



THE MORALITY OF IRONY: HEGEL AND MODERNITY*

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This essay reconsiders the role of irony in the Hegelian project of developing a theory of modern ethical life. It recognizes in Socratic irony the traces of an alternative concept of morality that leads both to an acknowledgement of Hegel's convincing critique of the Kantian moral principle and to a rejection of Hegel's misconception of Socratic and Romantic irony. Arguing against Hegel that irony cannot be reduced to a form of alienation from the normative dimension of ethical life as a whole, but should instead be understood as a necessary component of a dynamic mediation between subjective freedom and ethical universality, the author further claims that irony, thus conceived, takes on the productive function that it should actually have had within the Hegelian system. That is, irony is a phenomenon that, from the standpoint of morality, refers us to a form of ethical life in which subjective freedom and difference are respected.

Hegel's critique of Romantic irony occupies an immensely important place in his *Philosophy of Right*.¹ For it is in the course of this critique that the necessity of a transition from morality to ethical life is supposed to become evident. The question, however, is how precisely to understand this transition, and the role of irony in effecting it. One possibility is that Hegel situates irony on the cusp between morality and ethical life because the understanding of freedom associated with irony is constitutive of modern ethical life. I take this to be a

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¹ Georg Wilhelm Friedrich Hegel, *Werke in zwanzig Bänden* (Frankfurt am Main: Suhrkamp, 1969–1971), vol. 7, *Grundlinien der Philosophie des Rechts*, 285–86, tr. by H. B. Nisbet as *Elements of the Philosophy of Right* (Cambridge: Cambridge University Press, 1991), 180–82. Translations have been modified. Hereafter referred to parenthetically in the text as Rph. References are to the numbered sections, common to both editions—here, § 140.



convincing reading; indeed I consider it the most convincing reading if one's aim is to make productive use of Hegel's *Philosophy of Right* within the framework of a theory of modern ethical life. And one can indeed find support for such a reading in Hegel's own texts.² My focus here, however, will be on the strands of Hegel's argument that are decidedly critical of irony itself. These strands present irony not as something that should be taken up as a constitutive element of ethical life, but rather as an expression of a self-misunderstanding of human freedom requiring therapy.³ In what follows, I aim to show that the critique of irony generates tensions between (1) Hegel's declared project of developing a theory of modern ethical life in which subjective freedom and difference are respected and (2) conservative arguments that oppose such a project. For the latter result, in no small part, from distortions that emerge on the level of morality as a result of Hegel's critique of irony. I hope to show, with and against Hegel, that one can only remain faithful to the project of a theory of modern ethical life by correcting those aspects of his argument that are critical of irony.

To do so, I will not first deal with Hegel's famous critique of the Romantic ironists' advocacy of a freedom of choice that is alienated from all ethical life. For Romantic irony is, for Hegel, only the extreme case of the characteristic divergence of subjective freedom and ethical universality that afflicts morality as a whole. Insofar as Romantic irony merely continues and exacerbates a development that begins much earlier, according to Hegel, any defence of Romantic irony must likewise find an earlier foothold. The question is whether each step in Hegel's multifaceted claim is convincing: is morality as a whole characterized by an increasingly radical opposition between subjective freedom and ethical universality?

² For a reading of Hegelian irony that thus turns Hegel against Hegel—namely, by setting the Hegel who interprets *Antigone* in the *Phenomenology* against the Hegel who writes the *Philosophy of Right*—see Christoph Menke, *Tragödie im Sittlichen. Gerechtigkeit und Freiheit nach Hegel* (Frankfurt am Main: Suhrkamp, 1996), esp. ch. 4.

³ For a reading that works out the therapeutic ambition of Hegel's *Philosophy of Right*, see Andrew Norris, "Willing and Deciding: Hegel on Irony, Evil, and the Sovereign Exception," in *Diacritics*, vol. 37, nos. 2–3 (2007), 135–56, tr. by B. N. Nagel and J. Rebentisch as "Wollen und Entscheiden. Hegel über das Böse, die Ironie und die souveräne Ausnahme," in *Willkür. Freiheit und Gesetz II*, (ed.) J. Rebentisch and D. Setton (Berlin: August Verlag, 2011), 101–40.

I. The Beginning of Morality in Socratic Irony

Irony stands not only at the end but also, interestingly enough, at the beginning of morality for Hegel. Yet it is not the same figure of irony in each case. Socratic irony lies at the origins of morality; Romantic irony, at its end. That morality begins with Socratic irony is also noteworthy because Socrates clearly could not have been affiliated with the modern philosophy of the subject that is the central target of Hegel's critique of Romanticism, yet Hegel nevertheless identifies him as playing an essential, indeed constitutive, role for the "age of subjective reflection." In an aside about historical periodization, Hegel actually says: "The principle of the modern age begins...with the disintegration of Greece in the Peloponnesian war."⁴ And what the Peloponnesian war signified for politics, Socrates signified for "thinking consciousness." (Cf. GPh, 18:448/1:390) For it is with Socrates that "unrestrained ethical life" ends, according to Hegel: "The Athenians before Socrates were ethical, not moral men; they did what was rational in their relations without reflection, without knowing that they were virtuous men." (GPh, 18:445/1:388) Morality, by contrast, is "ethical life combined with reflection." (*Ibid.*)

With Socrates arises the explicit consciousness that everything that is mediated through thought. Correlatively, the good must likewise be recognized by the subject in order to realize itself as such. Yet Socrates' insistence that the good depends on the insight of the subject—as the content of subjective thought—does not, according to Hegel, turn the good into something merely subjective or arbitrarily posited. This is precisely what is supposed to distinguish Socrates from the Sophists. What Socrates seeks to produce and posit through thought is, according to Hegel, something objective that supersedes all inclination and particularity. (Cf. GPh, 18:444/1:387) On Hegel's reading, Socrates understands the freedom of self-consciousness, which requires that I recognize anything that is supposed to be valid for me, more narrowly—as requiring an individual's insight into the absolute validity of something objective that transcends the specificity of the particular. Naturally, there must

⁴ Georg Wilhelm Friedrich Hegel, *Werke*, vols. 18-20, *Vorlesungen über die Geschichte der Philosophie*, 18:404, tr. by E. S. Haldane and F. H. Simson as *Hegel's Lectures on the History of Philosophy* (New York: The Humanities Press, 1955), 1:350; translation modified. Hereafter referred to parenthetically in the text GPh. Page references, separated by a slash, will be first to the German *Werke*, then to the English text. Note, however, that the English edition sometimes omits and reorders passages as they appear in the German.

be subjective insight into the good, if it is to be realized as such; but the actual content of the good is supposed to lie outside the realm of subjective reflection—*i.e.*, it is supposed to be objectively given. It would thus appear that Hegel makes Socrates out to be an essentially Platonic figure.⁵ Like Plato, Socrates here advances an objective conception of the good and, accordingly, an overly theoretical conception of “insight” as the subjective recognition of the good.

Hegel does not, however, stop with this picture of Socratic praxis. For in contrast to the Platonic philosophy—and this distinction has immense importance and consequences for Hegel—, Socrates never develops his philosophy into a system, but remains at the level of “individual doings.” (Cf. GPh, 18:455/1:387) The fact that Hegel understands Socratic practice as an incomplete preliminary stage along the way to a full picture of the philosophical system explains his highly ambivalent evaluation of Socratic philosophy in general and Socratic irony in particular. Thus, Hegel will celebrate Socrates’ difference from the Romantics in assigning irony “a limited significance” (GPh, 18:461/1:402)—namely, that of a pedagogical instrument. For Hegel, the “truth” in Socrates’ irony consists in his “putting himself forward as ignorant” (GPh, 18:457/1:398) in order to entangle his interlocutor in a conversation, over the course of which the interlocutor’s prejudices about the various topics under discussion are first articulated and then dismantled so that his thought becomes free for the truth. Yet it would be a mistake to infer from this remark that Hegel’s interpretation of Socratic irony (as dissimulation for pedagogical purposes) overlooks the fact that Socrates might well have been wholly serious in uttering his famous claim “I know that I know nothing.” Hegel is all too conscious of this possibility.

Most Socratic dialogues simply aim to generate confusion about the concept of the topic or object under discussion—a confusion which does lead to further serious reflection, but which does not itself lead to a result, as a proper philosophical system aspires to do. Though Socratic method is essentially designed “to lead to the *true* good, to the universal idea” (GPh, 18:461/1:402) for Hegel, it never succeeds in providing the positive content of the topic or object, but

⁵ Hegel really does explicitly group the two together on this point: “On the one hand, [that which is] is subjective for Socrates and Plato, posited by the activity of thought—this is the moment of freedom, that the subject is with its own, this is spiritual [*geistige*] nature; yet on the other hand [that which is] is equally something objective in and for itself—not external objectivity, but spiritual [*geistige*] universality. This is the True, the unity of the subjective and the objective in contemporary terminology.” (GPh, 18:444/1:387)

can only give negative clues and hints by way of the ironic self-destruction of prejudice. “This merely negative side” is, according to Hegel, the “main thing” for Socrates. (GPh, 18:466/1:406) Nevertheless, Hegel notes parenthetically that Socratic negativity, in its productive dimension, coincides with dialectic: “(All dialectic treats as valid whatever is put forward as valid, and lets the inner destruction develop itself—universal irony of the world.)” (GPh, 18:460/1:400) Compared to Hegel’s conception of what philosophy is meant to accomplish, the merely negative force of ironic practice, is obviously not sufficient. The “flaw of the Socratic principle” for Hegel consists in Socrates’ inability to give a concrete, positive determination of the good. (GPh, 18:468/1:407)

It is in the course of diagnosing this flaw that Hegel attributes to Socrates a deeply ambivalent position with respect to Athenian ethical life. On the one hand, he sees Socrates “at the forefront” (GPh, 18:468/1:407) of a development that drives the “Greek spirit [*Geist*]” to its “flourishing” (GPh, 18:469/1:408)—namely, to the extent that the introduction of subjective consciousness leads to a free and conscious recognition of existing Athenian ethical life, Hegel sees this as responsible for its “highest liveliness.” (GPh, 18:469/1:408) Yet, on the other hand, from this height there are already signs of a fall, for which Socrates will again constitute the *avant-garde*. For since Socratic reflection does not attain to any positive determination of the good, but only calls the prevailing laws and prohibitions into doubt, it works to effect a separation—indeed, an opposition—between given ethical life and reflective freedom.

II. Socrates’ Divisive Work

Socrates endeavours to drive a wedge between ethical universality and reflective freedom, according to Hegel, by adumbrating particular cases as counterexamples to the pre-critical acceptance of the universal validity of prevailing laws and prohibitions. Against the commandment “You should not lie” we get the objection that lying is not reprehensible in all cases—for example, if one is protecting an innocent person from persecution. What seemed to have absolute validity now suddenly appears, in light of such considerations, to have only relative validity. This, for Hegel, is the beginning of morality. The attention to singular cases in which there is a possible conflict between universally formulated duties, and the acceptance of the task of weighing them against one another jointly constitute the core of the moral mindset. The moral mindset “rattles about in this enduring contradiction.” (GPh, 18:487/1:419) We shall return to the ques-

tion whether the description of moral conflicts as collisions of universally valid duties is ultimately accurate.

On Hegel's interpretation, such reflections inevitably open the door to sophistry. He argues that if particular cases are permitted to restrict the universal validity of a principle, then it is not just the authority of the principle that vanishes together with its universality, due to its being perceived as a particular claim that sometimes holds and sometimes does not. (Cf. GPh, 18:481/1:418) What is more, everything is seen to depend on circumstances—and these can of course be manipulated. With the appropriate rhetorical skill, any state of affairs can be interpreted and represented as one likes, and thus every rule can be suspended on any occasion. Socratic philosophy has no way of countering this threat, according to Hegel. Since its resources are limited to a purely negative freedom vis-à-vis the validity of prevailing principles, the latter can be freely replaced by contingent private interests (cf. GPh, 18:486–87/no corresponding passage in English edition, but cf. 1:429)—that is to say, the principle can be replaced by mere (merely subjective) whim. The impoverishment of Socratic philosophy with respect to a positive determination of the good renders it incapable of coping with an “ambiguity” on which “everything [has] turn[ed]” in philosophy ever since Protagoras. (Cf. GPh, 18:430/1:373 f.) Protagoras's famous dictum—that man is the measure of all things—can thereby be understood in two ways. It might be taken to pertain to man in his “rational nature,” his “universal substantiality.” (*Ibid.*) But it could also be taken to address man in his “contingent humanity” and “specific particularity.” (*Ibid.*) The decision to analyse the sentence one way or the other is thus tantamount to deciding between reason and arbitrariness. And in the context of Socratic philosophy, according to Hegel's critique, that decision can itself only be made arbitrarily: for it rests on the “contingency of character.” (GPh, 18:490/1:421)

The negativity of Socratic philosophy in its pursuit of truth ultimately places it in perilous proximity to a mode of Sophistry oriented by private interests. For Hegel, this dangerous affinity manifests itself not only in the historically dubious development of Socrates' followers Alcibiades and Critias—the one a “genius of folly,” the other “the most influential of the thirty tyrants” (GPh, 18:515/1:421)—but also in the aggressive reactions that the historical Socrates brought upon himself. And with good reason, if one follows Hegel. Thus, he accords a deep truth to the extremely unflat-

tering depiction of Socrates as a sophist in Aristophanes' *The Clouds*.⁶ For Aristophanes recognized the danger implicit in any insight into the "nullity" of "what natural consciousness holds as the truth." (GPh, 18:484/1:428) Accordingly, Hegel not only understands the assault on Socrates' "Thinkery" by ordinary good sense with which Aristophanes closes the play⁷, but also appreciates the complaint that the Athenian people raised against the historical Socrates. For Socrates really did alienate his students from the old ethical life, as Aristophanes' portrayal shows. By planting doubts in his students' minds about the universal validity of laws and prohibitions, Socrates also generated in them a potential dissatisfaction with the sort of life that their parents had planned for them. This, according to Hegel, is to poison "the mother's milk of ethical life." (GPh, 18:505/1:437) Anyone who violates this "first immediate ethical relation" violates ethical life in its "essential form." (*Ibid.*) Moreover, Hegel continues, it is perfectly accurate to accuse Socrates of heresy. With regard to this charge, Socrates admittedly occupies an intermediate position—both historically and according to his own self-understanding—between the old "naïve" ethics of Athens and the principle of subjective freedom he himself invented. Thus the Socratic "*daimon*"—a voice Socrates perceives as simultaneously foreign and inward—occupies an intermediate position between the oracles of the ancient world and the new principle of conscience. As a nonetheless individual authority, however, the Socratic "*daimon*" is structurally inimical

⁶ See Aristophanes, *The Clouds*, (ed., tr.) J. Henderson (Cambridge: Loeb Classical Library, 1998). Citations are to the line numbers of the original. *The Clouds* presents the fable of Strepsiades, whose name comes from "strephe" which means to overturn, to upset, to twist, to turn things over in one's mind. Strepsiades is a simple Attic farmer who attempts to avoid paying the debts he incurred through his son's prodigality by means of a sophistical argument that is supposed to convince his creditors that the law that one must pay one's debts does not apply in his case. In order to educate himself in the art that makes right into wrong (see l. 657), he undertakes to study with Socrates. After he proves to be unfit for sophistry, he sends his son to learn from Socrates how the case against his creditors can be won. The son turns out to be an extraordinarily talented disciple—albeit in a manner that quickly works to his father's disadvantage. Instead of practicing as a lawyer in his father's case, the son begins to "scorn established customs" (l. 1400) to such an extent that even the command to respect one's father ceases to appear valid to him. To contradict one's father is just as permissible as beating one's father, the son explains in good Socratic style, having just done both. The father then curses Socratic dialectic, pleads for the return of the old ethics that he himself had turned against, and burns down the house of Socrates.

⁷ *Ibid.*, l. 1485–92.

to the ancient divine world and already a harbinger of the profound revolution that culminates in the wholesale replacement of the oracle with “the individual self-consciousness of each man.” (GPh, 18:503/1:435)

Just as Hegel sees a partial truth in the “naïve ethics” of Athens despite its pre-reflective status, he likewise does not completely reject the principle Socrates embodies, despite his critique of its negativity, but rather grants it a partial, but only a partial, truth as well. It is thus quite consistent for Hegel to regard Socrates’ fate as tragic *not* because he supposedly died for his freedom⁸—that would not be genuinely tragic, but rather heroic. Hegel rather regards Socrates’ fate as tragic because he construes his death as the inevitable consequence of a conflict between two equally justified principles: “In the truly tragic,” Hegel writes, “there must be justified ethical principles on both sides which come to collide; this is how it is with the fate of Socrates. His fate is not just his personal, individual, Romantic fate; rather it is the tragedy of Athens, the tragedy of Greece that plays itself out there, that presents itself in him.” (GPh, 18:447/no corresponding passage in English edition) In this conflict, both sides lose—albeit in an asymmetrical way. Socrates dies, of course, but the physical destruction of the person cannot eliminate the principle he advanced. On the contrary, it was Socrates’ principle that ultimately triumphed as the “higher principle.” (GPh, 18:516/1:448) Athens itself, Hegel says, finally collapses because it was incapable of integrating the principle of subjective freedom into the universality of ethical life. The death of Socrates, like the downfall of Athens, is for Hegel the effect of a *single* tragic process of collision between two justified but separately deficient principles, which have not yet been sublated into a third. Accordingly, modern ethical life is precisely supposed to distinguish itself from ancient ethical life in virtue of the fact that the former incorporated subjective freedom into itself: “In our constitution,” Hegel writes, “the universal of the states is a stronger universal, yet one which permits individuals to have freer play; they cannot become so dangerous for this universal.” (GPh, 18:507/1:439) It remains to be seen whether, as Hegel claims, subjective freedom can be sublated and preserved in

⁸ The conviction of Socrates by no means entailed his being condemned to death. Socrates was simply asked to determine his own punishment. Yet because this would have amounted to an admission of guilt for something that he did not consider wrong, he ruled out this option. It was this new revolt of subjective freedom against the law of “naïve ethics” (“*unbefangene Sitte*”) that sealed his fate. See GPh, 18:508–509/1:440–42.

modern ethical life in such a way that it is no longer so threatening for the universal, yet still accorded some play. What happens to subjective freedom according to Hegel's conception of modern ethical life depends in no small part on how he engages with the ensuing levels of morality, which reach their apex in Romantic irony.

For, according to Hegel, the opposition between subjective freedom and ethical universality is not just responsible for the "tragedy of Greece"; it is also characteristic of those forms of morality that dominate the modern self-understanding. The fact that the principle of subjective freedom managed to prevail historically hardly constitutes a reason to forget the previously diagnosed problems it generates. Quite the opposite. The problems with morality that arise from the original sin of falsely supposing that subjective freedom is opposed to ethical universality only grow more acute. Yet, as we have seen, Hegel takes these difficulties to already prefigure the continuous transitions that he identifies between Socrates and the Sophists. For on Hegel's reading, Socratic philosophy calls into question the absolute validity of ethical laws and prohibitions by examining particular circumstances in order to relativize the supposed universal validity of conflicting laws and prohibitions and to weigh them against one another. And this description of Socratic reflection itself already entails that conscience and duty, individual and ethical norms, are subject to unequal presuppositions and are set in opposition to one another. Because, according to this description, Socratic philosophy communicates nothing apart from a reflective freedom from universally valid laws and prohibitions, Hegel concludes that (1) it is necessarily structurally indifferent to the laws and prohibitions it confronts, which is why (2) it cannot have any control over whether, in any particular case, the interest governing reflective freedom is truth or private advantage. Thus, (3) this moral consciousness of the interpretability of laws and prohibitions subjects them to the arbitrary will of the interpreter and, accordingly, (4) duty is subordinated to conscience, and ethical norms to the individual. This line of argument brings us quite close to Hegel's critique of the overweening arbitrariness of Romantic irony. The distinction between Socrates and the Romantics is merely one of degree. The Romantics simply radicalize the problems with morality that began with Socrates.

III. Irony and the Practice of Truth

Now we are still not quite in a position to question whether Hegel's portrayal of Socratic reflection and moral reflection is accurate in all

respects (we will turn to this question in Section V). But it is already quite striking that Hegel's interpretation of Socratic philosophy lacks any reference to the intersubjective space of (giving and asking for) reasons that provides the framework for the bipolar pairings of truth versus illusion, knowledge versus opinion, and public versus private interest. It is noteworthy, for example, that Hegel only considers the dialogical form of Socratic philosophy insofar as its function is to unsettle the ethical convictions of the interlocutor, but not as a medium for an intersubjective truth-praxis. Yet if one does view Socratic philosophy from this latter perspective, objections to Hegel's interpretation quickly present themselves. For if one does understand Socratic practice as such a truth-praxis, it becomes clear that it by no means eliminates all reference to truth (or the good). Nor can this reference simply amount to an incomplete version of Platonism, as Hegel suggests. The practice of giving and asking for reasons does not aim at a truth (or good) that is given independently of that practice, as the Platonist would have it. It rather reveals that the truth (the good) is and can only be given in and through the practice of giving and asking for reasons. And such a practice by no means disbars the determinations of the (relevant) good from gaining universality. Should they manage to do so, then they clearly ought not to be considered merely subjective, arbitrary determinations. Nevertheless, such determinations remain finite. One can perhaps summarize a few of the basic insights of post-metaphysical philosophy of language by saying that the truth (the good) must always be rediscovered anew in the space of (giving and asking for) reasons. This is because (1) the possibility of error, illusion, or self-deception belongs to the very mode of existence of finite beings, equipped as they are with only limited perspectives on themselves and the world, and yet imbricated in a history with an open future; (2) the plurality of social perspectives challenges the very idea of an ultimate perspective from which the whole, genuine, and actually true truth would be open to view; (3) the intersubjectivity of language, which is the locus of all possible truth, is at the same time the locus of what Heidegger called "idle talk" and unreflectively accepted opinion—which is why the truth must be constantly recovered from this dimension of human life by questioning (and responding to these questions with justifications of) what, in a particular context, can count as true.⁹ Precisely because the Socratic practice—unlike the Platonic one—actually does abstain from a concept of the truly

⁹ For a fuller version of this summary, see Albrecht Wellmer, *Sprachphilosophie: Eine Vorlesung* (Frankfurt am Main: Suhrkamp, 2004), 247–50.

good, it appears, from this perspective, to provide a paradigm for such a truth-praxis: it opens up an intersubjective and thus essentially historical space for the truth (about the good).

Hegel, by contrast, is only capable of seeing the false isolation of subjective consciousness from ethical universality in Socratic practice. For him, Socratic negativity represents only one moment in spirit's historical development, which must be sublated in order to give rise to a positive determination of the good. There are serious drawbacks associated with this misconception. And these afflict not least of all some of the fundamental intuitions of Hegel's own philosophy, which is famous precisely for its emphasis on the need to think through intersubjectivity and historicity. For this misconception prepares the way not just for those strands of Hegel's philosophy that force us to evacuate all intersubjectivity from ethical life, but also for those that compel the philosopher of history to position himself "on the side of the unchangeable in the midst of history," as Adorno put it.¹⁰ To the extent that Hegel associates the dimension of intersubjectivity with the collective hegemony of norms instead of with the dynamics of a truth-praxis, he can only celebrate the liveliness of a prevailing mode of ethical life insofar as all disputes about its substance have been eliminated and the dynamic of intersubjective debates about the truth has been put to rest in the affirmative reproduction of the prevailing norms.¹¹ The role of subjective freedom is thereby reduced solely to the potential for the insight that, from a certain perspective, the universal and the particular are *always already* mediated in ethical life.

The problematical strands of Hegel's philosophy are already visible in the context of his interpretation of Socrates. Now Hegel is indeed aware of the contradiction in the fact that a prevailing form of ethical life is something concrete that nevertheless aspires to be universally valid. Yet his strategy for resolving this contradiction—namely, by marginalizing particular cases—stands in stark opposi-

¹⁰ See Theodor W. Adorno, *Negative Dialektik*, in his *Gesammelte Schriften* (Frankfurt am Main: Suhrkamp, 1970-), 6:350, tr. by E. B. Ashton as *Negative Dialectics* (London: Routledge and K. Paul, 1973), 357; translation modified.

¹¹ Accordingly, Charles Taylor writes that "the crucial characteristic of *Sittlichkeit* is that it enjoins us to bring about what already is. This is a paradoxical way of putting it, but in fact the common life which is the basis of my *sittlich* obligation is already there in existence. It is in virtue of its being an ongoing affair that I have these obligations; and my fulfilment of these obligations is what sustains it and keeps it in being. Hence in *Sittlichkeit*, there is no gap between what ought to be and what is, between *Sollen* and *Sein*." See Charles Taylor, *Hegel* (Cambridge: Cambridge University Press, 1977), 376.

tion to Socrates'. He writes that "the inconsistency of making what is limited into an absolute certainly becomes unconsciously corrected in the ethical man; this correction lies in the ethical status of the subject, in the whole of communal life. There can be extreme cases of collision, which are unfortunate; but these are uncommonly rare cases." (GPh, 18:477/1:415) He continues: "The laws, the ethical norms, the regime, governance, the actual life of the state have within themselves the corrective for the inconsistency involved in pronouncing such a determinate content to be absolutely valid." (GPh, 18:489/1:420) According to Hegel, the "restriction of the universal" must be recognized in a concrete mode of ethical life so that "it holds fast and does not become contingent"—namely, as the "spirit of a people." (GPh, 18:488/1:419–20)¹²

Such arguments stand in tension with Hegel's project of working out a theory of modern ethical life that preserves a space for subjective freedom, insofar as subjective freedom is only allowed a place in ethical life to the extent that it is identified with the prevailing ethical norms. In order to resist such arguments, one must dispute the diagnosis that principally motivates them. In other words, the task is to silence the suspicion that Socratic reflection effects a false relativization of laws and commandments. For this is the only way to show that moral reflection does not necessarily generate the opposition between subjective freedom and ethical universality that Hegel diagnoses—with problematical consequences for his own project.

Yet in so doing, one cannot overlook the possibility that Hegel's objection—that morality involves insufficient mediation between subjective freedom and ethical universality—may be justified as applied to the most prominent modern form of morality: the Kantian moral principle. But because of his misconception of Socratic morality, Hegel was not himself able to suggest an alternative formulation of the intuitions connected with the moral principle on the basis of his critique of Kant. Instead, he is obliged to view the whole of moral-

¹² The marginalization of the particular case is thus the same operation that prepares the way for the equalization of the distinction between objective and absolute spirit. The result of this operation, as Michael Theunissen has argued, is ultimately that "all intersubjectivity" gets "separated from the basis of ethical substantiality." The independence of the individual then appears to be just an accident of a self-consciousness that gets attributed to substance itself. See Michael Theunissen, "Die verdrängte Intersubjektivität in Hegels Philosophie des Rechts," in *Hegels Philosophie des Rechts. Die Theorie der Rechtsformen und ihre Logik*, (ed.) D. Henrich and R.-P. Horstmann (Stuttgart: Klett-Cotta, 1982). In particular, see section I, "Die Verdrängung der Intersubjektivität aus der Sittlichkeit: Familie, Geist und Selbstbewußtsein der Substanz," 322–29, esp. 328.

ity as an increasingly explicit manifestation of a one-sided subjectivism. In what follows, I will therefore attempt to show—both with and against Hegel—that there is a defensible alternative to Kant’s interpretation of the moral principle. This is in the spirit of Hegel insofar as this interpretation is based on a Hegelian critique of Kant. But it runs counter to Hegel insofar as this interpretation contradicts Hegel’s critique of both Socratic and Romantic irony. Both forms of irony—the Socratic and the Romantic—illuminate aspects of morality that, I would contend, should not be superseded by a conception of modern ethical life, but rather integrated into such a conception as constitutive elements.

I will proceed in three steps. First, I will briefly recapitulate Hegel’s critique of Kant (Section IV) in order to use it as a framework for an alternative understanding of Socratic morality (Section V). We will then be in a position to see Romantic irony in a different light (Sections VI and VII).

IV. Hegel’s Critique of Kant

The guiding thesis of the *Philosophy of Right* is that something is right, or someone is in the right, insofar as the claim of the relevant issue or person is an expression of freedom. According to Hegel, this idea is understood within morality as the principle that something is right or justified when the subject can recognize it as “its own.” (Rph, § 107) This recognition of something as right or justified is thus supposed to simultaneously express a kind of reflective self-appropriation by the recognizing subject. Yet as we have seen, on Hegel’s diagnosis, this understanding of right necessarily leads to an abstract opposition of subjective freedom to ethical universality. At least initially, things look different with Kant, insofar as he connects the notion of reflective self-appropriation with the idea of instituting and obeying universal laws. But this resolves nothing, according to Hegel. Quite the opposite. Far from resolving the problematic opposition between subjective freedom and ethical universality, the Kantian moral principle only renders it more acute, according to Hegel’s critique.

Both as it is developed in his Jena writings and repeated in his *Philosophy of Right*, Hegel’s critique of Kant’s moral principle—namely, Kant’s principle of autonomy—concentrates on what he terms its “empty formalism.” (Rph, § 135) And in point of fact, the formal requirement that autonomy of the will consists in acting on maxims that can simultaneously be willed as universal laws necessarily leaves the content of the maxim undetermined. This leads

Hegel to conclude that, in principle, there cannot be anything “which could not be made into an ethical law.”¹³ Rather, any arbitrary content, “any determinacy,” has the potential “to be taken up into the form of the concept” and thus to be logically or semantically posited as universal. But which of these innumerable determinacies can truly aspire to universality in a normative sense cannot, according to Hegel, be determined on the basis of such a formalism. In presuming that even “the most common understanding” can decide this question “without any instruction,” however, Kant precisely presupposes that a correlative determination is already available.¹⁴ For example, the fact that stealing, considered as a universal law, is incompatible with the requirement of private property presupposes that it is already clear (posited) that there should *be* private property. But in that case the “sublime faculty of autonomy in the legislation of practical reason” in truth merely boils down to the “production of tautologies” (JS, 460)—here, the tautology that, if there is to be private property, there must be private property. (Cf. JS, 463) From a Hegelian perspective, the question of how the moral law can be binding on us gives rise to a paradox. Terry Pinkard summarizes the problem as follows. The paradox is generated by Kant’s demand that we must have a reason to impose a principle (the moral law) on ourselves. For if there is a previously given reason to adopt this or that principle, then that reason is not one that is purely self-authored. Yet in order to be binding for us (to use Kant’s formulation), that is precisely what we must be able to say: the reason at issue must be one that is purely self-authored. A different, more lapidary formulation of the problem would be that Kant is here presupposing a lawless agent who gives laws to him- or herself on the basis of other laws that must precede that act of legislation, but which are also supposed to follow from it.¹⁵

The practical danger that Hegel sees in the paradox of Kantian self-legislation does not merely consist in the fact that it proves to be tautological in relation to prevailing ethical norms when it seems *obvious* to the subject which specific content should be made into a

¹³ Georg Wilhelm Friedrich Hegel, “Über die wissenschaftlichen Behandlungsarten des Naturrechts, seine Stelle in der praktischen Philosophie und sein Verhältnis zu den positive Rechtswissenschaften,” in *Werke*, vol. 2, *Jenaer Schriften 1801–1807*, 461. Translations are my own. Hereafter referred to parenthetically in the text as JS. Page references are to the German text.

¹⁴ Immanuel Kant, *Critique of Practical Reason*, in *Practical Philosophy*, (tr.) M. J. Gregor (Cambridge: Cambridge University Press, 1996), Comment to § 4.

¹⁵ See Terry Pinkard, *German Philosophy 1760–1860: The Legacy of Idealism* (Cambridge: Cambridge University Press, 2002), 59.

universal law. Hegel sees an even greater problem in the “unethical” status of Kantian self-legislation. (JS, 463) For even conditioned, arbitrary contents can, by “sleight of hand” be “slipped into” an absolute, logical form. (JS, 464) According to Hegel, this unavoidable multiplication of different yet purportedly universal determinacies has the distinctly unethical effect of making “that which is ethically necessary...into something contingent”: “yet contingency in ethical life...is unethical.” (JS, 467)

Here, one could point out, as many Kantians naturally do, that the contents of the Kantian moral principle are not generated by reason’s self-legislation, but are rather empirically taken up by reason and tested or examined for legality.¹⁶ But there is a problem with this reading of Kant, which appears to bring him a step closer to Hegel insofar as the moral principle is now conceived to be secondary in relation to the practice it presupposes. For where is it supposed to come by the standard that is meant to govern this testing procedure? Hegel’s objection just resurges on a new level. The moral principle can *never* operate in a normative vacuum. The criterion for evaluating praxis must ultimately have its source in praxis itself. Now one might make a further attempt to defend Kant against Hegel’s criticism. For it could be objected that, indeed, the Kantian moral principle does not operate on the basis of a determinate and contentful internal standard, but solely on the basis of a formal question concerning the universalizability of contents—and this is a question that clearly does not merely pertain to the “grammatical form of normative generalizations, but [to] universality of the will.”¹⁷

But now Kant falls prey to Hegel’s first objection: a tautology is in the offing. And this, in my view, is the ultimate point of Hegel’s critique of Kant. The critique consists in the realization that the ethical background necessarily comes into play in the categorical imperative. The point is that what is here being called universality of the will is *de facto* not completely universal, that it remains bound to the

¹⁶ See Jürgen Habermas, “Treffen Hegels Einwände gegen Kant auch auf die Diskursethik zu?” in *Erläuterungen zur Diskursethik* (Frankfurt am Main: Suhrkamp, 1991), 21. But then, as Ingeborg Maus argues, the Kantian moral principle is no longer tautological. For it rests “on the differentiation of two reciprocally applicable processes.” On this reading, the moral procedure of evaluating maxims according to the categorical imperative is based on ethical connections between action and experience and arises reflexively from within them. See Ingeborg Maus, *Zur Aufklärung der Demokratietheorie. Rechts- und demokratietheoretische Überlegungen im Anschluß an Kant* (Frankfurt am Main: Suhrkamp, 1992), 264.

¹⁷ See Habermas, “Treffen Hegels Einwände?” 21.

concrete character—and thus particularity—of a prevailing mode of ethical life.¹⁸ And for precisely this reason, Kant's categorical imperative can function only in the context of an absolutely untroubled, or, as Hegel puts it, "naïve," ethical life of unquestioning agreement. That is to say: it can only function as a tautology.

If Hegel is correct not only in stating that the mediation of the universal and the particular embodies the central question of morality, but also in claiming that Kant does not have the resources to provide a satisfactory mediation of the two, then the question arises whether—and if so, how—the moral principle can be reformulated on the basis of this objection. One can hardly look to Kant for such a reformulation of the relevant Kantian intuitions. Such a reformulation can only succeed, in my view, if we attend to and successfully account for what Kant uncritically presupposes: namely, the commonality of our understanding of the world and of ourselves in moral reflection. And that leads us back to Socrates.

V. A Socratic Reformulation of the Moral Principle

Socratic reflection, as Hegel presents it, questions the validity of universal principles in light of various concrete situations in which different demands—which are presumed to be universal—come into conflict with one another. When that happens, one's task seems to be to weigh these demands against one another and, if necessary, to relativize their respective claims to universality. This formulation of Socratic reflection stands in contrast to Kant's account, inasmuch as it locates the problem of grounding moral principles in a different place. For the central question for Socrates does not seem to be how moral norms can be grounded or justified, but rather how, assuming they are valid in our praxis, we can justify exceptions to them. Yet closer examination reveals, as we shall shortly see, that such a description is not just distorting, but also insufficiently radical. For the concern of Socrates is not merely to counter universal norms by advocating the validity of exceptions to them in certain situations. The systematic point of Socrates' interest in cases of exception is deeper. For it is only once one attends to such exceptions that the

¹⁸ This would also be the appropriate level on which to discuss the question whether Hegel's objections to Kant equally impugn Habermas's "discourse ethics." But this cannot and should not occupy us here. I cited Habermas in this context only in order to consider the arguments he advances in direct support of Kant.

situation-dependency of moral judgements comes into view at all. Once one understands this dependency in a Socratic vein, it becomes clear that the dimension of universality that moral judgements anticipate is not primarily located on the level of moral norms themselves. It is rather to be found on the level of what Albrecht Wellmer has called the “communicative substructure” of Kantian ethics—namely, the level that is concerned with our understanding of the world and of ourselves, an understanding which underlies our interpretation of situations.¹⁹

A decisive first step towards what I would term a Socratic reformulation of the moral principle involves bringing into view the fact that even universal formulations of moral norms are nevertheless fitted with a situation-index. Consideration of their genesis confirms this. As Wellmer emphasizes, moral norms are formed negatively—*i.e.*, by negating non-universalizable maxims. Once I establish that I cannot will a maxim—for example, to lie whenever it benefits me—as a universal law, it follows that it would be morally bad for me to act on it anyway. But before one reformulates the result of this reasoning as a moral norm—for example, “one ought not to lie”—one should (despite Kant’s imprecision on this point) pause to reflect on how the universal form of this norm was generated. Because this norm arises from the negation of determinate grounds for action—lying to further private ends and interests—it would involve a misunderstanding to construe it as a prohibition of the action type in question—lying *tout court*. And for this reason, exceptions to universal formulations of moral norms can indeed be morally justified—*e.g.*, a case of lying in order to protect an innocent person from persecution—without thereby undermining the validity of the categorical imperative that “one ought not to lie (for private interests).”²⁰ So it turns out that talking about “exceptions” to moral norms is ultimately misleading.

Similarly, we are now in a position to show that it is equally misleading for Hegel to portray Socratic reflection as seeking to relativize the validity of universally formulated principles out of sentimental attachment to exceptional cases. For if one takes into account that the universal formulation of a moral norm actually contains a hidden negation of *determinate* grounds for action, then it becomes clear, *pace* Hegel’s compressed account, that moral reflection has

¹⁹ Wellmer’s instructive discussion of Kant is highly relevant here. See Albrecht Wellmer, *Ethik und Dialog. Elemente des moralischen Urteils bei Kant und in der Diskursethik* (Frankfurt am Main: Suhrkamp, 1986), 48.

²⁰ See *ibid.*, 26–27.

nothing to do with a collision of two equally valid but conflicting norms—“one ought not to lie” versus “one ought to protect the innocent from persecution.” Rather, closer consideration—*i.e.*, further Socratic reflection—reveals that we need not acknowledge any real exceptions to the rule “one ought not to lie” in concrete practical situations, since we simply are not dealing with instances of its application: the acts of lying we are entertaining are performed not for private interests, but rather for a morally obligatory reason.²¹ We can summarize the crucial systematic point in this context by noting that moral norms make reference, both in their genesis and in their validity, to modes of action in determinate situations.

Even on this view, however, moral judgements still do involve the question whether a particular mode of acting can be universalized or not. This holds true for morally complex cases as well as for those Wellmer terms “morally elementary.”²² Yet defending the universalizability of one’s action in a morally complex situation necessarily involves recourse to the concrete situation, or a particular type of situation: in *this* situation or in a situation *like this one*, one is obliged (or permitted) to do such and such. Assessing the universalizability of modes of action in morally complex situations can, however, lead to what Wellmer describes as “the dilemma that the *domain of application* for such a maxim gets *smaller* the *more precisely* I characterize the relevant type of situation, and that it becomes more *indeterminate* the more *universal* my characterization.”²³ Yet according to Wellmer, this dilemma—that modes of action cannot be formulated as rules in complex situations in the same way they can in elementary ones—shows only that “the *power of judgement* [plays] a much more fundamental role in the application of moral norms than Kant would like to admit.”²⁴ Moral arguments arise where there are moral problems—that is, where questions of the appropriateness and relative completeness of situation-descriptions give rise to moral discourse in the first place.²⁵ Once these questions are resolved, the problem is generally neutralized—it is clear what is to be done. Indeed, it is not usually fundamental moral norms that spark controversy in cases of moral conflict, but rather characterizations of the situations or types of situations to which they are to be applied. Socratic dialogues provide excellent examples of this. Socrates asks

²¹ See *ibid.*, 29–30.

²² *Ibid.*, 130.

²³ *Ibid.*, 28.

²⁴ *Ibid.*

²⁵ See *ibid.*, 131.

his interlocutors whether he has described a situation correctly and completely; the others then supplement the description or—as is usually the case—nod in agreement. If, therefore, it is not really moral norms themselves that are called into question in cases of moral conflict, but rather the perception and description of the relevant situations to which the norms are to be applied, then, Wellmer argues, there is no clean way of separating justificatory from applicatory discourse when it comes to moral judgements. He even advances the stronger view that the grounding problem specific to morals is primarily a problem of application.²⁶ The problem of justification always refers either explicitly or implicitly to the interpretation of the situations in which the moral quality of a mode of action is in question.²⁷ The question of whether my maxim can become a universal law cannot be treated apart from the question of whether my representation of the corresponding practical situation is complete, apt, and true (rather than a Sophistical distortion). Thus, even within moral reflection itself, the universality of moral judgement must necessarily be traced back to that level that Kant presupposes as so unproblematic: the level of our shared, intersubjective understandings of the world and ourselves.

Thus understood, the moral standpoint clearly does not summarily call into question the validity of all laws and commandments, as though it purported to stand above all praxis. That would indeed constitute a version of reflective formalism bordering on insanity, having “crossed over...the threshold into social pathology.”²⁸ Ethical laws and commandments only become the object of moral discourse in very concrete situations of moral conflict. It would be a misunderstanding, however, to construe these conflicts as collisions between two universally formulated norms—collisions which can only be neutralized by relativizing (at least) one of the norms in question. Such a description is, as we have seen, misleading. There are really only two circumstances that lead to moral conflicts, in the proper sense. A moral conflict may arise if there are competing views about the appropriateness or completeness of a given description of the relevant situation. The other circumstance in which moral conflict

²⁶ See *ibid.*, 134, 136. This is what distinguishes what I have termed Wellmer’s “Socratic” reformulation of the moral principle from the one advocated by Habermas, who focusses on the problem of the justice of norms. For Wellmer’s critical discussion of Habermas on this point, see *ibid.*, 122, 134–38.

²⁷ See *ibid.*, 132.

²⁸ Axel Honneth, *Leiden an Unbestimmtheit. Eine Reaktualisierung der Hegelschen Rechtsphilosophie* (Stuttgart: Reclam, 2001), 68.

may ensue concerns the level of agents' understanding of the world and of themselves, for this level underlies and supports one's interpretation of any given situation. Thus, differences in worldview or self-understanding may be responsible for differences of interpretation of a given situation. In such cases, this "communicative substructure"—the shared understanding of self and world—serves not only as a presupposition of moral discourse but also as its object and aim. Though this second type of conflict may well play a latent role in the debate between Socrates and the Sophists, it becomes fully manifest in the Romantic ironists.

Romantic irony, on my view, sheds light on the picture that emerges from the Socratic reformulation of the moral principle with regard to the second sort of moral conflict—the sort generated by differences on the level of agents' understanding of the world and of themselves. For this reason, Hegel is quite right to situate Romantic irony on the threshold of his own conception of modern ethical life. If modern ethical life is not informed and shaped by Romantic irony, it ceases to exist altogether (or at least ceases to be modern). A proper understanding of this point involves insisting—simultaneously with and against Hegel—that ethical life does not overcome or supersede the purportedly deficient forms of Romantic irony and the morality connected with it, but actually sublates and preserves these forms within itself. It is precisely by considering the Romantics' individualism that we can show—*pace* Hegel—that the logic of morality is by no means to be understood as an abstract opposition of subjective freedom and ethical universality. Such considerations rather reveal the necessity of dynamic mediation between these two sides, as I will now attempt to show. Remarkably, it is thus the ironists—Socrates on the one side, the Romantics on the other—who not only guide us to a reformulation of the moral principle that takes account of Hegel's critique of Kant, but also remain true to Hegel's intention of dynamically mediating between the universal and the particular, where he falls prey to a conservative impulse.

Yet in order to bring this third path into view, a further step is necessary. Before we can explain the role of Romantic irony in morality (Section VII), Hegel's critique of the Romantics must itself be subjected to critical discussion (Section VI).

VI. Romantic Irony and Evil

From Hegel's perspective, Romantic irony represents a radicalization of the opposition between subjective freedom and ethical universality that began with Socrates. Hegel considers Socratic morality to be

incapable of excluding the sort of private interest that can so underhandedly influence one's interpretation of competing duties. He therefore sees in Socratic praxis the beginning of a conflict between subjective freedom (private choice) and ethical universality—even if this conflict is temporarily concealed by Socrates' own individual virtue. In this context, Kant appears merely as a further developmental stage in the ever-increasing radicalization of this conflict. For Hegel, the purported universal validity of the Kantian moral principle is, on account of its merely formal grounding, a mere pretence that prevents insight into the nature of this conflict. The Romantics, by contrast, have the dubious advantage that they at least allow the conflict between subjective freedom and ethical universality to clearly come to light.

It is for this reason that the Romantics—and above all Friedrich Schlegel—have a systematic significance for Hegel. In them, the process of increasing separation between subjective freedom and ethical universality, which began with Socrates, is supposed to become explicit. The truth is supposed to reveal itself in Romantic irony. That is to say, Romantic irony enables the problem of morality to appear in such a way that it becomes necessary to transition to a level on which this problem disappears. In particular, the necessity of this transition is supposed to reveal itself in the fact that the standpoint of morality, which truly manifests its conception of freedom in its pure and unadulterated form, must necessarily collapse into its opposite and thereby destroy itself. The opposite of morality, however, is evil.

Now Hegel's *Phenomenology of Spirit* had already asserted the necessity of this transition from the standpoint of morality into evil. On his interpretation, this standpoint is already surreptitiously connected with a complete inversion of the original concept of duty. While "naïve ethical life" places the ethical consciousness of duty above self-consciousness, the conditions of morality effectively reverse this relation. Holding fast to a purported duty is now labelled evil, while acting out of self-certainty is considered a duty and conscientious. Since he is unable to view moral reflection as anything more than a moment in the arbitrary relativization of ethical laws and prohibitions, Hegel interprets it as an "inverted" ("*verkehrte*") position in both senses of the term (both "inverted" and "incorrect") and thus as a form of hypocrisy. For Hegel, evil consciousness, which openly postulates that "I am [evil],"²⁹ has the crucial function of resolving

²⁹ Georg Wilhelm Friedrich Hegel, *Werke*, vol. 3, *Phänomenologie des Geistes*, 490, tr. by A. V. Miller as *Hegel's Phenomenology of Spirit* (Oxford: Oxford University

the “inversion” of moral hypocrisy by “pressing [it] to its ultimate consequence” and thus distilling the pure “spiritual shape of conscience.”³⁰ All that remains of conscience and its hypocritical commitment to universality is the self-certainty of the subject in evil consciousness. And this is precisely what Schlegel’s irony amounts to, on Hegel’s interpretation. It is the “acme of the subjectivity that conceives of itself as the ultimate [authority]” and is thus identical with “evil, and indeed with the evil which is completely universal in itself.” (Cf. Rph, § 140) For the Romantic ironists, even those things that are “ethically objective,” even “law and object [*Sache*],” are merely moves in a game that has expressly ceased to revolve around anything more than self-satisfaction (*Selbstgenuß*). (*Ibid.*) Thus, by taking on the form of evil, in which individual subjectivity quite explicitly posits itself as the absolute standing against all ethical authority, morality becomes the complete opposite of itself: immorality. Hegel takes himself to have thereby proven that it is necessary to overcome morality in and through a theory of ethical life.

Hegel’s interpretation of Romantic irony as the culmination of a subjectivism in which arbitrary choice reigns supreme traces back to his claim that Romantic irony must be understood as a practical application of Fichte’s philosophy of subjectivity. Thus, Hegel already saw Fichte as “Kant’s perfecter.”³¹ For Fichte, in contrast to Kant’s own “inverted” philosophy, had expressly made the I “into the absolute principle of all knowledge, all reason and cognition.”³² However, the practical consequences of Fichte’s philosophy of the subject only become apparent in Romantic irony, according to Hegel, which is why consideration of the latter is of greater significance for his practical philosophy. While Fichte held fast to the objective validity of the ethical—if only on conceptually inconsistent grounds (GPh, 20:413/3:506)—Schlegel degraded the ethical to a product of subjective beliefs and thereby made “the subject’s choice the principle of the practical [realm].” (Rph, § 140, 285–86/180–81) From this per-

Press, 1977), 405; translation modified. Hereafter referred to parenthetically in the text as PhG. Page references, separated by a slash, will be first to the German, then to the English text.

³⁰ Ernst Behler, “Friedrich Schlegel und Hegel,” in *Hegel-Studien*, vol. 2 (1963), 206.

³¹ Otto Pöggeler, *Hegels Kritik der Romantik* (München: Fink, 1998), 39.

³² Georg Wilhelm Friedrich Hegel, *Werke*, vols. 13–15, *Vorlesungen über die Ästhetik*, 13:93, tr. by T. M. Knox as *Aesthetics: Lectures on Fine Art*, 2 vols. (Oxford: Clarendon Press, 1998), 1:64. Hereafter referred to parenthetically in the text as Ä. Volume and page references, separated by a slash, will be first to the German *Werke*, then to the English text.

spective, Romantic irony appears to be a dangerous means for subverting ethical substance. For it would seem to regard nothing as holy, apart from the capricious and arbitrary choices of the subject itself, who “looks down from his high rank on all other men, for they are pronounced dull and limited, inasmuch as law, morals, etc., still count for them as fixed, essential, and obligatory.” (Ä 13:95/1:66)

Hegel’s central objection to the Romantic ironist is that his supposed freedom of choice, in truth, signifies nothing more than a form of unfreedom, especially for the ironist himself. According to Hegel’s diagnosis, since the Romantic ironist takes his freedom to be something absolute in contrast to his own determinacy, he is compelled to believe that the only way to preserve himself and his own freedom is to deny all determination by the world and to avoid all commitments in and to it. This is the reason for his fundamental alienation from all praxis. For every form of praxis involves determinations—either in the form of a confrontation with pre-established situations or in the form of decisions about how to act in view of circumstances and standards. One could therefore only live out the infinity of an absolute and abstract freedom by retreating from praxis into a sphere of pure possibility. Yet because the subject of all these misunderstandings cannot ultimately avoid existing in a concrete manner, the ironist’s relation to the world is a merely experimental one, in which all normative orientation can only have superficial validity. In particular, to the extent that all determination is supposed to be taken up into the subject, the sole foundation of determination that remains for the ironist is his natural individuality and its contingent excitations—*i.e.*, his drives and inclinations. And these excitations are always dependent upon changing outer stimuli. Consequently, the truth of such freedom of choice really does consist in nothing other than unfreedom: namely, in the dependency of the ironist on contingent stimuli, by means of which he allows himself to be heteronomously determined. Yet what makes irony “evil,” on this line of argument, is not merely the fact that the ironist unwittingly inverts freedom into unfreedom, but also that he remains completely structurally *indifferent* to the ethical order and to the normative dimension of ethical life as a whole. For under these conditions, a given orientation retains its efficacy only until the moment when the next influence washes over the subject, titillating its interests and shifting its orientation in a new direction.

This damning consequence rests on the presupposition that Romantic irony really boils down to subjective ideology, as Hegel main-

tains. My thesis here (which I have defended at length elsewhere³³) is that, while Hegel's critique of subjective ideology is quite justified, its application to Romantic irony overlooks some of the latter's central motivations, and that this oversight blinds Hegel to one of the decidedly anti-subjectivist insights of the Romantics. Perhaps the simplest and quickest way to indicate what is at stake here is to consider the phenomenon of self-irony, which Hegel notably ignores.³⁴ The distance of the subject to itself that comes to expression in self-irony cannot plausibly be reinterpreted as a symptom of hubristic subjectivism elevating the ironic subject to pseudo-divine status. This distance is not the abstract and ultimately imaginary distance from all social determination, but rather the specific, case-by-case distance of the subject from concrete aspects of its social identity. The subject does not liberate itself from these features of its social identity by assuming the superior position of a God, but rather by experiencing urges and endeavours that conflict with the self-images correlated with these identities. I do not place myself at a distance from an excessively disciplined image of myself by, for example, placing myself above or outside that image—as though I were the sovereign of my own sovereignty. On the contrary, I find myself at a distance from a particular self-image when I am confronted with tendencies that contradict this image and (laughing at myself) I thereby become free to adopt a new self-understanding. Compared to the Hegelian picture of Romantic irony, this involves a significant shift. Ironic consciousness no longer stands for a form of alienation from social praxis as a whole. It rather pertains to local experiences of alienation from various concrete determinations, which, far from leading to total groundlessness, indifference, and passivity, instead occasion new concrete determinations, and realignments, of one's own will. An ironic distance towards prevailing praxis is not a model for the way a subject leads its life, but rather a productive moment *in* the life of the subject. This enables us to free ourselves from Hegel's understanding of the Romantic conception of freedom as a mere practical consequence of a mistaken philosophy of the subject. For we can now see how Romantic freedom opens up

³³ See Juliane Rebentisch, "Hegels Missverständnis der ästhetischen Freiheit," in *Kreation und Depression. Freiheit im gegenwärtigen Kapitalismus*, (ed.) C. Menke and J. Rebentisch (Berlin: Kadmos, 2010), 172–90, especially 179–85.

³⁴ Thus, Schlegel speaks of how irony can even "raise [itself] up over individual art, virtue, or genius." See Friedrich Schlegel, "Kritische Fragmente [aus dem Lyceum]," in *Kritische Schriften und Fragmente [1794–1797]*, *Studienausgabe in sechs Bänden* (Paderborn: Ferdinand Schöningh, 1988), vol. 1, frag. no. 42.

the possibility of self-determination in light of an anti-subjectivistic experience of self-difference. And this, of course, paints an entirely different picture of the relation between irony and normativity.

For now we are no longer dealing with a subject whose false sense of freedom from all social determination has reduced it to depending *solely* on the “determinations of the natural will, of desire, drives, inclinations, etc.” (Rph, § 139) Instead, we have before us a subject who is always already immersed in contexts of praxis, yet who is nevertheless constantly subject to changing circumstances and contingent opportunities and who thus remains affected by new, foreign impulses. Such impulses can occasionally trigger excitations in the subject that stand in some tension to his prevailing self-understanding. This does not happen all the time, nor does it always lead to a change in the subject’s current orientation. The crucial point is that such an experience of self-difference provides an excellent occasion for re-examining one’s orientation. Here, the Romantic sensitivity for involuntary expressions of “natural will” is not just externally and abstractly juxtaposed to one’s social existence. Rather, such expressions serve as correctives and challenges to determine what (and how much) validity to accord one’s adopted social principles in the course of actually living one’s life. Or, to put it another way: it is only *because* we are receptive to new impressions and foreign impulses, and thus only because we can become dissociated from our adopted principles, that there can be such a thing as a truly self-determined life. For it is only then that the question of the good presents itself as a *question*. Only then is it possible for us to relate to the social praxis of which we are a part as something we can make our own or attempt to alter. Freedom does not principally mean making oneself immune to changing conditions or unexpected stimuli or influences in order to hang onto one’s current orientation. Such a conception rather leads, sooner or later, to an autoimmune inversion of freedom into unfreedom.³⁵ Because the conditions of our existence are changeable, and because we can change with them, a full concept of practical normativity must include a consciousness of essential alterability of our conception of the good—that is, a consciousness of its constitutive historicity. Thus understood, a consciousness marked by Romantic irony is hardly indifferent to the

³⁵ On such a concept of freedom, which makes room for the productive role that passive moments can have in enabling one to be determined by things new and foreign, see Martin Seel, *Sich bestimmen lassen. Studien zur theoretischen und praktischen Philosophie* (Frankfurt am Main: Suhrkamp, 2002), esp. 227–45 and 279–98.

normative order in which it is always already implicated, for it necessarily stands in a dynamic relation to that order.

And now the question arises: what consequences does this consciousness have for the problem with which we began—namely, that of mediating between the particular and the universal? According to Hegel, this was the central (and unresolved) problem of morality. So what can Romantic irony contribute to our conception of morality?

VII. Conflicts with and in Morality

It should be clear that the ironist's reflective reference to the involuntary expressions of "natural will" that life in the world arouses—*i.e.*, "desire, drive, inclination, etc." (Rph, § 139)—does not, in and of itself, qualify as evil. Nevertheless, to be aware of these stimuli not only involves a consciousness of their productive potential for acts of self-determination, but also the knowledge that the moral stance is not the only one possible. The ironist really is aware of the source of evil within himself. At the same time, however, such awareness is a necessary condition of a truly moral stance. Thus, someone who was wholly oblivious to the inner resistances against which the moral perspective must occasionally fight might well be termed holy, but could not be called moral in the proper sense of the term. Consciousness of the tense relation between one's orientation toward individual happiness, on the one hand, and one's orientation toward moral universalizability on the other, essentially belongs to moral consciousness. Like the saint, however, a person who acts morally solely on the basis of convention can hardly be called moral either.³⁶ And Romantic irony can help us to understand this as well.

Though Hegel's polemic suggests otherwise, the effect of Romantic irony is by no means limited to drawing attention to the possibility that an individual's orientation toward his own happiness may come into conflict with the moral demand that maxims be universalizable, and that morality may thus be externally confronted with immorality. For it also opens our eyes to the possibility of conflicts *within* morality itself. For, as we have seen, Romantic irony involves consciousness of the standing possibility that a gap may open up

³⁶ See Martin Seel, "Über das Böse in der Moral," in his *Sich bestimmen lassen*, 246–57, especially 249–50 and 252–53. Another forceful set of reflections on this point is provided by Hannah Arendt, "Personal Responsibility Under Dictatorship," in her *Responsibility and Judgement* (New York: Schocken Books, 2003), 17–48, especially 44–45.

between the “natural will” and the subject’s prevailing social self-understanding. And this consciousness gives rise to an essentially historical concept of self-determination, which allows for one’s prevailing understanding of the world and oneself to undergo changes, or to receive active confirmation. Such a historicized concept of self-determination, however, discloses a source of moral conflicts. With their sensitivity for the expressions of the “natural will” and their predilection for aberrations, the Romantic ironists point to the fact that what Hegel would call a “split” (*Entzweiung*) of the subject from ethical life is actually grounded in a split of the subject from itself—namely, in the possible conflict between its socially mediated identity, on the one hand, and the involuntary expressions of its own vitality, on the other. Now, the notion of the “natural will” cannot be rendered objective through an essentialist gloss like “the subject’s individual nature.” It must rather be conceived as a potentiality with ever new (and ever novel) realizations, occasioned by exchanges with a variable world. It follows from this that the “natural will” can never be completely resolved into the subject’s social form. Thus the one “split” is as ineliminable as the other. Ethical universality, on account of the self-difference of those who are affected by it—a self-difference that is generally latent, but that is occasionally experienced explicitly—is never immune to critique, never wholly impervious to change. For changes in individuals’ understanding of the world and of themselves imply changes in the praxis of which they are a part. These changes may well occur nearly undetected and without conflict. However, it may also happen that a conflict arises in which those concerned must enter into a struggle for recognition, in order to live out their new understanding of the world and themselves.

It is in just this context that Hegel’s legitimate critique of Kant—*i.e.*, that a given form of ethical life necessarily works its way into the categorical imperative, and that moral universality cannot therefore be quite as universal as Kant makes it appear—gains force as a claim about moral philosophy. For moral universality must now be viewed as something that can be contested—as something historically changeable. Hegel himself, of course, was not in a position to adequately develop this point, on account of his critical view of irony. Since there can never be an ultimate and final correspondence between the subject’s natural ground and its social role or identity, it is always possible for the two to fall into misalignment, thereby opening up a gap on a level that Kant took to be unproblematic—namely, the level of shared intersubjective understandings of the world and of oneself. And any gap within one’s understanding of the world or

one's self-understanding can have ramifications on the level of one's moral judgements. In such cases, it is not an individual universal that stands opposed to a moral universal—as happens when one's orientation toward one's own happiness conflicts with the moral demand that the maxim of one's action be universalizable. Such cases rather present us with two moral universals that stand in opposition to one another: namely, two different views about what might count as being morally universalizable. For example, if I am not of the view that homosexuality is harmful, I would reject as immoral—*i.e.*, as incapable of universalization—the maxim that homosexuals should be subject to legal prosecution and public discrimination. If I am not of the view that women are, by their nature, irrational, then I will reject the universalizability of any maxim that would prevent them from voting or attending university. And so forth.³⁷

These kinds of moral conflicts, which arise as a result of a gap within the collective patterns of interpretation that characterize a society's ethical self-understanding, make something explicit that was already an implicit implication of Socratic reflection on morally complex cases—namely, that the moral question whether my maxim is capable of becoming a universal law is, in the end, equivalent to the question of whether my interpretation of a given situation (which is to say, my understanding of the world and myself as expressed in this situation) is appropriate. But the only place where this (or these) question (questions) can be answered is within an intersubjective truth-praxis. For it is only there that one can decide, on the basis of reasons, whether a given view is to be condemned as immoral or evil, or whether it should be defended against prevailing prejudices as moral and good. Yet what it means to be an “intersubjective truth-praxis” takes on a new profundity within the Romantic perspective. While Socratic reflection primarily considers the question of the completeness and aptness of given descriptions of situations against the background of a shared culture, the sort of moral reflection involved in Romantic irony takes aim at this cultural background itself. In considering the question of whether the description of a situation is adequate, it now becomes relevant to consider the perspectives from which, and the categories with which, the situation is described. The Romantic ironist emphasizes—even more strongly than the Socratic ironist—the fact that the categorical imperative presupposes certain commonalities in subjects' understanding(s) of the world and themselves, which should by no means

³⁷ For a discussion of the connection between moral judgements and changes in collective interpretive patterns, see Wellmer, *Ethik und Dialog*, 125–26.

be taken for granted. For within the Romantic framework, the possibility arises that my own understanding of the world and myself, as it is expressed in a description of a given situation, can itself turn out to be morally dubious. Not only can I delude myself about the completeness of my description, the very categories I employ may turn out to be inappropriate, or even wrongheaded in light of unanticipated arguments and unforeseen problems. The plurality of perspectives that come to light in such moral conflicts is inconceivable in the absence of the Romantics' discovery of (or, better, emphasis on) the source of the aforementioned differences and gaps. To acknowledge these gaps means recognizing that the good, as it is given to us, is always something historical.

In bringing this to light, Romantic irony makes it clear—*pace* Kant, and equally *pace* Hegel—that the sense and meaning of moral discourse can by no means consist in the production of tautologies. Because this dimension of shared understanding (of the world and of ourselves) cannot simply be presupposed as stable, the significance of moral discourse consists in no small part in disputing and in generating the corresponding commonalities. The fact that our communal understanding of the world and of ourselves is not only a presupposition, but also an object and aim of moral discourse thus has the shape of a development: a process of universalization. On account of the ineliminable “twofold split”³⁸ (of the subject from itself and of the subject from prevailing ethical life) to which moral discourse is a reaction, this process should not be presented as an incremental approach to a state of total inclusiveness. It should rather be portrayed as a discontinuous process in which the hegemony of certain universal formulations must always remain open to the challenges of alternative views. But hegemonic forces do not just open up to challengers of their own accord. This generally requires a political fight for recognition of those forms of life from which the alternative conceptions of universal moral principles spring.

Yet to the extent that one registers how thoroughly Hegelian the idea of such a process of universalization (and the idea of enlightenment connected with it) is, one must accompany this recognition with a decisive correction of certain strands of Hegel's criticism of irony. The same holds for Hegel's project of working out a conception of modern ethical life that preserves a space for subjective freedom. For as soon as one stops conceiving of morality as a progressively radical opposition between subjective freedom and ethical universality, one is confronted with the necessity of an ethical uni-

³⁸ See Menke, *Tragödie im Sittlichen*, 12.

versal, which, unlike the ethical universal of antiquity, “allows individuals [*die Einzelnen*]...to have freer play,” which has the consequence that these individuals “[can]not become so dangerous for the universal.” (GPh, 18:507/1:439) Such an ethical universal would have become reflective. The very concept of the ethical universal would have incorporated into itself the possibility of calling into question any particular determinations of the ethical universal. And the transition from morality to ethical life would no longer involve a triumph over irony. If, as I have argued, irony cannot be reduced to a form of radical alienation from the normative dimension of ethical life as a whole, but can instead be understood as a form of dynamic mediation between subjective freedom and ethical universality, then our modern subjectivity, which is so shaped by and suffused with irony, does not stand in need of therapy (at least not for *that* reason). On the contrary, if my argument holds, irony takes on the productive function it should actually have had within the Hegelian system itself—namely, as a phenomenon that, from the standpoint of morality, refers to a different dimension that lies simultaneously before and after morality—that of ethical life. (In this respect it is comparable, in a certain respect, to the phenomenon of crime, which similarly plays a crucial role in the transition from abstract right to morality.³⁹) Irony refers back to the dimension of ethical life insofar as the moral discourse connected with both its Socratic and (even more explicitly) its Romantic forms makes reference to shared, intersubjective understandings of the world and ourselves. But as we have seen, this level of shared understandings not only underlies moral discourse as such, but also forms its object and aim. If this is right, then morality also anticipates ethical life. In particular, it anticipates a conception of ethical life that deserves to be called modern insofar it demands such a degree of respect for subjective freedom and difference that the very concept of ethical life must change: it must evolve from its “naïve” form into a mode that is truly reflective in the above sense. This would constitute a form of ethical life in which mediating between the universal and the particular is not merely—

³⁹ On this point, see Andrew Norris’s conclusion that irony and crime occupy similar systematic positions for Hegel: “Crime makes morality possible in that the criminal who violates the contractual conditions of Abstract Right can only be judged from a perspective that respects but nonetheless transcends that Right.... Essentially the same is and must be the case with irony, which...signals the need for Ethical Life as crime signals the need for Morality.... But at the same time, it is difficult to see how irony might play the large and productive role Hegel assigns to it. Hegel presents irony as dissolving everything it touches into the arbitrary whim of the subject.” (Norris, “Willing and Deciding,” 139)

qua social praxis—something whose achievement could always already be presupposed, but something that simultaneously confronts that praxis as a task and a challenge.

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