acts is tragic heroism. This is the intimate, mutually presupposing relation between *tragedy*, *fate*, and *heroism*.

By contrast to this tragic practical conception of agency in terms of heroic identification with and submission to one's fate, the modern conception of agency is distinguished precisely by the idea that agents are genuinely responsible for, and so should be held responsible for, only what they *intended* to do and *knew* they were doing. Davidson well articulates the distinction at

the core of the modern conception when he distinguishes, among the specifications of things one has genuinely *done*, between descriptions under which what one did is *intentional* (turning on the light) and descriptions of what one did that are merely *consequential* (alerting the burglar, of whom one was unaware). What makes an event a doing at all, something that is imputable to an agent, is that it is intentional under *some* description. But that event then counts as a *doing* (something done rather than something that just happens) under *all* its specifications, including those that pick it out by consequences that were not intended or foreseen by the agent. It is of the essence of the modern idea of practical responsibility that acknowledgments and attributions of the normative *status* of responsibility are conditioned by and proportional to the agent's *attitudes* of intending and believing. It is now seen to be unjust to condemn or blame someone for what they did because it satisfies consequential descriptions under which the agent did not intend it and could not foresee it. Those *attitudes* of agents, what they intend and believe, are taken to play constitutive roles in determining their normative *status* as culpable or admirable. This conception of responsibility as proportioned to intention and knowledge is the application to the practical understanding of intentional agency of the distinctively modern appreciation of the attitude-dependence of normative statuses.

The core of distinctively modern practical self-consciousness is for Hegel a special way of understanding “The ‘distinction that action implies’: ‘that between what is *purposed* and what is *accomplished* in the realm of existence.’”³ It is to distinguish two senses in which agents do things, a narrower and a wider one, and to restrict responsibility to what is done in the narrow sense.

³ *Philosophy of Right* §114Z.

It is the right of the will to recognize as its *action* [Handlung], and to accept *responsibility* for, only those aspects of its *deed* [Tat] which it knew to be presupposed within its end, and which were present in its *purpose* [Vorsatz]—I can be made *accountable* for a deed only if *my will was responsible* for it—*the right of knowledge*.⁴

There are “two aspects possessed by the practical consciousness, intention and deed (what is ‘meant’ or intended by the deed and the deed itself).⁵

[T]hough any alteration as such, which is set on foot by the subjects’ action, is its deed [Tat], still the subject does not for that reason recognize it as its action [Handlung], but only admits as its own that existence in the deed which lay in its knowledge and will, which was its purpose. Only for that does it hold itself responsible.⁶

Elsewhere⁷ Hegel makes the same point under the heading of the “right of intention”:

So far as the action comes into immediate touch with existence, my part in it is to this extent formal, that external existence is also independent of the agent. This externality can pervert his action and bring to light something else than lay in it.

Now, though any alteration as such, which is set on foot by the subjects’ action, is its deed [Tat], still the subject does not for that reason recognize it as its action [Handlung], but only admits as its own that existence in the deed which lay in its

⁴ RP§117.

⁵ PG§319.

⁶ *Encyclopedie* §504.

⁷ *Encyclopedie* §505. See also *Philosophy of Right* §120. For my purposes here the difference between the right of knowledge and the right of intention do not matter.

knowledge and will, which was its purpose. Only for that does it hold itself responsible.⁸

What makes what is done (the deed) *mine*, that is, an *action*, rather than just something that happens, is its relation to a *purpose*. For the concept of action includes “the right that the content of the action as carried out in immediate existence shall be in principle mine, that thus the action shall be the purpose [Vorsatz] of the subjective will.”⁹ The passages concerning the identity of content of the outer deed and the inner state it expresses rehearsed above invoked the *intention* [Absicht] expressed, rather than the *purpose*. So corresponding to the Tat/Handlung distinction in Hegel’s account is an Absicht/Vorsatz distinction.¹⁰ The content of the feature of an action that Hegel calls its ‘purpose’ need not extend to everything the developed deed contains, while the content of the feature of an action that Hegel calls its ‘intention’ does extend to everything the developed deed expressing it contains. The distinction among features of the deed that is induced by the purpose is what determines the deed as the agent’s doing, in the *normative* sense of being something the agent is *responsible* for. *What* the agent thereby becomes responsible for (doing) is the whole deed (what is done). And that fully developed deed reveals an *intention* that extends beyond what is merely ‘meant’ or purposed.

⁸ *Encyclopedia* §504.

⁹ *Philosophy of Right* §114.

¹⁰ The passage from *Philosophy of Right* §114 just quoted continues, laying out the general outlines of the claims that must be interpreted to make sense of the Vorsatz/Absicht distinction, connecting it with the further notions of welfare (das Wohl) and the good (das Gute):

(b) The particular aspect of the action is its inner content (α) as I am aware of it in its general character; my awareness of this general character constitutes the worth of the action and the reason I think good to do it—in short my Intention. (β) Its content is my special aim, the aim of my particular, merely individual, existence, i.e. Welfare.

(c) This content (as something which is inward and which yet at the same time is raised to its universality as to absolute objectivity) is the absolute end of the will, the Good—with the opposition in the sphere of reflection, of subjective universality, which is now wickedness and now conscience.

I think Hegel here elaborates a theory of action that recognizably anticipates the view that Davidson would elaborate 160 years later.¹¹ There are five basic elements of Davidson's theory of action that seem to me helpful in beginning to understand Hegel's. Davidson starts by developing a way of talking about events (such as the performances that result from exercises of agency) according to which:

- 1) One and the same event can be described or specified in many ways.

Further,

- 2) One important way of identifying or singling out an event is in terms of its *causal consequences*.

Thus moving one's finger, flipping the switch, turning on the light, and alerting the burglar can all count as specifications of one single event. As the effects of an event unfold, each new concentric ripple surrounding it makes available new ways of specifying it by the causal contribution it made to the occurrence of *those* later events. It is simply not settled yet whether the investment I made yesterday will eventually be identifiable as "the wisest financial decision I ever made", or "the most foolish...", or (more probably), something less dramatic in between. We'll just have to await the results. Davidson calls the way the potential descriptions of an event expand with the passage of time "the accordion effect."

- 3) Some, but not all, of the descriptions of an action may be privileged in that they are ones under which it is *intentional*.

Flipping the switch and turning on the light were intentional, while alerting the burglar (of whom I was unaware) was not. Buying a bond issued by company XYZ was intentional, while buying a

¹¹ Michael Quante develops this thought at length in *Hegel's Concept of Action* [Cambridge University Press, 2004], a translation by Dean Moyar of Quante's *Hegel's Begriff der Handlung* [Frommann-Holzboog, 1993].

bond issued by a company that would go bankrupt the following week, which might be a description of the very same event, would not have been intentional.

4) What makes an event, performance, or process an *action*, something *done*, is that it is *intentional* under *some* description.

Alerting the burglar and buying the bond of a soon-to-be-bankrupt company are things genuinely *done*, even though they were not intentional under those descriptions. For they *were* intentional under *other* descriptions of the same event: turning on the light and buying an XYZ bond. The performance is an action under *all* its descriptions and specifications, including all the distant, unforeseeable, consequential ones that come in under the accordion principle (an extensional matter). But what *makes* it an action is that it *was* intentional under *some* such specifications (an intensional, that is, specification-relative, matter).

5) What distinguishes some descriptions as ones under which a performance was intentional is their role as conclusions in processes of *practical reasoning*.

Turning on the light and buying an XYZ bond were things I had *reasons* to do, provided by *ends*, *purposes*, or *goals* I endorse, *commitments* I acknowledge, or *values* I embrace. Those reasons in the form of ends, purposes, goals, commitments, or values provide *premises* for potential pieces of practical reasoning justifying the practical conclusion that I ought to bring about an event satisfying a description such as being a turning on of a light or a buying of an XYZ bond—but not being an alerting of a burglar or a buying of a bond of an incipiently bankrupt company. That securing the applicability of *those* descriptions is in this way practically justifiable is what makes them the ones under which what I go on to do is *intentional*, and hence something that counts as an *action*.

The structure of such an account is quite different from one that identifies three distinct kinds of events standing in sequential causal relations: prior internal intentions or states of intending, actions, and consequences of those actions. The place of *distinct* events or occurrences of intendings and consequences has been taken by different descriptions of the *one* thing done: intentional and consequential ways of picking out the same doing. That is why it makes no sense to talk about an intention apart from what was done intentionally.¹² What qualifies an occurrence as an action—something an agent is *responsible* for—is the existence of a privileged subset of specifications. And they are privileged precisely by their *normative* relation to the agent. Specifically, they are *justified* by practical *reasons* whose normative force or validity the agent acknowledges.

I take it that Hegel’s ‘Tat’ refers to the deed done, with *all* of its accorded descriptions, and that his ‘Handlung’ is that same deed *as* the agent’s doing, that is, *as* specifiable by the restricted set of descriptions under which it is intentional, and hence something *done* at all. Here is a crucial passage of Hegel’s that puts together a number of the Davidsonian theses:

Action has multiple *consequences* in so far as it is translated into external existence; for the latter, by virtue of its context in external necessity, develops in all directions. These consequences, as the *shape* whose *soul* is the *end* to which the action is directed, belong to the action as an integral part of it. But the action, as the end translated into the external world, is at the same time exposed to external forces which attach to it things quite different from what it is for itself, and impel it on into remote and alien consequences. The will thus has the right *to*

¹² “[W]e ought to will something great. But we must also be able to achieve it, otherwise the willing is nugatory. The laurels of mere willing are dry leaves that never were green.” [Philosophy of Right §124Z.]

accept responsibility only for the first set of consequences, since they alone were part of its *purpose* [Vorsatz].¹³

Endorsement of the accordion principle, and so of the Davidsonian principles (1) and (2), is implicit in saying that the action's consequences, the action as an external existence developing in all directions, are an integral part of the action.¹⁴ This deed is what the action is *in* itself. But what the action is *for* itself (or for the acting consciousness) is determined by the subjectively envisaged end or goal it serves, the purpose for which it is performed. In Davidsonian terms, the purpose settles the specifications under which it is intentional (principle (3)), which are the ones in virtue of which the deed is recognizable as the agent's (principle (4)), in the sense that they are the ones in virtue of which the agent is responsible for what is done. (This is the “right of knowledge” distinctive of modern conceptions of agency, by contrast to those presented in ancient tragedy, adverted to in the passages further above.) Thus considerations of responsibility induce a distinction within the consequential specifications of the actual performance produced. The end or purpose endorsed (principle (5)) is translated into the external world in the shape of the deed in the sense that the purpose it justifies provides descriptions of the very same deed that also has consequential descriptions under which it is *not* intentional.

The *deed* posits an alteration to this given existence, and the will is entirely *responsible* [hat schuld] for it in so far as the predicate ‘mine’ attaches to the existence so altered...But responsibility involves only the wholly external

¹³ *Philosophy of Right* §118.

¹⁴ Very much the same language is used at *Phenomenology* §642:

Action, in virtue of the antithesis it essentially contains, is related to a negative of consciousness, to a reality possessing intrinsic being. Contrasted with the simplicity of pure consciousness, with the absolute other or implicit manifoldness, this reality is a plurality of circumstances which breaks up and spreads out endlessly in all directions, backwards into their conditions, sideways into their connections, forwards in their consequences.

judgment as to whether I have done something or not; and the fact that I am responsible for something does not mean that the thing can be imputed to me.¹⁵

The deed is what I do under all its descriptions. I am responsible for it in the sense that it is ‘mine’: I did it. But it is *imputed* to me only under the *intentional* descriptions: the ones appearing in a specification of my purpose, the descriptions that specify the deed as something I had reason to do.

The distinction that action implies is, on the Davidsonian line being pursued, a distinction between *intentional* and *consequential* characterizations of one and the same deed. This account of the structure of intentional agency is the basis for Hegel’s critique of two traditional ways of thinking about moral responsibility. For he claims that ethical theories that assess the rightness of actions exclusively on the basis of the *intentions* with which they were performed and ethical theories that assess the rightness of actions exclusively on the basis of the *consequences* to which they give rise are equally ‘one-sided.’ A fully adequate account of responsibility and culpability, Hegel thinks, would address the unitary actions of which intentional and consequential specifications express aspects, without invidiously privileging either perspective.

Hegel explicitly appeals to this distinction between doings in a wider and a narrower sense as marking the decisive difference from traditional practical conceptions of agency; The *heroic* self-consciousness (as in ancient tragedies like that of Oedipus) has not yet progressed from its unalloyed simplicity to reflect on the distinction between *deed* [Tat] and *action* [Handlung], between the external event and the

¹⁵ *Philosophy of Right* §115 and §115H.

purpose and knowledge of the circumstances, or to analyse the consequences minutely, but accepts responsibility for the deed in its entirety. [RP§118Z]

Modernity is characterized by the dual rights of “intention” and “knowledge”: the right to be held responsible for what one does only according to the descriptions of it under which it was *intentional* and the consequential descriptions one *knew* would characterize it. Hegel does not consider the possibility of intention and knowledge coming apart from one another. It is interesting to note in this connection (particularly in the light of the aegis under which the present work is being presented) that Thomas Aquinas sees an important difference in their significance for attributions of moral responsibility between characterizations of an action which the agent endorsed as intentional and consequential characterizations the agent merely foresaw. His famous “doctrine of double effect” asserts that some characterizations of doings in virtue of which one would be morally culpable if they were specifications of what one intended (either as an end or as a means) need not entail moral culpability if they specify instead only consequences one *knew* would ensue in virtue of what one *did* intend.¹⁶ This subtle distinction both presupposes and further articulates and elaborates the fine structure of the conceptual and moral progress Hegel sees as an essential component of the practically self-conscious modern form of agency: the advance represented by acknowledging the normative significance of the distinction between intentional and consequential specifications of actions.

Hegel takes it that making this distinction between *Tat* and *Handlung* is indeed a decisive advance in our understanding of ourselves as agents. But he also thinks that this new level of practical self-consciousness courts the danger of a distinctive kind of *alienation* from its deeds.

¹⁶ *Summa Theologica* (II-II, Qu. 64, Art.7).

Consciousness, therefore, through its experience in which it should have found its truth, has really become a riddle to itself: the consequences of its deed are for it not the deeds themselves. What befalls it is, for it, not the experience of what it is in itself, the transition is not a mere alteration of the form of the same content and essence, presented now as the content and essence, and again as the object or [outwardly] beheld essence of itself.

III. Postmodern Heroism: Recognition as Recollection

I have been using a particular regimented normative metavocabulary to render the terms Hegel uses to set out the contrast between the categories of *Verstand* and those of *Vernunft*. It translates Hegel's talk of what subjects are *in* themselves and what they are *for* themselves and for others into talk of normative *statuses* and normative *attitudes*. Under the heading of normative statuses, Hegel's talk of *independence* and *dependence* is translated into talk about *authority* and *responsibility*. Under the heading of normative attitudes, his talk of what subjects are for *themselves* and for *others* is translated into talk about *acknowledging* responsibility or *claiming* authority oneself, and *attributing* those statuses to others.

In these terms, the conception of *Vernunft* is what explains the reciprocity of the normative statuses of authority and responsibility (the sense in which they are always two sides of one coin), the reciprocity of normative cognitive attitudes of acknowledging and attributing authority and responsibility, and the reciprocal dependences between these reciprocal relations among statuses and among attitudes. In doing so, it reconciles the distinctively modern insight

into the attitude-dependence of normative statuses—the sense in which statuses of authority and responsibility are instituted by reciprocal cognitive attitudes—with the traditional appreciation of the status-dependence of normative attitudes: the dimension along which attributions and acknowledgments of commitments (responsibilities undertaken by exercising one's authority to do so) answer for their correctness to what agents are really committed to. The alienation that is the worm in the shining apple of modernity is the practical incapacity to see how normative statuses can *both* be instituted by normative attitudes *and* transcend those attitudes so as genuinely to govern and constrain them.

Kant's autonomy version of the Enlightenment idea that normative statuses are instituted by normative attitudes takes it that knowing and acting subjects are distinguished from merely natural creatures by a distinctive sort of *authority* they have. That is the authority to *commit* themselves—the normative capacity of *making* themselves responsible by *taking* themselves to be responsible. Hegel applauds both the idea that the basic normative status is the authority to adopt normative attitudes (for Kant, to acknowledge commitments), and the idea that normative statuses (commitments, that is, responsibilities) are instituted by normative attitudes. Hegel objects to the idea that any individual's attitudes can *immediately constitute* normative statuses. That sort of authority he sees as an instance of the practical conception of normativity in terms of pure independence (authority without commensurate responsibility) characteristic of the Master, whose commands unilaterally institute obligations (responsibilities) for the Slave. And from Hegel's point of view it is a flaw in the Kantian autonomy account that *this* foundational normative status—the distinctive kind of authority to commit oneself, in virtue of which one is a discursive subject of cognitive commitments as to how things are and practical commitments as

to how things shall be—is *not* construed by Kant as itself instituted by normative attitudes. It is treated just as a metaphysical fact.

He thinks that Kant has made an important step in the right direction, and given us the crucial clue as to how these two flaws in the autonomy view can be rectified, however. For Kant's view is not wholly individualistic. It does have an important *social* dimension, and it is that social dimension that Hegel sees as opening up a way forward to a more adequate account of the institution of normative statuses by normative attitudes. For according to Kant, autonomous agents have a duty to *respect* the dignity of other such agents. Respecting their dignity is attributing to them the authority to commit themselves by endorsing judgeable contents and practical maxims codifying reasons for action, which is what their autonomy consists in. Kant's only mistake, Hegel thinks, is that he does not treat the respect by others of one's dignity as autonomous as a necessary condition of one's actually having the authority to make oneself responsible by taking oneself to be responsible. If we understand their attitude of recognizing one's authority as necessary for instituting that status and so as partly constitutive of it, then we can understand normative statuses as essentially *social* statuses. Not only the responsibilities autonomous agents undertake but the authority to do so then show up as statuses instituted by normative attitudes of acknowledging or attributing them. And the distinction of social perspective between acknowledging a status oneself and attributing it to others, as well as the complementary character of the statuses of authority and responsibility will be accorded essential functional roles in the resulting constellation of normative attitudes and statuses.

Hegel's idea is that we should understand the commitments of normative subjects as instituted not by their own attitudes of acknowledgement alone (as Kant's autonomy model has it), but only by those attitudes when suitable complemented by attributions of those commitments to them by others, who attribute to them the authority so to commit themselves, and so *hold* them responsible. That is, the authority to commit *oneself* is itself instituted in part by the attitudes of *others*, who attribute it. (Kant's obligation to respect the dignity of others is being responsible for attributing autonomy to them.) Hegel's term for the attitude of attributing the basic Kantian normative status that is the authority to adopt a status by adopting an attitude—making oneself responsible by taking oneself to be responsible—is “recognition” [Anerkennung]. In place of Kant's *individualistic autonomy* model of the institution of normative statuses by normative attitudes he proposes a *social recognition* model. According to that model, normative statuses are instituted by *reciprocal recognition*. To be responsible one must, as Kant already insisted, in the first instance *acknowledge* that responsibility.¹⁷ But one must also be *held* responsible by others, to whom one attributes the authority to adopt such authoritative attitudes. To attribute to someone the authority to hold one responsible, that is, to attribute commitments in a partly constitutive way, is to recognize that other subject. Hegelian recognitive attitudes, like Kantian autonomous attitudes, institute normative statuses. But they do so only when suitably socially complemented. The recognitive authority of individual

¹⁷ I say “in the first instance” because in addition to the ground-level cognitive and practical commitments that are Kantian judgments and endorsements of practical maxims, Kant also is concerned with *categorial* commitments. These are commitments that are implicit in and explicative of judging and acting intentionally. These categorial responsibilities are not attitude-dependent in the same way the ground-level cognitive and practical commitments are. They are implicit in adopting normative attitudes at all. The discovery of this sort of background commitment, and the concepts that articulate this kind of discursive commitment, is hugely important to Kant, and, following him, to Hegel. But I suppress consideration of it here. (I discuss the subsequent development of this idea in a preliminary way in the first chapter of *From Empiricism to Expressivism*.)

normative subjects and of their cognitive communities are complementary and reciprocally dependent, that is, *responsible to* each other as well as *authoritative over* each other.

On the cognitive picture, normative statuses are all instituted by normative attitudes, but only when those attitudes exhibit a particular social structure: the structure of reciprocal recognition. Normative attitudes of acknowledging oneself and attributing responsibilities to others, and of claiming or exercising authority for oneself and acknowledging the authority of or attributing authority to others, must be complementary to be efficacious. And in such a structure the normative statuses of authority and responsibility those cognitive attitudes institute are also always reciprocal and co-ordinate.

The most basic Hegelian social normative status, being a normative subject (having responsibility or authority) is being recognized as having that status by those one recognizes as having it. It is wholly up to me whom I recognize. That is an exercise of my authority. But then it is not in the same way up to me whether they recognize me in turn, and so institute the status. For that I am responsible to their authority. I cannot make myself responsible, commit myself, all on my own. To *be* responsible I must be *held* responsible. Recognizing them is adopting the attitude of attributing to them the authority to determine, by their attitudes of attribution, my possession of the status in question. Apart from my cognitive attitude, they have no such authority over me. Apart from their exercise of that authority, I do not have the status in question. Our attitudes are constitutive, sufficient to institute the status, only when suitably complemented by each others' attitudes. Only *reciprocal* cognitive attitudes, instituting

recognition by those one recognizes, are constitutive of basic Hegelian normative statuses. The norm-instituting constellation of attitudes is one in which, as Hegel puts it:

Each is for the other the middle term, through which each mediates itself with itself and unites with itself; and each is for itself, and for the other, an immediate being on its own account, which at the same time is such only through this mediation. **They recognize themselves as mutually recognizing one another.**¹⁸

The *authority* to undertake commitments or responsibilities, which is the basis of Kant's autonomy model, is now seen to involve a co-ordinate *responsibility* to others, to whom one has granted the authority to *hold* one responsible. Others do not have that authority until and unless they are granted it by the cognitive attitudes of the knowing and acting subject. But the authority of that subject to undertake responsibilities or commitments regarding how things are or are to be equally involves responsibility to, recognition of, the co-equal authority of those others in determining both what the subject is responsible for and the extent to which that responsibility is fulfilled. On the cognitive model, both the *statuses* of authority and responsibility, and the *attitudes* of acknowledging and attributing responsibility and authority, are co-ordinate, commensurate, and inextricably reflective of each other.

As an example, consider the status of being a good chess player. Achieving that status is not something I can do simply by coming subjectively to adopt a certain attitude toward myself. It is, in a certain sense, up to me whom I regard as good chess-players: whether I count any woodpusher who can play a legal game, only formidable club players, Masters, or even Grand Masters. That is, it is up to me whom I recognize as good chess-players, in the sense in which I

¹⁸ *PhG* [§184]. Emphasis added.

aspire to be one. But it is *not* then in the same sense up to me whether I qualify as one of them. To earn their recognition in turn, I must be able to play up to their standards, to earn their recognition. To *be*, say, a formidable club player, I must be recognized as such by those I recognize as such. My cognitive attitudes can define a virtual community, but only the reciprocal recognition by those I recognize can make me actually a member of it, accord me the status for which I have implicitly petitioned by recognizing them. My attitudes exercise cognitive *authority* precisely in determining whose cognitive attitudes I am *responsible* to for my actual normative status.

I can make things hard on myself or easy on myself. I can make it very easy to earn the recognition (in this respect) of those I recognize as good chess players, if I am prepared to set my standards low enough. If I count as a good chess player anyone who can play a legal game, I will not have to learn much in order to earn the recognition by those who can play a legal game of my capacity to play a legal game. The cost is, of course, that what I achieve is only to be entitled to classify myself as a member of this not at all exclusive community. On the other hand, if I want to be entitled to look up to myself (as it were), I can exercise my independence and set my standards high, recognizing only Grandmasters as good chess players. To be entitled to class oneself with them, be aware of oneself as possessing the status they give concrete determinate content to, would be an accomplishment indeed. But it is not easy to earn their recognition as a good chess player in that sense, that is, by those standards. The difference in the determinate contents of these self-conceptions, and of the chances of realizing them and becoming in oneself what one is for oneself, illustrates one dimension along which are arrayed different constellations of self-consciousness that is both determinately independent

(authoritative) as recognizing, and determinately dependent (responsible) as recognized.

The case of concept-use, which is what Hegel really cares about, exhibits a similar structure of authority and responsibility. It is wholly up to me whether or not I assertionally play the linguistic counter “The coin is copper.” But it is then not up to me what I have committed myself to by doing so. I recognize metallurgical experts, in the sense that I attribute to them the authority to hold me responsible for having committed myself to such consequences as that the coin will melt at 1085° C., will conduct electricity, and so on. It is this social cognitive structure that makes it possible for my copper-thoughts to be different in content from my manganese-thoughts, even if I cannot distinguish the two metals.

One might (I think one clearly ought) to grant that there is *a* sense of “normative status,” paradigmatically of “responsibility” and “authority,” that is sensibly construed as socially instituted by reciprocal cognitive attitudes in the way required for what I have called “basic Hegelian normative statuses.” Even so, one might want to object that there are normative statuses that are more objective than these intersubjectively constituted ones. What is left out of the picture of normative statuses as constituted by reciprocal cognitive attitudes, one wants to say, is the fact that some normative statuses are objective in a sense that lets them serve as normative standards for assessment of the correctness of attitudes of attributing or claiming them.

Just so. The attitude-dependence of normative statuses, which motivates the models both of the basic Kantian normative meta-status of autonomy and of the basic Hegelian normative meta-status of reciprocal recognition, must somehow be balanced by acknowledgment of the

status-dependence of normative attitudes: the sense in which those attitudes of acknowledging and attributing normative statuses are responsible to the statuses that subjects actually have, the sense in which those attitudes are themselves norm-governed. Understanding that aspect of the relations between normative attitudes and normative statuses, and incorporating that understanding in our practices and institutions is what is required to move *Geist* from its modern to its post-modern phase. We are to do that by moving from practically construing ourselves and our discursive activities according to metaconcepts exhibiting the structure of *Verstand* to construing ourselves and our discursive activities according to metaconcepts exhibiting the structure of *Vernunft*.

The key to understanding the way Hegel moves beyond the *basic* Hegelian normative statuses socially instituted by *synchronic* reciprocal *relations* of cognitive attitudes consists in appreciating the orthogonal *diachronic* historical dimension of cognitive *processes*. It is in particular the *recollective* phase of diachronic cognitive processes that explains the attitude-transcendence of normative statuses. That includes the special cognitive representational norms according to which representing attitudes are responsible for their correctness to standards set by what counts as represented by those representings just in virtue of exercising that distinctive kind of authority over them. Discursive norms, both practical and cognitive, are understood according to the categories of *Vernunft* as features of essentially social and historical cognitive processes, developing in tandem with the attitudes that articulate them. Understanding operating according to the categories of *Verstand* is blind to both the social and the historical dimensions of conceptual norms.

IV. Ushering in the Third Age of Spirit by the Breaking of the Hard Heart: From *Niederträchtig* Blaming to *Edelmütig* Confession and Forgiveness

Let us look more closely at how the transition to the third age of *Geist* is described and motivated. The *Spirit* chapter of the *Phenomenology* rehearses the progressive development from the traditional to the modern structure of *Geist*, so as to prepare us readers for the epiphany in which that development culminates: the envisaged transition to the third, post-modern stage, the age of trust. Hegel introduces this newly self-conscious form of normativity (and hence subjectivity) in the rhetorical form of a pair of allegories: the allegory of the hero and his valet, and the allegory of the penitent confessing his transgression to the hard-hearted, unforgiving judge.

Hegel introduces the first with a well-known slogan of his day:

“No man is a hero to his valet;

followed by his own twist on it:

not, however, because the man is not a hero, but because the valet—is a valet....”¹⁹

The hero is allegorical for one who acts out of appreciation of his duty, one who fulfills his responsibilities, one who acts as he ought, as he is committed to act, one who in his practical attitudes and actions acknowledges the bindingness or authority of norms. “Valet” is the English translation of the German “Kammerdiener,” literally, room-servant. The valet in the allegory

¹⁹ PG [665].

sees the attitudes of the hero not as governed by and expressive of the acknowledgment of norms, but as the product of immediate sensuous desires and contingent particular inclinations. The valet views what the hero does genealogically, in resolutely naturalistic, nonnormative, reductive terms, and so

...explains [the action] as resulting...from selfish motives. Just as every action is capable of being looked at from the point of view of conformity to duty, so too can it be considered from the point of view of the particularity [of the doer].... If the action is accompanied by fame, then it knows this inner aspect to be a desire for fame.....[T]he inner aspect is judged to be an urge to secure his own happiness, even though this were to consist merely in an inner moral conceit, in the enjoyment of being conscious of his own superiority and in the foretaste of a hope of future happiness. No action can escape such judgement, for duty for duty's sake, this pure purpose, is an unreality; it becomes a reality in the deed of an individuality, and the action is thereby charged with the aspect of particularity.

The *Kammerdiener* stands for a genealogical view that explains all attitudes in terms of other attitudes, without needing to appeal to governing norms that they are attitudes towards and acknowledgments of. Hegel does not deny that this sort of explanation in terms of attitudes alone can be done. The norm-blind reductive naturalistic genealogical perspective is an available perspective.

But we can ask: what sort of disagreement is it that divides the *Kammerdiener* and the “friend of the norms” for whom some heroes really are heroes? Is it a cognitive, matter-of-factual disagreement about what there is in the objective world? After all, for Hegel, modernity

was right that normative statuses are attitude-dependent. Hegel diagnoses the issue as a difference in meta-attitude. Hegel denominates the norm-blind reductive naturalism, for which the *Kammerdiener* stands, “niederträchtig.” The contrasting, norm-sensitive, hero-aware meta-attitude that takes some attitudes to be themselves genuinely norm-sensitive and norm-acknowledging he calls “edelmüttig.” So perhaps there is just a subjective practical choice to be made, depending on one’s preference for tough-minded, skeptical *Niederträchtigkeit* or tender-minded, generous *Edelmüttigkeit*? That is not Hegel’s view either. Those two possibilities—matter of objective fact or subjective preference—exhaust the possibilities that modern *Verstand* admits. He thinks rather that in being discursive beings at all, in believing and acting, we have already implicitly committed ourselves to an *edelmüttig* meta-attitude. This is a possibility afforded by *Vernunft*, which, when it comes to explicit self-consciousness, ushers in the post-modern structure of *Geist*.

The issue addressed by the allegory of the *Kammerdiener* concerns the intelligibility of the traditional idea of the status-dependence of normative attitudes in the face of the modern insight into the attitude-dependence of normative statuses. The *Kammerdiener* stands for the self-sufficiency, the explanatory sovereignty, of attitudes. But then what room is there for the authority and efficacy of norms—for the idea that normative statuses of authority and responsibility, what one is really entitled or committed to, make a real difference to attitudes that accordingly deserve to be thought of as *acknowledgments of those norms*?

Normative governance of attitudes by norms has two dimensions, deontic and alethic. First, the norms (normative statuses) serve as *standards for assessment of the correctness of*

attitudes. My attitudes of acknowledging a commitment myself, or attributing a commitment to others, are correct just in case we really are committed, in case those attitudes properly reflect the statuses they are attitudes towards. This is what it is for the attitudes in question to be *normative* attitudes: attitudes towards norms, attitudes of acknowledging or attributing normative statuses. Second, the norms they are attitudes towards should make a difference to the adoption of those attitudes. The attitudes must be *subjunctively sensitive* to the normative statuses they acknowledge and attribute. This is to say that the norms are efficacious, in that *if* the content of the norm being acknowledged or attributed *were* (or *had been*) different, the attitude *would be* different.

The heroism of the hero is allegorical for the norm-governedness of his attitudes in this dual sense. The correctness of his attitudes is to be assessed according to the standard provided by the norms he acknowledges, and his practical attitudes are sensitive to the contents of those norms, in the sense that if the norms were different, the hero's attitudes would be different. The challenge allegorically represented by the *Kammerdiener* is to make the possibility of the status-dependence of normative attitudes so much as intelligible in the face of the standing possibility (which Hegel admits) of purely naturalistic genealogical alternative accounts of the advent of normative attitudes, which appeal only to other attitudes. If invocation of normative governance of attitudes by normative statuses is not *necessary* to account for the attitudes, how can it be *legitimate*? Insofar as this reductive naturalist challenge to the normativity of agency cannot be met convincingly, the result is *alienation* from the norms: the loss of traditional *sittlich* practical appreciation of the status-dependence of normative attitudes, of the authority or bindingness of norms on attitudes.

The second allegory, of the confessing miscreant and the hard-hearted judge, presents a different sort of challenge to the intelligibility of the governance of practical attitudes by norms. It stems from Kantian rigorism about what is required for genuine responsiveness to norms, rather than from reductive naturalism. What the miscreant confesses is the admixture of non-normative attitudes in the causes of his action. He did not act just out of acknowledgment of “pure duty for duty’s sake.” Other attitudes also provided motives to which the action was subjunctively sensitive, in the sense that if they had been different (and the norm not) what was done would have been different. Subjunctive sensitivity was not limited to the content of the norm being acknowledged. The doing was in this regard both more than and less than a pure acknowledgment of the norm. Here the challenge is not that treating the performance as the acknowledgment of a norm is not *necessary* to explain the practical attitude, but rather that it is not *sufficient*. If invocation of normative governance is not by itself *sufficient* to account for attitudes (because an admixture of contingent, particular motives and circumstances—what the penitent confesses—is also always in play), then how can it be *legitimate*?

The challenge to the intelligibility of normative governance comes from the idea that the authority of norms over attitudes must be *total* in order to be *genuine*. It is a manifestation of the deformed conception of *pure independence*: the idea that authority (normative independence) is undercut by any sort of correlative responsibility to (dependence on) anything else. This is the practical normative conception Hegel criticizes allegorically under the rubric of “Mastery.” Hegel sees Kant as perfectly distilling the essence of the modern form of this conception, as part of his otherwise progressive understanding of normativity in terms of autonomy. As a result,

Kant adopts a *contraction* strategy, in which genuine doings shrink down to mere willings, since every more robust sense of action involves responsibility to other factors, subjective and objective, which are not themselves in the same sense governed by the norm that rationalizes the willing. In the allegory, the hard-hearted judge is the Kantian rigorist, who takes it that the penitent's confession of an admixture of non-normative motives shows that the action does not (also) express the acknowledgment of a norm, and so must be judged lawless. The affinity to the reductive naturalism of the *Kammerdiener* should be clear. For there, too, the mere possibility of a non-normative, reductive naturalistic explanation of attitudes is taken to pre-empt the normative governance explanation, and in that sense to deny the authority of the norm. If the normative governance account of an attitude has a rival, it is taken to have no authority at all. Independence is seen as incompatible with any sort of dependence. Any correlative responsibility undermines claims of authority.

Unlike the *Kammerdiener* allegory, the allegory of the hard-hearted judge is extended to provide a path forward to a proper understanding of the status-dependence of normative attitudes. Hegel presents the structural transition from modern to post-modern conceptions of agency in the form of a parable, a narrative recounting sequential stages in the relationship between an “evil consciousness” [PG 661] and a “hard-hearted judge” [PG 669-70]: evil [PG 661-62], judgment [PG 662-66], confession [PG 666], refusal of reciprocal confession [PG 667-68], the breaking of the hard heart and confession by the judge [PG 669], forgiveness [PG 669-71], and the achievement of a new kind of community (“The reconciling Yea, in which the two 'I's let go their antithetical existence, is the existence of the 'I' which has expanded into a duality.” [PG 671]). This is the final, *vernunftig*, post-modern form of reciprocal recognition,

and so, of normativity and *Geist*, structured by the normativity instituted by that newly self-conscious form of recognition.

What the contrite agent confesses is everything in its deed that is not norm-governed—in Hegel’s idiom, every manifestation of *particularity* (the agent’s circumstances and collateral attitudes in the form of intentions or beliefs, and of contingent unintended consequences) rather than *universality* (norm, governing normative status). It confesses every failure of the status-dependence of the practical attitudes whose content is revealed in the deed as actually done. Confession [Verständnis] in this sense is at once a performance partly constitutive of a special form of self-consciousness, and a petition for recognition. (The connection is forged by Hegel’s understanding of self-consciousness as a normative status that is the social product of attitudes of mutual recognition.) In Hegel’s allegory, it is met not with an *edelmüttig* reciprocating recognition, but with a *niederträchtig* merely critical assessment of failure to fulfill responsibilities (failure of attitudes to be normatively governed by statuses). The blaming, hard-hearted, Kantian rigorist judge plays the “role of the moral valet” to the penitent agent.

The consciousness that judges in this way is itself base, because it divides up the action, producing and holding fast to the disparity of the action with itself.

Further, it is hypocrisy, because it passes off such judging, not as another manner of being wicked, but as the correct consciousness of the action, setting itself up in this unreality and conceit of knowing well and better above the deeds it discredits, and wanting its words without deeds to be taken for a superior kind of reality.²⁰

The judge’s attitudes are exclusively adopted from the perspective of normative *assessment*.

²⁰ PG 666.

The judge as assessor does not identify with the perspective of the deliberating agent, or even acknowledge the essential complementary roles in constituting normative statuses played by attitudes of assessment and deliberation—that is, attribution to another and acknowledgment oneself of practical commitments.

The point of this episode in the allegory is to enforce the contrast with the next step. The “breaking of the hard heart” describes the adoption by the assessing consciousness of the appropriate *edelmüttig* cognitive response to the petition for recognition that is the penitent’s confession. That response Hegel denominates “forgiveness” [Verzeihung]. To understand the structure of normativity that gives *Geist* its characteristic post-modern shape, we must understand the constellation of reciprocal cognitive attitudes that institutes that structure. This is recognition in the form of mutual confession and forgiveness: the structure I call “trust.” As I read the allegory, the shift to forgiveness that is the breaking of the judge’s hard heart is a move from the judge merely *attributing* responsibility for the agent’s deed to the judge practically *acknowledging* his own responsibility for that deed. As such, it is an act of *identification with* the doer, by making oneself co-responsible for what was done. The appropriate response to confession of an incapacity to produce deeds that are simply and purely governed by norms is for the judge to make a corresponding confession, to acknowledge “I am as you are,” admitting that the judge, like the agent, is also doomed to act from a mixture of attitudes that are acknowledgments of governing norms and attitudes that are not such acknowledgements. (“We’re all bozos on this bus.”)

The responsibility the *assessing* consciousness undertakes for what is done is complementary to the responsibility the *deliberating* consciousness undertakes for its act, rather than identical with it. It has two dimensions: reparative and recollective. The reparative responsibility is practically to intervene in the still-unfolding consequences of the doing, which provide an ever-increasing stock of consequential specifications of it. The deed is never done, and part of the generous *edelmüttig* way of holding someone responsible for what they do is to acknowledge responsibility for helping to make it turn out well. One can do that by practically contributing new consequences, thereby making-true new consequential specifications of the deed. When everyone does acknowledges a responsibility to do that, each doing by a member of a community whose constitutive cognitive attitudes to one another take the form of confession and forgiveness is a doing by all. The deed of each is the deed of all. (Think here of Dumas's Musketeers' slogan "All for one and one for all!")

But what counts as "better" consequences? The standard for such normative assessments of consequences is set by the other, *recollective* dimension of forgiveness. The *reparative* responsibility to ameliorate the consequences of the doing being forgiven must be understood in terms of recollection. The aim is to make the whole that results from one's current action, thought of as a contribution to a tradition, as *more fully and successfully recollectable* than that tradition would otherwise be. So this constraint, too, is defined in terms of recollection. It is the norms of recollection that determine what count as "better" consequences, and to which contributing to such consequences must be subjunctively sensitive.

Recognition in the form of recollective forgiveness is the key to understanding norm-governedness in general. Taking recollective responsibility for another's doing is practically acknowledging the obligation to tell and endorse a certain kind of retrospective story about that doing. That is the responsibility to rationally reconstruct it *as* norm-governed. The forgiving recollector must discern an implicit norm that governs the development of the deed. This is the intention in the sense of *Absicht*, which stands to the consequentially extended *Tat* as the agent's initial *Vorsatz* stands to the *Handlung*, which is the narrower action specified only under the descriptions explicitly licensed by the purpose for which it was performed. The *Absicht* must be exhibited as normatively governing the doing in the dual sense both of serving as a normative standard for assessment of the practical attitudes it governs (each specification of the doing being thought of as an acknowledgment of that norm), and as being the norm that those attitudes can be seen to have been subjunctively sensitive to, in the sense that had the norm been different, so would the attitudes.

One recollectively discerns/imputes a norm that is in the form of an intention or *Absicht*, something that governs the practical process by specifying what is being *striven* for or *aimed* at. Saying that goes beyond just saying that it serves as a normative standard for assessments of the success of practical attitudes. For that could be true without entailing that anyone cares about the standard and is making decisions in the light of what the norm enjoins. The additional element involves thinking of each component of the subsequent retrospectively constructed/discovered tradition as surrounded by a cloud of incompatible alternatives. The recollective forgiver then practically takes or treats the subject of the attitude in question as *choosing* the alternative taken (the one incorporated in the recollective-recognitive forgiveness-narrative), as having *selected* it

out of the cloud of relevant alternatives, which are sacrificed for it. That is what it is to treat the governing norm as not just a norm of assessment, but as an *Absicht*. This is rationally reconstructing a tradition of attitudes that are status-dependent, in the sense of being governed, in the dual sense, by an implicit norm that becomes gradually more explicit as it is acknowledged by the attitudes incorporated in the recollected tradition.

The meta-norm that governs recollective performances (and the practical attitudes they express) is that the norm one reconstructively discerns or imputes must normatively govern *all* the consequential specifications of attitudes downstream of the *Handlung*. That includes the practical-reparative and hermeneutic-recollective attitudes the assessing judge adopts. So the forgiving agent must endorse the norm being attributed as governing the deed—must acknowledge its authority. That is part of taking co-responsibility for it. In forgiving, one makes oneself responsible for the emerging norm one attributes as the implicit *Absicht* of the deed. This is *identifying with* the agent, in the sense of risking and if need be sacrificing one's own attitudes, by subjecting them to normative assessment according to the norm one both attributes and acknowledges, and being subjunctively sensitive to that norm in one's own attitudes. In this specific sense, the forgiving agent acknowledges the doing as its own, as the doing not *only* of the agent who initiated it, but *also* of the forgiving recollector.

Forgiving recollection can be understood on the model of the institutional common or case-law jurisprudential practices mentioned earlier. There, the current judge rationally reconstructs the tradition by selecting a trajectory of prior precedential decisions that are expressively progressive, in that they reveal the gradual emergence into explicitness of a norm

(the content of a law) that can be seen to have implicitly governed (in the dual sense of serving as a standard and having the precedential attitudes be revealed as subjunctively sensitive to it) all the decisions (attitudes) in the reconstructed tradition. It is that norm that then justifies the current judge's decision. The norm that is seen as emerging from the rationally reconstructed tradition of decisions sets the standard for normative assessment by future judges of the current decision, which claims to be subjunctively sensitive to that very norm. So the recollecting judge subjects herself to (acknowledges the authority of) the norm she retrospectively discerns. The more of the prior decisions the recollection rationalizes and exhibits as expressive of the norm, the better the recollective warrant that norm provides for the current decision. Whatever residue there is of decisions that cannot be fit into the retrospectively rationally reconstructed tradition as precedentially rationalizing and expressive of the norm, increases the scope for criticism of the current decision by future judges, who may or may not acknowledge it as correct and itself precedential. For the only authority the decision has derives from its responsibility to the tradition of prior decisions.

Forgiving (recollectively recognizing), on this account, is hard work. It cannot be brought off with a single, sweeping, abstractly general gesture: "I forgive you for what you did." One could always say that, but saying it would not make it so. Besides commitment to practically affect the consequences of the doing one is forgiving, one must produce a concrete recollective reconstruction of the deed, under all of its intentional and consequential specifications. Recollection is a *making*—the crafting of a distinctive kind of narrative—that is successful only insofar as it ends up being recognizable as having the form of a *finding*. Doing that seems perverse, but it is giving contingency the normative form of necessity. Recollection is

the narrative genre in which the rationalization of decisions appealing to common or case law also belongs. One must recruit and assemble the raw materials one inherits so as to exhibit a norm one can endorse oneself as always having governed the tradition to which one oneself belongs, with which one oneself identifies—a tradition that shows up as progressively revealing a governing norm, making ever more explicit what was all along implicit. The expressively progressive tradition discerned culminates (for now) in the consequential specification of the doing that is the recollection itself.

V. Conclusion

What if what one is given to work with is *too* hard to forgive? What if the subject of the attitude that is being forgiven as part of the larger enterprise of forgiving something upstream of it is in fact dispositionally unresponsive to the verdict of the norm? What if (as the *Kammerdiener* alleges) it in fact is sensitive only to other concerns particular to its subject? It seems that the criteria of adequacy for *successful* forgiveness, both reparative and recollective, are in many cases *impossible* to satisfy. Some things people have done, we want to say, are simply *unforgivable*. In some cases, though we might try to mitigate the consequences of evil doings, we just have no idea how to go about discerning the emergence of a governing norm we could endorse ourselves. And this situation does not arise only in extraordinary cases. *Any* actual recollective story will involve strains: elements of what is actually done, at *every* stage in the developing process, that *cannot* be smoothly, successfully, or convincingly given such a norm-responsive explanation.

Indeed. But now we must ask: whose fault is it that the doing is unforgiveable—the doer or the forgiver? Is the failure that of the bad agent or of the bad recollector? Is it a matter of how things anyway just are? Or is it because the recollector couldn't come up with a more norm-responsive narrative? The first is the attitude of the *unsittlich valet*, for whom no-one is a practically norm-acknowledging *hero*, in the sense of being genuinely responsive and sensitive to norms. To treat the recollective failure as wholly the fault of the doer, to take it as simply an objective fact that there is no norm we could endorse that governs the deed as the assessor inherits it, is to adopt exactly the blaming practical attitude of the hard-hearted judge—an attitude Hegel criticizes as *niederträchtig*. The contrasting *edelmüttig* attitude he recollectively recommends as implicit in the idea of norm-governedness as such is rather to identify with the doer, to take (co-)responsibility for the doing. That is to acknowledge at least equal responsibility on the part of the unsuccessful forgiver. For the issue is not properly posed in alethic modal terms of the *possibility* or *impossibility* of forgiving what was done. It is a deontic normative matter. One is *committed* to forgiving, *responsible for* forgiving. We have here a Hegelian version of a Kantian regulative ideal. That governing regulative ideal is “Tout comprendre, c’est tout pardonner.” One can be *committed* to that ideal (normatively governed by it in the dual sense) even if one must confess that in many cases one *cannot* understand—and so forgive—all.

It might well be that one is in fact incapable of fulfilling that commitment, of carrying out that responsibility. If and insofar as that is so, it is a normative failure that the unsuccessful would-be forgiver should *confess*. To take proper recognitive recollective responsibility requires the forgiving agent to confess her own inadequacy to the recollective task. Your confession of a

failure of your practical attitudes appropriately to acknowledge a norm is a petition for my recognition in the form of my forgiving taking of (co-)responsibility for your doing. My subsequent failure to adopt adequately forgiving recollective cognitive attitudes is something I am responsible for confessing. That confession is itself an act of identification with you: “I am as you are.” My attitudes, like yours, fail adequately to satisfy the norms that they nonetheless acknowledge *as* binding, *as* governing those attitudes. For one acknowledges an obligation (the bindingness of a governing norm) insofar as one confesses the extent to which one has been unresponsive to the demands of the recollective norm, unable properly to fulfill a responsibility one acknowledges. And one is genuinely sensitive to that normative demand in making such a confession. Confessing is what one must do to *make* it the case that one is in fact sensitive to the norm recollected as governing the attitudes that make up the tradition one has discerned (including one’s own attitudes), even though one is incapable of fulfilling the responsibility one thereby acknowledges.

As an *edelmüttig*, forgiving assessor of another’s doing, one *confesses* that it is (also) one’s *own* fault, that one is not good enough at forgiving. And one must *trust* that this failure, too—like the failure of the original, inadequately forgiven doer—will be more successfully forgiven by future assessors (who know more and are better at it). That one *cannot* successfully tell a recollective story is not what matters. That is a deontic failure, relative to one’s commitments. It is something to be *confessed*, in *trust* that that failure, too, can be *forgiven*. The well-meaning but incompetent forgiving recollector’s confession, like that of the contrite agent, is a petition for recognition in the form of forgiveness. The trusting confession of recollective failure completes the identification of the one playing the role of assessor with the one playing

the role of agent. The cognitive attitudes of forgiveness and confession emerge as two sides of one coin, two aspects of the symmetric cognitive structure: the norm-instituting structure of *trust*. Its slogan is: “Attribute responsibility forgivably, acknowledge responsibility contritely.” In a normative community with this cognitive structure, everyone forgives to the limits of their ability, and everyone confesses those limits, and trusts that they, too, will be forgiven for them. The content of the shared cognitive attitudes with which all parties identify is “*Forgive us our trespasses, as we forgive those who trespass before us.*”

It is of the essence of both the reparative ameliorating dimension and the hermeneutic recollecting dimension of the cognitive attitude of forgiveness that they address a performance that expresses a *prior* practical attitude. The doing being forgiven must already be underway. For this reason, the final, *vernunftig* form of reciprocal recognition as confession and forgiveness is essentially *historical*. The attitude-governing norms it institutes and acknowledges have the rich diachronic cognitive form of *traditions*. Hegel practices forgiving recollection, retrospectively rationally reconstructing expressively progressive traditions, in his own accounts of intellectual and cultural history, and in the way he reads the history of art, religion, and especially, philosophy. It is what I mean to be practicing in telling this story about Hegel.

The claim that is crucial for understanding the third age of *Geist* as retaining the progress made by modernity while overcoming its structural alienation is that recognition understood as including the recollective institution of traditions acknowledges both the attitude-dependence of normative statuses and the status-dependence of normative attitudes. On the one hand, it incorporates the insight that norms (normative statuses) are instituted by reciprocal recognition—

that is, by recognitive attitudes that are symmetric in the sense of being suitably complemented. On the other hand, each recollective rational reconstruction is obliged to display the normative attitudes it addresses as governed by norms (normative statuses) in the dual sense of being subject to assessment according to those norms and of being subjunctively sensitive to them. In this way, the post-modern recognitive practices re-achieve a *sittlich* appreciation of the authority of norms over attitudes: the sense in which attitudes are responsible to (governed by) norms they acknowledge and attribute as genuinely binding. It is true that acknowledgement of the authority of governing norms is always within the scope of a recollective rational reconstructive *story* about what is going on. The normative status on which attitudes are understood as dependent (to which they are responsible) is itself always the object of a recollective attitude. In this sense, the overall account invokes nothing but attitudes. But *that* attitudes are status-dependent (norm-governed) is an essential, necessary, and characteristic structural feature of *every* recollective attitude, as such. In that sense, the status-dependence of normative attitudes is not merely a contingent product of some attitudes people happen to adopt. It is in the end what makes normative attitudes *normative* attitudes—acknowledgments and attributions of normative *statuses* of responsibility and authority.

Agency in the age of trust re-achieves the heroic character—so striking in the original ancient form of agency—that was pushed out by the ironic distancing and alienation from norms essential to the achievement of individual self-consciousness that is the triumph of modern over traditional forms of normative life. Central to heroism was what Hegel calls “character”: the decisive *sittlich* identification of an individual agent with the norms: practically treating them as authoritative over and binding on one’s attitudes. This is an acknowledgment of the status-

dependence of normative attitudes, of one's attitudes as norm-governed. The “ought-to-do”s governing normative attitudes (acknowledged or attributed responsibilities) are understood as wholly determined by the “ought-to-be”s that articulate normative statuses (what someone is really responsible for or committed to: their duty). As a result, the heroic agent takes responsibility for every aspect of his act. If some feature of it is not as it ought to be, that is confessed to be the agent's responsibility, whether or not it was intended or foreseen. Compared to the contracted modern conception, the heroic conception makes the agent primarily responsible for a much-expanded deed, stretching out to include distant, unanticipated consequences. For this reason, traditional heroism is essentially tragic: it requires subjecting oneself to the dark, unknowable power of fate, identifying with what one is made by forces beyond one's knowledge and control. Shouldering the responsibility that fate in this sense brings down upon one who acts is tragic heroism.

Heroism in the age of trust is like heroism in the age of tragedy in its *sittlich* acknowledgement of the bindingness of norms, in the sense of their governing authority over normative attitudes, the status-dependence of those attitudes. There are norms that set standards for assessment of the correctness of our attitudes of acknowledging and attributing responsibility and authority, and it is the responsibility of each agent to be sensitive to those norms, shaping her attitudes accordingly. Each forgiving retrospective recollective rational reconstruction of an expressively progressive tradition of attitudes is responsible for discerning just such governing norms. And where the cramped and contracted modern practical conception of agency (even in the sophisticated form of Aquinas's doctrine of double effect) drew a bright line between normatively attributable and assessable aspects of each doing and non-normative ones—between

what the agent can properly be held responsible for, because done knowingly or intentionally and what is done only in the sense of happening because of such doings in the narrow sense—the trusting conception is heroic like the tragic conception in that responsibility is total. Responsibility is taken for the whole deed. There is no aspect of intentional doings that overflows and falls outside the normative realm of responsibility—no specification of the deed for which no-one takes responsibility. In *Geist* with the cognitive structure of trust, responsibility for the deed is shared between the agent whose practical attitudes initiated the doing and the members of her cognitive community, who take it as their own by committing themselves to forgiving it.

Agency as understood and practiced within the magnanimous cognitive structure of confession and forgiveness combines these two heroic aspects of the pre-modern conception: *sittlich* appreciation of the status-dependence of normative attitudes and acknowledging total responsibility for the deed as consequentially extended beyond the knowledge and control of the agent. It can maintain a heroic expanded conception of the deed for which responsibility is taken because it has an expanded conception of who is responsible for each doing. Complementary cognitive attitudes both institute the governing norms and acknowledge the authority of the norms so instituted. The essentially historical fine structure of those reciprocally related cognitive attitudes and normative statuses articulates a division of normative labor between the agent whose practical attitudes initiate a self-conscious intentional doing, who takes responsibility for it in one sense, and members of the agent's cognitive community, who take responsibility for it in another sense. In this way the two essentially modern insights into the attitude-dependence of normative statuses and the distinction of responsibility marked by the

individual agent's "rights of intention and knowledge" (the distinction between *Handlung* and *Tat*) are respected, and synthesized with the two principal features of pre-modern heroic agency.

But the *vernunftig*, trusting conception of agency as heroic does away with the element of tragic subjection to fate. Fate showed up as an alien, inhuman force in the tragic form of agency because it was a *non-normative* force, one that, though not itself governed by norms, nonetheless substantially shapes our normative responsibilities. What was left to us was bearing up and carrying on in the face of the results of the incursions by alien fate into the properly normative realm in which we dwell. The neo-heroic form of practical normativity replaces fate with something we do. What *happens* is given the form of something *done*. Immediacy, contingency, particularity and their recalcitrance to conceptualization are not done away with. But they now take their proper place. For we appreciate the necessary role they play in the process of determining the contents of the norms we both institute by our cognitive attitudes and acknowledge as governing that experiential process. The burdens of tragic subjection to fate are replaced by the tasks of concrete magnanimous forgiveness. Where our normative digestion and domestication of immediacy, contingency, and particularity shows its limitations, when (as in each case at some point they must) they outrun our recollective capacity to incorporate them into the mediated, normative conceptual form of governing universals, that failure of ours is properly acknowledged by confession and trust in the forgiveness of that failure to fulfill our responsibilities, by more capable future recollectors.

The wounds of the Spirit heal, and leave no scars behind. The deed is not imperishable; it is taken back by Spirit into itself, and the aspect of individuality present in it, whether as intention or as an existent negativity and limitation,

straightway vanishes. The self that carries out the action, the form of its act, is only a moment of the whole, and so likewise is the knowledge, that by its judgement determines and establishes the distinction between the individual and universal aspects of the action. [PG 669]

The responsibility the individual tragic heroic agent takes on himself is accordingly spread out and shared. The doing of each (in one sense) is now in a real sense the doing of all (in another, recognitively complementary sense). For all share responsibility for and authority over each action. The distinctive role played by individual agents is not obliterated, for the responsibility and authority acknowledged by and attributed to the initiating agent is different from the reparative and recollective responsibility and authority acknowledged by those who take up the burden of forgiving the agent. Every deed now shows up both as a practical contribution to the content of all that came before it, and as acknowledging a recollective responsibility with respect to all those deeds. The temporally extended, historically structured recognitive community of those who are alike in all confessing the extent of their failure to be norm-governed, acknowledging their responsibility to forgive those failures in others, confessing the extent of their efforts at recollective and reparative forgiveness, and trusting that a way will be found to forgive their failures, is one in which each member identifies with all the others, taking co-responsibility for their practical attitudes. It is the “‘I’ that is ‘we’, the ‘we’ that is ‘I’.” [PG 177]

End

[14,488 words]