

CHAPTER FIVE

Individuality of Reason

On the Logical Place of the Evil in Kant and Hegel*

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In Kant, morality stands for a special kind of obligation, that binds finite rational beings simply by virtue of their being rational. But while the word is widely used, it is far from obvious that morality in this sense exists at all. If we assume that we have certain inclinations or ends, it is easy to see that, as rational beings, we may be obliged to perform certain actions – those that, all things considered, are the best means to realize the ends in question. This is thus *practically necessary* or *good* for us. The problem is that this notion of goodness is only relative, conditioned on pre-given ends, and that consequently nothing can count as inherently good. It seems that within the limits of reason alone there is no place for unconditional practical necessity, and that morality is but a word.

The main goal of the *Critique of Practical Reason* is to show that this is not the case.¹ Kant's argument to this effect is contained in what can be called the

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1 The declared purpose of the *Critique of Practical Reason* is "to show that *there is pure practical reason*" (AA 5, 3). Kant specified it as follows: "The first question here, then, is whether pure reason of itself alone suffices to determine the will or whether it can be a determining

second Copernican turn: After having tried in vain to determine the content of the good *a priori* and formulate the moral law accordingly (namely: You ought to do the good!), let us try to formulate the moral law first and then determine the good accordingly. The content of the good would then emerge as a by-product of acting on the moral law. Note that in this account Kant does not abandon the instrumental model of action altogether, since every deed still involves an end, a purpose, it tries to realize. But it now becomes decisive that the deed was not done because of this end. Why, then? As reason is universally valid, we know that it cannot bind anyone without binding all at the same time. Therefore, if, in a given situation, it turns out that not all rational beings can act in the same way, then the deed in question could not have been rational and must have been grounded on an empirical inclination. For a deed to be rational in the strict sense, it must be such that any rational being could act in the same way. This is the highest command of reason and the ultimate ground of morality. To act morally is to act in the place of all rational beings, or more simply, to act rationally.

I think this is a legitimate way to formulate Kant's fundamental idea of *autonomy* as a distinctive articulation of freedom, subjectivity, and reason. For it is reason, I think, that commands the concept of autonomy in Kant. It is reason that enjoys this sovereign privilege of accepting nothing but what it itself validates. This is why there is also no paradox of autonomy in Kant, since autonomy does not refer to the jurisdiction of a particular rational subject, but to the autonomy of universally valid reason in an individual.² By accepting the binding force of the moral law, the subject merely acknowledges that she is rational. It is true that this act is an act of freedom, which one can only perform in person. No one can be forced to make such a choice. At the same time, however, no one has also the freedom to choose against it, since by not acknowledging the validity of the moral law one would have excluded oneself from the realm of rational subjects. It is only by subjecting herself to the

ground of the will only as empirically conditioned" (AA 5, 15). There is some disagreement regarding what exactly "to determine the will" stands for; but it is clear that Kant argues against Hume for whom "reason is, and ought to only to be the slave of the passions, and can never pretend to any other office than to serve and obey them" (Hume 1960, 415). – The authors of the Classical German Philosophy are cited according to the volumes and paginations in the established reference editions, that is *Akademie-Ausgabe* for Kant (AA), *Gesamtasugabe* or *Sämmtliche Werke* for Fichte (GA/SW), *Sämmtliche Werke* für Schelling (SW), and *Gesammelte Werke* for Hegel (GW).

2 On the alleged paradox of autonomy in Kant, see S. Rödl (2011). For a different version of the paradox that explores the very tension between the universality of reason and the particularity of a finite rational being, see Böhm (2021).

universal moral law that she constitutes herself as subject of thinking and doing in the first place. The rational subject is inherently a moral subject.



Building on this idea of autonomy, in the *Critique of Practical Reason*³ Kant developed a comprehensive system of morality which is still the mandatory starting point for any discussion of the good. A brief examination shows, however, that his account is afflicted with serious limitations that are closely related to his formal, abstract, and ultimately defective conception of reason. In saying this, I am not referring so much to the usual charge against the formality of the moral law, at least not in its usual formulation. In Kant, formality is an openly acknowledged condition we are bound to accept if, given the impossibility to determine an *a priori* content for the idea of the good, we still want pure reason to be practical. The problem is, rather, that in the *Critique of Practical Reason* Kant conceives of reason as an *accomplished, self-enclosed* and *self-identical* realm of universal validity that in a sense stands in an *external* relation to rational subjects. These, for their part, can only *subsume* themselves under it. The so-called formality of the moral law thus merely points to a structural weakness that lies in Kant's overall conception of reason.⁴

This problem manifests itself, I think, in at least three points. The first is the *emptiness* or *indeterminacy of the good*. In Kant, reason commands categorically, with the supreme force of the moral law. But when, in a concrete situation of moral action, we ask ourselves what it is that reason so unconditionally demands, we find ourselves unable to proceed to an immanent specification of the duty. The universalization test that Kant designed to this effect in the typical case fails to deliver a useful demarcation line between

3 To a lesser extent also in the *Groundwork*. In contrast to the prevailing view, we believe that in Kant it is impossible to speak of a single stable and coherent doctrine of morality that would be defended throughout his (critical) career. On the contrary, it is our contention that Kant's conception of morality was subject to constant, often substantial modifications, provoked by both internal deficiencies and external criticism. We also believe that the most promising version of Kant's system of morality is to be found in the first *Critique* and the *Groundwork*. Under "Kant's morality", we are consequently going to refer to the system presented in these two works – and *not* to the one contained in the *Religion within the Limits of Reason Alone* or the *Metaphysics of Morals*!

4 A similar critique of Kant's formalism is proposed by Ganzinger in this volume: "the unfolded formalism charge concerns *the contradiction in the will test* because it contains a tension between Kant's insistence on acting from duty for the sake of duty, and the requirement to act on a particular, obligatory end" (2024, 49). See also Knappik (2013, 102ff.).

the permitted and the prohibited, since it crucially depends on how the situation under consideration is described, and at least from the systemic point of view, no other criterion seems to be at hand.⁵ Instead of giving a useful instruction on what reason requires us to do, it serves in effect as a convenient device to present almost every possible action as demanded by reason. This indeterminacy goes hand in hand with the fact that, oddly enough, there also seems to be *no space for a genuine moral conflict* in Kant.⁶ Reason not only commands categorically, allegedly it also commands univocally, so that even a person “of the most common understanding” (AA 5, 27) or “a child some eight or nine years old” (AA 8, 286) is considered capable of telling without hesitation what their duty is. In this, Kant flatly contradicts the most common feature of *conditio humana*. But what is truly perplexing about it is the fact that Kant, who once shocked the learned public by claiming that there was a necessary illusion at the very heart of reason and who proved so attentive to the unavoidable contradictions in its theoretical use, now maintains that, in its practical use, no real illusion, let alone contradiction, can emerge.⁷ This may indicate that, in the field of practical philosophy, Kant actually moderated the radicality of his critical breakthrough and backtracked to a much more traditional conception of reason.

The second point is *the anonymity of the subject*. According to Kant’s view, the moral subject cannot but subject herself to the demands of reason. In this respect, Kant’s notion of freedom is again the exact opposite of the so-called freedom of choice. But since reason is inherently universal, the Kantian subject is required to *renounce* that which is *particular to her*, to be universal *against* her particularity, to make herself into the willing instrument of the universal in its abstract purity. This line of thought is further emphasized by Kant’s insistence that, in order to count as “moral”, a deed must be done not

5 The objection was brought to its poignant formula in Hegel’s dictum “property, if it is property, must be property” (GW 4, 437). For the standard Hegelian diagnosis of the “*empty formalism*”, see the *Elements of Philosophy of Right*: “From this point of view, no immanent theory of duties is possible” (GW 14, § 135R, 118). In the *Groundwork*, Kant proposed alternative formulations of the test, including one that refers to the notion of self-end. Yet from the systematic point of view, they must all be equivalent to the formula in the typic.

6 Again, our affirmation refers to the initial outline of Kant’s moral theory as defined above.

7 It is true that Kant speaks of a “natural dialectic” in relation to practical reason, in the sense of “a propensity to rationalize against those strict laws of duties and to cast doubt upon their validity” (AA 4, 406). In this case, however, natural dialectic refers to the most common propensity of human nature, which often seeks excuses for not doing what reason commands. As such, it stands for the conflict between reason and sensual inclinations and has nothing in common with the natural dialectic of the first *Critique* that it is inherent to *reason* itself.

only in accordance with the moral law, but (solely) for the sake of it, out of respect for the moral law. In this way nothing remains in a deed that would belong to this *particular* subject. It is hardly surprising that Kant's moral law was compared to a tyrant who not only demands total submission,⁸ but also anonymity.⁹

The third critical point is, finally, *the impossibility of the evil*. Again, the problem is straightforward. If to act morally is to act rationally, out of respect for the moral law, and if this is the only way to think of freedom positively, a series of equations follow that bind freedom to morality. Free will becomes just another name for the causality of reason. On this model, it is then trivial to explain what a morally good deed is: it is simply a deed in which reason has manifested its causal efficacy. In infinite rational beings this is obviously always the case, since in them practical necessity directly and inevitably results in actual willing, so that it is inappropriate to speak of an ought. In completely rational beings, evil is impossible. In the case of finite rational beings, on the other hand, we must consider that the causality of reason must impose itself against the obstacles of existing sensible inclinations, so that it may or may not produce the respective deed. Here, the good may fail to materialize. But it is important to see that even here, in finite rational beings, the conceptual relation between the causality of reason and the moral deed remains the same as in the case of the infinite ones. "For this 'ought' is strictly speaking a 'will' that holds for every rational being", Kant observes, "under the conditions that reason in him is practical without hinderance" (AA 4, 449). For our present purposes, we can leave aside the question of how the pathological inclinations infringe upon the causality of reason, and what exactly the mechanism of their interaction is. The important thing is that, on this model, the finite rational subject turns out to be capable of *good deeds only*. What appears to be a bad

8 It makes little difference, Hegel used to note, whether such a command comes from outside or from inside, for in both cases it functions as an alien instance demanding total self-suppression. But the idea itself was hardly peculiar to Hegel, it was also formulated by Jacobi or Schiller. The latter spoke of "a dark and monkish ascetism".

9 Note that even a benevolent reading of Kant's position leads to a similar conclusion. For even if we understand Kant's moral law along the lines of the highest principle of theoretical cognition, that is, in the sense of necessary conditions of the unity of willing of a finite rational being, this still requires a predetermined and exclusively universal mode of action. True, in this case, the starting point would be particular to each individual subject, determined by her given inclinations; however, from there on she would be required to act in a completely universal way. In her "self-constitution" she would be guided by the idea of fully rational agent. There would be nothing that would allow her to stick to her individuality. This applies *mutatis mutandis* also to Korsgaard's constitutivist reading of Kant's morality.

deed does not really belong to her at all, it rather indicates that in this case the forces of nature prevailed.

It may seem that the evil is to that extent reduced to a privative notion, in the sense that it serves merely as a common name for the inevitable limitedness of the good. *There is more*, though. According to Kant, only an act of freedom, which starts a new causal chain in the world, can be properly called a deed, as opposed to an event that merely prolongs the existing causal chain according to the immutable laws of nature. What seems to be amoral or evil is, consequently, *no deed at all*, it is just a natural event. Therefore, if an action is rational or autonomous, it is indeed a free action, and good; but if it is not produced in this way, if it is not free, then it is *no deed at all*, and therefore *cannot be evil*. An evil deed is a contradiction in terms.¹⁰ Since good and evil can be properly attributed only to deeds, there can be no evil in the world, only good.



All three points – the indeterminacy of the good, the anonymity of the subject, and the impossibility of the evil – are closely related. They all have their origins Kant’s conception of reason, which in the field of the practical remained rather traditional.¹¹ They were also all promptly noticed by Kant’s contemporaries who formulated a series of critical remarks on their behalf. In each case, they had a major effect on subsequent development of Classical German Philosophy. But since it was the issue of evil that provoked the most agitated controversy, we will try to trace the difference that separates Kant and Hegel along these lines.¹²

10 “This would then mean”, Prauss resumes (1983, 81), “that there is either a morally good action or no action at all, and consequently also no [merely] legal, let alone morally evil action.”

11 Hegel, too, attributed the inability to think of the evil to the prevailing abstract thought. “The difficulty of deducing the origin of the evil arises from the abstraction of understanding which assumes the concept of the will as something positive that is completely identical to itself” (GW 26,2, 902).

12 The paradox in question is aptly illustrated by Kant’s attempt to define the evil in the *Critique of Practical Reason*. There, the good and the evil are treated in parallel, as the two “objects of pure practical reason”, with the obvious intention of obtaining an appropriate definition for the good as “a necessary object of the faculty of desire” and then extending it accordingly to the evil. The latter is thus explained as “a necessary object of the faculty of aversion [...] in accordance with the principle of reason” (AA 5, 58). Therein, however, it is difficult to understand what the faculty of aversion stands for, and how it could possibly determine its object “in accordance with the principle of reason”. For if the good cannot be determined *a priori*, but only emerges as a consequence of acting out of respect for the moral law, that is, of the causality of

As early as 1788, the very same year as the *Critique of Practical Reason* was published,¹³ some authors, e.g. Ulrich or Schmid, observed that according to Kant “to act freely, autonomously and morally good are synonyms” (Schmid 1788, 62). Immediately, there was also a clear understanding that such identity would have highly problematic implications for the possibility of the evil, so that various “friends of critical philosophy” felt obliged to propose their own solution.

First among them was Carl Christian Ehrhard Schmid, who basically transferred the notion of limitation from the empirical realm to the intelligible one. On Kant’s account, the immoral deeds were typically explained with the limited power of reason in the subject’s empirical character (or, alternatively, with the strength of the empirical obstacles). To avoid the obvious conclusion that position led to, Schmid suggested that the weakness of the subject’s empirical character might be interpreted as an *adequate* expression of her *intelligible* character that, somehow, was limited as well. According to Schmid’s proposal, the subject can still be considered the author of an immoral deed because the very fact that, in a given case, empirical inclinations overpowered the relative weakness of reason was ultimately grounded in her intelligible character, and even if she did not freely choose it and it is impossible to explain why it is limited the way it is, this intelligible character constitutes what, as a finite rational being, she is. Schmid was thus able to explain a genuine possibility of evil deeds and the fact that a finite rational being may have an individual character of her own.¹⁴ The problem was, however, that the place for freedom as autonomy was lost along the way. One’s intelligible character was simply

reason, then evil is a necessarily empty concept. The fact that this is the only place in the entire opus where Kant speaks of “the faculty of aversion”, the *Verabscheuungsvermögen*, illustrates Kant’s inability to find a logical place for the evil within his original account of morality. In later works, especially in the *Religion*, Kant paid much closer attention to the evil. However, it is our contention, first, that he did it precisely because his original conception of morality proved unable to accommodate for the possibility of the evil, and second, that he did so at the cost of making his moral theory deeply inconsistent with the original account.

- 13 For an excellent account of both the conceptual and historical background that determined the discussion of the evil in the years following the *Critique of Practical Reason*, see Noller (2016).
- 14 Admittedly, Schmid’s proposal somewhat transposed the problem, since by relying on the distinction between the empirical and the intelligible character he mobilized conceptual tools of the first *Critique*, not the second one. In the *Critique of Pure Reason* Kant occasionally equated the intelligible character with reason (cf. KrV, A556/B584), but in his account, reason was usually assumed to be universal. Schmid, who explicitly questioned the capacity of reason to be the cause of irrational actions (1792, 336), thus succeeded in drawing attention to the complex question of the *individuality of reason*.

attached to the individual without her participation or consent, and once given, was bound to produce its inevitable *moral* effects. In the system of the *intelligible fatalism*, as Schmid's position was called, there was no space for self-determination, not even in the intelligible sphere that in Kant at least offered a refuge from the necessity of nature. Hence Schmid's system was generally rejected as a remedy worse than the disease itself.¹⁵

Karl Leonhard Reinhold, for his part, understood the need to ground the origin of evil in the free activity of the individual subject. He therefore proposed to sever the bond between free will and practical reason that in his view constituted the real source of Kant's problem.¹⁶ On Reinhold's proposal, presented in many variations from 1792 on, it is of decisive importance to distinguish between theoretical and practical reason. In its theoretical function, reason merely serves to coordinate the pathological inclinations, ideally to their maximum possible satisfaction condensed under the notion of happiness. In contrast, in its practical function it establishes the fundamental moral law that binds rational subjects in complete independence of any given inclination. It is not difficult to see that in its different functions reason may lead in different directions and point to different actions. So, while on Kant's account will is nothing but practical reason, Reinhold claimed that in neither of its functions can reason produce an actual willing. For that to happen, an *additional* decision or resolve (*Entschluß*) is needed, which must give its consent to the one or the other proposition of reason and translate it into an actual deed. "In *all* willing, but also *only* in *proper willing*, the act of appetition, which always occurs thereby, is different from the act of *resolve*, the *fondness* from the *deciding*" (Reinhold 1794, II, 218). Both the possibility of evil as well as individual self-determination were thus saved. For while the act of appetition is a "non-voluntary striving that occurs in the person", the act of resolve consists in a voluntary manifestation "*not in the person, but of the person herself*" (Reinhold 1794, II, 218). In this way, an action can indeed be said to be freely caused by this individual person. But the price Reinhold was forced to pay for this

15 Schmid was fiercely attacked by Fichte, who did not refrain from personal insults that ended in an "act of annihilation" (see GA I,3, 255/W 2, 457).

16 In a letter to Baggesen from 28.3.1792, Reinhold observes: "[Schmid's] assertion: that a man acts freely only in the ethical, but not in the unethical actions, that he is inevitably determined to the latter ones, infuriates me to the utmost. Nevertheless, I must admire the perspicacity he has expended on it. His *proton pseudos* is the Kantian concept of *willing* as the causality of reason; from which it follows, of course, that if morality is the *action of reason*, then the immorality cannot be the action of reason, and consequently, since only the actions of reason should be free, it also cannot be free" (Baggesen 1831, 169).

was huge, since as an arbitrary decision the act of resolve was *excluded* from the space of reason. As in the black box, it is impossible to explain on what grounds the subject might decide to give precedence to theoretical reason, that is to sensual inclinations. Or more precisely, once the act of resolve was separated from reason, it turned into a completely arbitrary power of choice. One may safely say that in this way Reinhold fell below the standards set by Kant with his notion of autonomy.

Finally, the paradox of heteronomous deeds eventually prompted Kant, too, to proceed to a complete overhaul of his theory. Naturally, and in line with his usual practice, he gave little or no indication of the extent to which his position had changed. This may explain, at least in part, how it is still possible to treat Kant's practical philosophy as a homogenous construction, as if no development took place after its first presentation in the *Groundwork*, and as if Kant did not introduce some major modifications into the very infrastructure of his system, which are in a blatant contradiction with his initial stance.¹⁷ Be that as it may, we agree with Noller (2016, 184) that Kant's theory of radical evil presented in the *Religion within the Boundaries of Mere Reason* was his reaction to the challenge raised by Schmid's intelligible fatalism and the problem of evil in general.

In his new conception of action, Kant essentially combined elements of Schmid and Reinhold in a novel way.¹⁸ In the *Critique of Practical Reason* Kant basically relied on a hydraulic model of interaction between the inclinations, so that reason had to acquire an incentive of its own in order to overpower pathologic inclinations on their proper sensible terrain. This was the function of the moral feeling as an *a priori* product of reason. In the *Religion*, Kant instead introduced a special instance between the inclinations and the deed that was now needed to give its approval to the incentive, whatever its relative strength, and transform it into an effective deed. This intermediate instance is *Willkühr*, or power of choice, that was now the ultimate causal ground of the

17 In the recent scholarship, this has started to change. Ortwein observes that "unity and inner coherence are presumed in Kant's argumentation, which are nowhere to be found in him" (1987, 145), while Noller asks "whether the real 'myth' consists rather in thinking of Kant's theory as an *a priori* immutable system" (2016, 43). For Kervégan, all the evidence suggests that "between 1785 and 1793 the centre of gravity of [Kant's] practical philosophy *shifted from the will to the power of choice*" (2016, 56). Indeed, if in the *Groundwork* free will was virtually identical to practical reason, in the *Religion* and the *Metaphysics of Morals* only the power of choice was declared to be free in the proper sense.

18 While Schmid's influence is certain, it appears that Reinhold and Kant developed their respective solutions independently; see Noller (2016, 208).

action and the true locus of freedom. “No incentive can determine the *power of choice* to action unless the human being has incorporated it into her maxim” (AA 6, 23–24). An evil deed now clearly implies an evil maxim. But how and on what grounds could a rational being possibly adopt an evil maxim? Since according to general apprehension this could not be done directly, for the evil’s sake, Kant devised a subtle procedure to make it possible obliquely. In his view, which on this point was close to Reinhold’s, there are actually two systems of practical reason in a finite rational being, one based on the principle of happiness, the other based on the principle of morality. As they are both inherent to a finite rational being, they must *both be upheld*, Kant maintains, the question is only how to arrange *their respective hierarchy* in one’s system of maxims. According to Kant, this can be again determined only by the subject’s free deed. But since this self-determination must refer to the subject’s intelligible character, Kant introduced the notion of an “*intelligible deed*” – a deed performed in a transcendental past (that is a past that was never present), by which every one of us *originally* determined our own intelligible character. If in this intelligible deed we have given precedence to the principle of universal morality (or, love) we are good; but if we have *perverted* the proper order and preferred the principle of our happiness (or, self-love) we are evil! As the intelligible character is unknown to us, we can never tell what our true nature is. However, sober observation led Kant to conclude that in the intelligible deed we had determined ourselves to cherish our particular self over universal morality, and that, consequently, we were born with an inherent propensity to the evil.

It is quite clear that, in the *Religion*, Kant started from the fact of the evil and tried to provide an *a priori* deduction of the Protestant, and more specifically Pietist, religious doctrine.¹⁹ In this respect, his theory of radical evil can even be considered successful. As for his general theory of morality, however, we are bound to recognize that it is fatally flawed. For not only is the intelligible deed inscrutable, *unerforschlich*, as Kant openly admitted – so that our fate had been sealed without our knowledge – the real problem is that, as in Reinhold, the original deed can be only explained as an *arbitrary* decision which *cannot* be justified by reason. As in the story of Adam seduced by Eve, who herself was seduced by the snake, Kant’s theory of radical evil is there just to *conceal* that it does *not* explain the radix of evil. But while Kant clearly failed in his

19 For example, the idea that we could somehow reverse our original choice and transform ourselves into subjects of the good – an idea that is in blatant contradiction with Kant’s ontology – is, I think, but a speculative version of the so-called *Wiedergeburt* that played a major role in Pietism. On the presence of Pietist motifs in Kant’s moral theory, see Kobe (2018).

attempt at finding a logical place for the evil, we will see that by his insistence on the relation between the universal and the particular he did touch a point that would prove decisive.



In the years that followed, many authors joined the debate, Fichte and Schelling included. Fichte's major contribution consisted, I think, in that he provided a new understanding of what it meant for pure reason to be practical. Whereas Kant, in the *Critique of Practical Reason*, was ultimately trying to find a piece of empirical reality that could serve as the efficient cause of a moral deed, and allegedly discovered it in the moral feeling, Fichte claimed that reason's being practical could not consist in the existence of a particular cause in nature, but in a specific mode in which a rational being exists. According to Fichte, an existing rational being is a being in contradiction: as rational it is independent and infinite, and as existing it is dependent and finite. Because of this contradiction, there is always a striving within it to overcome itself: this is what "practical" stands for. Being practical is simply the mode of existence of a finite rational being. However, and despite the fact that the *Thatandlung* and the concomitant insistence on the self-determining *Gewissen* provided the necessary conceptual tools, Fichte, at least in his Jena period, continued to treat reason in a rather traditional way, similar to Kant, which ultimately prevented him from treating the issue seriously. When, in the *System of Ethics*, he addressed the "cause of the evil in the finite rational being", he thus tried to explain it away simply by the fact that one can "render obscure" the otherwise clear consciousness of what the duty demands. For which, according to Fichte, one is to bear full responsibility, as indeed "it is up to our freedom whether such consciousness [of what the duty demands] continues or becomes obscured" (GA I,5, 177/W 4, 192).²⁰

Schelling, for his part, argued strongly that the real and living concept of freedom must include the real possibility of the evil.²¹ In the *Philosophical Investigations into the Essence of Human Freedom* he therefore proposed two profound modifications in the prevailing ontological and conceptual framework: first, he opened up an inner incongruity within the absolute by distinguishing "that in God that is not *He Himself*" (SW 7, 369); and second, with reference to

20 For a more sympathetic reading, see James (2021).

21 Schelling was perfectly aware of the paradox of heteronomous acts, whereupon "evil is completely abolished" (SW 7, 371).

finite rational beings, he introduced the concept of a “derived absoluteness” (SW 7, 347). On this basis, Schelling was able to reclaim Kant’s duality of the principles from the *Religion* in a much more conclusive way. Following Kant, he claimed that the evil has its origin in the affirmation of the subject’s particular self against the universal. But in a profoundly transformed ontological and conceptual environment, he could now combine the two complementary deficiencies – that of the absolute and that of the finite – to provide a positive logical ground for the possibility of the evil. Unfortunately, we cannot explore Schelling’s conception in more detail here.²² Suffice to say that it is quite probable that Hegel was familiar with it and that it was under its influence that he developed his own mature conception of the evil.

Regarding Hegel, to whom we shall finally turn, it is interesting to note that in his Jena period the concept of the evil was treated in a limited and rather incidental way. This is true even of the *Phenomenology*. For although in the final stage of the spirit the evil explicitly appears in the title of a section, its presentation is, both in its emphasis and its conceptual setting, clearly embedded in the general project of introduction to the speculative science. The *Phenomenology*’s transitory treatment could therefore hardly be mistaken for Hegel’s “theory of the evil”. But if we pay due attention to the specific context, we can gain some valuable indications of what his position was. First, Hegel introduces the issue of evil with reference to the figure of conscience, the *Gewissen*, which in turn has been brought about by the inconsistencies of Kantian (and Fichtean) morality. In order to act according to the demands of morality, Hegel argues, a self-conscious I would have to obtain sufficient insight into the conditions of action and test various maxims. But since no amount of objective knowledge would ever suffice, and since specific duties necessarily conflict with each other, the process of selection would never lead to a univocal deed that reason itself commands us to perform. Indeed, a completely “moral” consciousness would remain inactive “– or, if action does take place, one of the conflicting duties would actually be violated” (GW 9, 342). It is at this point that Hegel introduces the figure of conscientious consciousness.²³ Having learned the lesson that it is impossible to act according to the strict demands of morality and being aware of the necessity to act, conscience

22 For a good presentation, see Gardner (2017).

23 Contemporary models are Fichte and Jacobi. In his *Atwill*, the latter revealed the paradoxes of acting according to the rules of morality, noting that in certain situations, it is only moral “to act right against them” (Jacobi 1994, 470). For a dedicated account of conscience in Hegel, including the crucial distinction between “formal” and “actual” or “true conscience”, see Moyer (2011).

now decides for itself what the content of the good in the given situation is. In the absence of objectively compelling reasons, it relies on its personal conviction, and in this certainty it “knows and does what is concretely right”. Hence, says Hegel, “only conscience is moral *acting* as acting” (GW 9, 343). But it would be a miscomprehension to regard conscience as a mysterious cognitive faculty that somehow extends the scope of rational knowledge or makes us know what reason cannot. In fact, the conscientious conscience has no better knowledge than the moral one. It is “fully aware” of the inherently conflicting nature of the duties and “knows that it is not acquainted with the case” according to the terms of the universality demanded by it (GW 9, 346). Its decisive advantage over moral consciousness is rather that, in its view, “its incomplete knowing, because it is *its own* knowing, counts for it as sufficiently complete knowing” (GW 9, 346). Conscience knows, that is, that in a concrete situation of action it is impossible to deduce what is to be done according to the universal rules of reason; but, faced with the necessity to act, “it knows that it has to choose” nonetheless. In short, it stands for a rational subject who, fully aware of the inconsistency of reason, assumes the burden of determining the good on its own. It is a subject who supplements the deficiencies of the universal with its own particularity. To act is to step out, Hegel remarked, to step out into the void.

This gap between a particular rational subject and the universal space of reason opens up the formal condition of the possibility of the evil. In order to understand how it is actualized, we must consider, secondly, that in the *Phenomenology* Hegel also presented an elaborate theory of action that differed considerably from Kant’s. For Hegel, on the one hand, action is inherently expressive, it manifests, even constitutes the nature of its author. “What the subject is, is the series of its actions”, Hegel later remarked (GW 14, § 124, 110). On the other hand, for him, the purpose of an action is “the purpose actualized”. In general, we act in order to give objective existence to something that initially exists only in the subject. Accordingly, the effects an action produces in the empirical world are immanent to the action itself, they constitute its soul, and cannot be separated from it. But since action is inherently universal, inscribed in the space of reason, it cannot achieve its purpose (that is, “the purpose actualized”) in the objectivity of mere empirical facts, but needs an objectivity that is itself universal, the objectivity of intersubjective recognition. In the famous section on the “spiritual kingdom of animals” Hegel accordingly drew on the model of artistic production and presented an action as a “true work” (GW 9, 222) that is a common work “of all and everyone” (see GW 9, 227). If we now

apply this model to the conscience considered above, it is not difficult to see why its action is bound to fail, and instead of realizing the good, it is necessarily condemned as evil.

The others thus do not know whether this conscience is morally good or evil; or instead, not only can they not know this, they must also take it to be evil. (GW 9, 350)

We have seen that the deed performed by a conscientious consciousness is not warranted by reason. It can therefore turn out to be good or evil, depending in effect on whether or not the others would recognize the proposed determination. But why should they recognize it? Since the conscientious subject has affirmed its particular self, it is only to be expected that others, in judging its action, would also affirm *their* particular selves. That is, they will take it to be evil.

As already noted, the treatment of evil in the *Phenomenology* was no systematic presentation. In the conflict of interpretation considered above Hegel eventually revealed both sides as evil and thus finally established a community of complete equality. But again, if we disentangle the above account from the overall project of the *Phenomenology*, a series of valuable indications emerge. For Hegel, the space of reason is obviously riddled with opacities and internal tensions. Not only are there *genuine conflicts* in the field of action, in which reason cannot dictate or deduce what is the right thing to do, but it can also happen that *both* options are *wrong*. We should add that something similar applies to the field of thought as well, where reason can end up in *real contradictions* – in contradictions, that is, that do not arise from an error or neglect, but are a necessary product of reason. In such situations, reason must take on a concrete shape, and to determine what to do or think, the subject must *go beyond* what is justified by “merely logical” reasons and *decide* for itself.²⁴ In Hegel, then, reason is inherently *subjectivized*. And by this we do not mean merely that every thought implies a subject thinking it (as in Kant, where the I think must ‘accompany’ all my thoughts). It means, on the contrary, that thinking cannot proceed in a quasi-mechanical way according to the formal laws of logic, but in order to overcome its gaps and bumps, necessarily involves an instance of the subject’s particularity. Let us say that in Hegel (speculative) thinking becomes something inherently *personal*. The particular subject is a positivation of the inherent incongruity of reason itself, of the *excess* of reason over itself. The place of the subject, which ultimately exists as a determinate,

24 In the final methodological considerations in the *Science of Logic*, Hegel speaks here of ‘a turning point of the method’ (GW 12, 247), which corresponds to the subjectivization of thinking.

individual subject, is inscribed in the very concept of reason, it is one and the same concept. However, given that in thinking (and acting) the rational subject actualizes both *reason and itself*, both its own particularity and the universality of reason, there is always a real possibility that the two will not overlap. In the case of conscientious consciousness, the *Phenomenology* presented this discrepancy under the guise of a subject's action that fails to be recognized by other subjects. But since it is reason itself that is characterized by such self-distance, the evil cannot be simply a matter of empirical failure – it is inscribed in the very fabric of reason. The logical origin of the evil, then, lies in the essential subjectivity of reason, or, alternatively, in the constitutive self-distance between the universal and the particular.

With these considerations in mind, we can now approach Hegel's systematic treatment of the subject in the *Elements of the Philosophy of Right*, in which the idea of the good is introduced as follows:

The *good* is the idea, as the unity of the *concept* of the will and the *particular* will. (GW 14, § 129, 114)

Hegel begins with the *distinction* between the universal and particular. The good is a formal concept of what is to be done, and as an idea it includes a movement of its self-realization in the guise of the particular (or subjective) will. The particular will ought to do what is to be done, that is, do the good; but since it is particular, and since it has an absolute right to its particularity,²⁵ it is up to it to *determine* what is to be done. Hegel says:

In the vanity of all otherwise valid determinations and in the pure inwardness of the will, the self-consciousness is both the possibility to make its principle *the universal in and for itself*, as well as the *arbitrariness* to make into its principle its *own particularity* over the universal, and to realize it by its acting – to be *evil*. (GW 14, § 139, 121)

25 Hegel speaks of “the right of *subjective freedom*” – “the right of subjects particularity to find its satisfaction” (GW 14, 110, § 124R) – or of “the right of the *subjective will*” that “whatever it is to recognize as valid should be *perceived* by it as *good*” (GW 14, 115, § 132). He sees in this right the infinite difference that separates antiquity from modernity. In the Greek ethical world, the particular subject was in immediate unity with the ethical substance and had no right against it; there was “no protesting there”. It was only with Christianity (and the French Revolution) that “the higher estrangement” was established where “everyone knows his *self as such* as the essence, comes to this obstinacy to be, [even] separated from the existing universal, absolute nonetheless” (GW 8, 262). In Hegel's view, however, this right of subjective particularity not only characterizes a new, more advanced epoch of world history, but at the same time corresponds better to the speculative concept. Or rather, modernity stands higher precisely because it corresponds more closely to the inner form of the concept.

Like Schelling, and perhaps under his influence, Hegel describes the situation of choosing in analogy to Kant's intelligible deed. In both cases the subject must determine the proper relationship between the universal and particular. In Kant, however, the choice is simple and clear, so that it is *rationally impossible* to pervert the proper hierarchy and give preference to the particular over the universal. In Hegel, on the other hand, reason alone cannot teach us what the right thing to do would be. We have already seen in Hegel's exposition of conscience why this is so. And here too he declares in this sense that "the conscience [...] is essentially this: to be on the verge of turning into the *evil*" (GW 14, § 139R, 121).

But here Hegel also explains why this is necessarily so with a reference to the very logical structure of concrete acting and thinking. In the situation of choice, one cannot choose the universal directly, one always determines it in a particular way. Hegel often remarked that even if one chooses the universal in its abstract indeterminacy, this still represents one of the many equally possible and therefore particular determinations of the universal. A determination is always particular; as such, it is set both against other possible particulars and against the universal. We have already seen that evil originates in the divergence between the particular and the universal. It is thus, Hegel argues, "this *particularity* of the will itself which further determines itself as evil. For particularity exist only as a *duality*" (GW 14, § 139R, 121). The argument was articulated with additional clarity in Hegel's Heidelberg lectures on logic:

To decide means to set a determinate moment, which, as a determinate, has an opposite. This determinate is a finite as such, and posited against the universal. To decide, therefore, is to make oneself a singular determinate. Hence its law is to make oneself valid as a singularity, and this making itself valid as a singular is then the evil. (GW 29, 42)²⁶

The mystery of evil is thus, it seems, dispelled. But it also seems to turn it into a banality, because as we have seen, in acting and thinking the subject is bound to engage its subjectivity. To think and act is to think and act *seriously*. Indeed, if this is the source of the evil, the latter becomes consubstantial with the fact of consciousness in which the self-conscious I always brings about an opposition between subject and object and an affirmation of its independence. On numerous occasions Hegel clearly argues in this sense. "The doing is itself this

26 See also GW 26,2, 901–902: "To evil belongs the abstraction of self-certainty. Only a man, in so far as he can also be evil, is good. [...] The two are inseparable, and their inseparability lies in the fact that the concept becomes objective to itself, and as an object immediately has the determination of something differentiated."

estrangement”, he asserts in the *Phenomenology*, only a stone, not even a child can be innocent (GW 9, 254). In the lecture on logic, he claims that “the evil is subjectivity insofar as it is for itself” (GW 26,3, 1239). And in the lectures on religion, he argues that the evil originates in the cognition, or in the very separation that gives rise to being for itself. “To be evil means abstractly to singularize oneself, the singularization that separates oneself from the universal” (GW 29, 418).²⁷ According to Hegel, there is a certain *general evil* that stems from the fact that a subject acts and thinks for itself and in a particular way. This is the evil stain that is “in the nature of the spirit” (GW 26,1, 411). And accordingly, Hegel does not lament this, far from it. For him, this general evil is rather the mark of human freedom and rationality, whereas “paradise means a zoo” (GW 23, 43).

But if evil is to this extent *necessary*, inscribed in the very concept of a finite rational being, Hegel insists that it is also something that should *not* be, that should be *overcome*. We have seen that a rational subject is bound to act or think in a determinate and therefore particular way, and this is an inevitable consequence of the logical structure of the concept. It is, however, of decisive importance whether an individual satisfies herself by remaining within this realm of particularity or whether she considers her particularity as a determination of the universal. If, in thinking and doing, she succeeds in universalizing her particularity, she is good. If she does not, if she remains in the realm of the particular, she is evil – and this time the evil is her *individual evil*, for which she is fully responsible.

So, the standpoint of the separation of the spirit is a necessary standpoint. Equally necessary is also the standpoint that the spirit wills the good. But that it wills the particular or remains in that standpoint, that it wills only the abstract and puts only the individual in it, this is its business and its guilt. – Man must will the universal good, but that he should remain there, that he should put an arbitrary content into this good, or that he should obey his will [in] its [naturalness] – to remain there is his guilt. To remain in the particularity is the *guilt* of the particular. Evil, then, features in the spirit only as a moment: but as a moment that is to be overcome, but as a moment it features also in the good. (GW 26, 1, 411–412)

In the end, we can imagine a classic situation in which a subject chooses between the good and the evil. “Because I am absolutely for myself, the differences that we call good and evil are then, in relation to the will, the one the universal, the other the particular” (GW 26, 3, 1237). The logical problem is,

²⁷ See also GW 29, 418.

however, that according to Hegel's conception of reason there is no universal as such, so the choice is always between particulars. Or, as he puts it in the *Science of Logic*, "there is no other true logical division" than that the universal divides *itself* into *coordinated* sides of the universal and the particular, leaving empty the place of the universal that they are both subordinated to (see GW 12, 38). In reaching for the good the subject inevitably grasps the evil. If we remain at this immediate level, we should therefore conclude that man is inherently evil. And in Hegel's view, this is true. But the whole point, both logically and ethically, is that we should not remain at this level, that we should think and actualize this particular as a concrete determination of the universal, and in this way try to overcome the evil we have brought about by our intervention in the world. We may, of course, fail in achieving this, fail in so many ways and to such varying degrees. This is then our individual evil for which we are responsible in person. Yet provided we indeed try to overcome this general evil, that is, provided we *seriously* intend to universalize the particular we have proposed, we might prove to be good. And in the process, we will have realized our individual selves.



One final remark. After introducing the concept of the evil, Hegel devotes the next paragraph of the *Philosophy of Right* to an extensive exposition of its various degrees. In this progression, he begins with simple bad conscience and ends, quite surprisingly, with *irony* as the supreme form of evil. How so, one might ask?

In order to answer this question, I propose to compare Hegel's sequence with a parallel progression of three forms of the wrong, *das Unrecht*, in the chapter on the abstract right (see GW 14, 85ff.). There, the progression begins with unintentional wrongdoing, passes through deception, and ends with crime. The principle of division is the mode in which the sphere of right is undermined. In the unintentional wrong, two particular wills claim the exclusive ownership of the same property. In such a collision, at least one of them must be wrong. However, here, right or wrong is merely a matter of fact, and can be easily resolved, at least in principle, since both parties fully recognize the general framework of right. In fact, they both affirm the realm of right as they both pretend that something is rightfully theirs. At the next stage, that of deception, a person pretends that something is her property despite knowing perfectly well that this is not the case. Here the situation already takes on a

more threatening allure, for in deception the very form of right is abused in an instrumental way. But even here the situation is not yet extreme, because, as in the case of vice masquerading as virtue, the framework of right continues to be acknowledged, at least in principle. In contrast, in the case of crime the entire sphere of right is undone, because what is known to be wrong is affirmed to be right. Crime is an infinite judgement, Hegel claims (GW 14, § 95, 89), which negates not only this particular right but the universal as such, the very capacity to have rights.

Something similar applies to irony, I think, at least as Hegel understood it.²⁸ Irony is certainly not the most cruel or diabolical form of evil, far from it. But what makes it extreme is the fact that by playing with the distinction between true and false, right and wrong, good and evil, it dissolves the very place of the universal. If the good is made actual by attempting to universalize the particular, once the place of the universal is lost, the very possibility of the good vanishes. This is what makes irony so dangerous, in Hegel's view, the utmost form of the evil.²⁹

28 Hegel's portrayal of Romantic irony in the *Philosophy of Right* differs substantially from the irony – this time conceived in an entirely positive sense – that he attributes to Socrates. Whereas the latter practised it with the intention of confusing opinion and attaining rational knowledge, the Romantics intended to use it with the intention of destroying any certainty, even if rational and true, just to demonstrate the sovereign power of their selves. It is, of course, another question as to what extent such a characterization of irony applies to Schlegel against whom it is presumably directed.

29 Hegel's criticism of Romantic irony (and of Romanticism in general) may be so severe because, paradoxically, he recognizes its proximity to the true speculation. Both, that is, insist on the importance of the subjective moment in reason. "This *subjectivity, selfiness* (not selfishness) [*Selbstischkeit (nicht Selbstsucht)*] is indeed the principle of cognition itself" (GW 17, 27). But how to distinguish the two? Or, how to distinguish the *Eigensinn* that, according to Hegel, is the honour of the mankind from the *Eigensinn* that has to be broken if one wants to enter the field of reason? For Hegel, argues convincingly Mascot, "the fundamental dividing line between irony and philosophy is therefore clearly to be found in the *seriousness (Ernst)* that belongs only to the latter" (Mascot 2017, 364). In this sense, seriousness is the opposite of irony. However, the problem is further complicated by the fact that a subject may merely pretend to be serious... On that, see Böhm (2023). On the delicate characteristics of the *Eigensinn*, see also Hergouth in the present volume: "*Eigensinn* implies the existence of some *Sinn* that is not *eigen*, as a rebellious independence within subordination, the impulse to save as much as possible" (2024, 178).

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