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THE JUSTIFICATORY ROLE OF HABIT

IN HEGEL'S THEORY OF ETHICAL LIFE

by

WALTER P. GLAZER

Under the Direction of Sebastian Rand

ABSTRACT

Recent scholarship on Hegel has employed the Wittgensteinian concept of a "form of life" in order to explain how sociality shapes and determines the reflective practices of self-conscious individuals. However, few of these scholars have considered how the non-reflective aspects of inhabiting a form of life—especially the abilities to form habits and to have feelings—contribute to the reflective aspects. In this thesis I argue that this oversight leads to serious exegetical and philosophical problems for making sense of Hegel's theory of ethical life. Not only does Hegel regard habit and feeling as playing a necessary role in the justification of our reflective practices, but he is right to do so, since, were he not to consider these factors, he could not account for how any of our moral claims could be justified.

INDEX WORDS: Hegel, Kant, Adam Smith, Ethical life, Habit, Sociality, Epistemic justification

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1. INTRODUCTION

In the two decades since Robert Pippin published his groundbreaking work, *Hegel's Idealism: The Satisfactions of Self-Consciousness*, the Anglophone tradition of Hegel scholarship has focused considerable attention on the irreducibly *social* character of Hegel's conception of rationality.[1] Terry Pinkard, for instance, has claimed that Hegel's "absolute" is best understood as "a way in which we acquire through inculcation in social practice an overall orientation in the world that we only later begin to make explicit, to 'posit', in political practice, and in art, religion, and philosophy."[2] Paul Redding has stated that Hegel replaces the Kantian structure of self-consciousness, which is divided into empirical and transcendental poles, with "a complex pattern of interactive recognition involving two conscious subjects, each able to achieve a distance between his 'empirical' and 'transcendental' self because of the mediating role played by the other."[3] And, perhaps most explicitly, Robert Brandom has quipped that, for Hegel, "all transcendental constitution is social institution."[4] The goal of these efforts has been to bring Hegel's classic texts to bear on contemporary issues in analytic philosophy, in part by translating his impenetrable prose into something more familiar to Anglophone philosophers, and in part by formulating his views in terms of recent debates within the various subfields of philosophical analysis.

One important way in which these scholars have tried to bring Hegel's socialized conception of rationality up to date is by employing the Wittgensteinian concept of a "form of life" in order to explain how sociality shapes and determines the reflective practices of self-

[1] Pippin 1989.
[2] Pinkard 1999: 220.
[3] Redding 1996: 114.
[4] Haugeland 1982: 18; adapted in Brandom 1999: 169

conscious individuals. Although doing so has proved advantageous on a number of philosophical fronts, I want to suggest here that an important consequence of adopting this strategy has unfortunately been overlooked in the process. Few scholars in the Anglophone tradition have considered how the *non-reflective* aspects of inhabiting a form of life—especially the abilities to form habits and to have feelings—contribute to the reflective aspects.[5] As I will argue in this paper, ignoring the role that these non-reflective aspects play leads to serious exegetical and philosophical problems for making sense of Hegel's theory of ethical life. Not only does Hegel regard habit and feeling as playing a *necessary* role in the justification of our moral claims, but he is right to do so, since, were he not to consider these factors, he could not account for how *any* of our moral claims could be justified.

To understand why Hegel cannot account for the justification of our moral claims without considering the role of habit and feeling, we must first consider his position with respect to Kant's, since Hegel claims that Kant's project founders precisely when it commits this oversight. For Kant, a belief about the moral status of an action is justified with reference to the categorical imperative, irrespective of whatever dispositions or inclinations motivate the belief. However, Hegel denies that the categorical imperative can serve this function without presupposing various beliefs, and he argues that these beliefs in fact have their source in the customs of modern European culture. Hegel argues further that Kant's problem is not simply that he has articulated the supreme practical law incorrectly, but that the very idea of a supreme practical law is incoherent. To put Hegel's argument as concisely as possible, the premise that every act of

[5] John McDowell is one exception to this claim, who argues in *Mind and World* for a thesis similar to mine. McDowell does not, however, tie considerations of habit explicitly to issues of justification in Hegel's theory of ethical life, which is precisely what I attempt to do here (McDowell 1996; see Redding 2007: 145-174 for an analysis of McDowell's thesis). In the Francophone tradition of Hegel scholarship, Catherine Malabou has argued similarly that habituation is necessary in order to inhabit a worldview (see Malabou 2009: 57-64).

reflection is governed by a set of norms, and is blind to this set of norms, forces us to conclude that we cannot, in principle, provide a reflective justification of the whole of our normative practices. In light of this conclusion, Hegel's task is to articulate how we can nevertheless understand the rational justification of our moral beliefs. The question he must address, in other words, is, "Why should we consider *any* of our beliefs to be justified, if they rely necessarily on norms that cannot themselves be justified through reflection?"

Hegel's answer to this question has to do with the role that habit and feeling play in his conception of rationality: while Hegel is committed to the idea that every act of reflection presupposes a habituated[6] acquaintance with the norms and practices of a particular form of life, he argues that we can nevertheless understand our reliance on these norms and practices to be independently justified so long as they can be demonstrated to fit satisfactorily within the overall normative framework that defines our form of life. In other words, despite the fact that reflection plays an important part in the justification of our knowledge claims (especially those about morality), it cannot tell us the whole story; beneath our surface-level reflective practices lies an intricate normative framework which makes these surface-level practices possible. Epistemic justification is thus tied to context-sensitive social *norms*, which govern affective as well as reflective behavior, rather than to ostensibly universal and valid justificatory *reasons*, which, I have claimed, are inadequate to the task. As we will see, evidentiary reasons will still play an important role in Hegel's theory, but they are to be understood simply as the *explicitization* of the more basic social norms, and not as the *justification* of them.

This sketch may sound promising for making sense of how we can ascribe justification to individual beliefs within a particular form of life, but it does not tell us anything about how we

[6] By "habituation" I mean simply the process of making something into a habit, and not the psychological process in which an organism's psychological and behavioral responses to a stimulus decrease over time.

can settle the matter of which *forms of life* provide the correct norms for reflection and action. On this point, Hegel argues that a form of life is justified only on the condition that it succeeds in meeting its own internal success criteria—that is, only if it allows individuals to pursue freely and successfully whatever projects and goals they could reasonably set for themselves. Hegel thus proposes a two-tiered structure of epistemic justification. (1) To answer the question, "Is an individual's belief or behavior justified?" we must look to the social norms that govern proper belief formation and proper action within that individual's form of life. In our post-Enlightenment society, reflection happens to play a central role in proper belief formation and practical deliberation. (2) On the other hand, to answer the question, "Are these social norms themselves justified?" we must to look at the internal cohesion and success criteria of the form of life in which these norms are upheld. We may investigate whether our reflective practices meet the goals that we set for them, for example, but we may not reflect on the objective grounds of these practices. Hegel's primary innovation over traditional internalist theories of epistemic justification is to argue that ascriptions of justification take place necessarily from *within* a normative framework, and thus that they cannot "step outside" of that framework, as it were, so as to provide a justification of it. Moreover, accepting this conclusion will force us to acknowledge that reflection is intimately bound up with the habits and feelings of individuals, since these habits and feelings underwrite the social dynamics that make reflection possible.

Of course, this gloss of Hegel's position requires a great deal of elaboration and will only fully make sense once we come to see why Hegel deems it necessary to broaden the Kantian conception of rationality so as to include affective (i.e. non-discursive) as well as reflective (i.e.

discursive) behavior. The thesis that he ultimately defends in the *Philosophy of Mind*[7] is that "there is only *one* reason, in feeling, volition, and thought" (PG §471). Thus, far from claiming (with Kant) that feeling, habit, and corporeality in general exist as *obstacles* to our reasoning capacities, Hegel holds that they are in fact *necessary* to them, such that, without these factors, our reasoning would be empty.

The general purpose of this paper, then, is to propose a particular interpretation of how moral claims can be justified within Hegel's theory of ethical life—one which looks to the crucial role that habit and feeling play—and to explore the implications that this interpretation entails. The path that I take should be fairly easy to navigate, despite the fact that several detours are made along the way. Chapter 2 reviews Hegel's objections to Kant's moral philosophy, while Chapter 3 explores two ways of interpreting Hegel's solution to the problem. After sketching out several reasons for preferring one way over the other, I note that another worry arises as a result, and Chapter 4 suggests that this worry can be ameliorated by looking to Adam Smith's philosophy. Chapter 5 then concludes the paper by summarizing how Hegel's position stands once reread in light of Adam Smith's contribution.

[7] The German title *Philosophie des Geistes* could be translated either as *The Philosophy of Mind* or as *The Philosophy of Spirit*. I have opted for the former, so as to follow the translator of the edition that I have used, but the reader should keep in mind that *Geist* is a conception of rationality embedded within social practices, and not a subjective consciousness. Hegel's peculiar understanding of *Geist* will be treated in 3.1, below.

2. KANT'S CATEGORICAL IMPERATIVE: RATIONAL FOUNDATION OR "EMPTY FORMALISM"?

The basic claim that I advance in this paper is that, for Hegel, habit and feeling play a crucial role in the justification of our moral beliefs. The purpose of this chapter is to motivate this claim by reviewing the context in which Hegel presents it, and by suggesting that he presents it as a solution to a particular problem in Kant's moral philosophy, namely that the categorical imperative is insufficient, on its own, to validate our moral obligations. Before jumping into Hegel's argument for this claim, then, it will be helpful to review what it is in Kant's philosophy that Hegel finds problematic, and why this problem leads Hegel to formulate a theory of *Sittlichkeit*, or "ethical life," which can correct the inadequacies of Kantian morality.

2.1. Kant's Idea of a Pure, Rational Morality

In the preface to the *Groundwork of the Metaphysics of Morals*, Kant claims that the purpose of this work is to establish a purely rational basis for morality. "The ground of obligation," he writes, "must be looked for, not in the nature of man nor in the circumstances of the world in which he is placed, but solely *a priori* in the concepts of pure reason" (GMS vi; 57).[8] In other words, Kant argues that right and wrong action can be distinguished on the basis of sound reason alone, such that any rational creature could come to the same conclusion when following the same chain of reasoning, regardless of her historical or cultural position. This is an ambitious project indeed, but Kant insists that "a philosophy which mixes up these pure

[8] Citations to the *Groundwork of the Metaphysics of Morals* list the page number from Kant's second edition first, and from H.J. Paton's English translation second.

[rational] principles with empirical ones does not deserve the name of philosophy" (GMS viii; 58).

Of course, it is one thing to claim that a properly philosophical analysis of morality should separate out rational principles from empirical ones, and another thing entirely to carry out such an analysis successfully. Kant concedes that this will be no easy feat, and he admits to the difficulties that human psychology inevitably brings into the mix. Behavior is, after all, motivated as much by inclination, which is based in non-rational feeling, as by duty, which is based in rational judgment, and Kant must demonstrate that an action is justified only on the condition that it is motivated by duty. As he puts it: "if any action is to be morally good, it is not enough that it should *conform* to the moral law—it must also be done *for the sake of the moral law*" (GMS viii; 58-58). Insofar as inclinations are fundamentally non-rational, they cannot play a necessary or contributory role in an agent's motivation to act morally; her motivation must be based in her reverence for the law of reason alone—that is, in duty (GMS 14; 68). Separating out the influence of inclination from that of duty is only the first step in Kant's ambitious project; if it is to be successful, he must further determine what duty requires of us, and how we can be certain of his conclusion.

The keystone of Kant's moral theory is the supreme practical law, or the categorical imperative. This law, which states in one formulation that "I ought never to act except in such a way *that I can also will that my maxim should become a universal law*," is universally binding on all rational creatures, and is sufficient on its own to determine the moral worth of all actions (GMS 17; 70).[9] Any maxim whose universalization would contradict itself would contradict

[9] Some Kantians have responded by noting that Hegel focuses on only one formulation of the categorical imperative, and that, were he to focus on others, his objection would not have held. I address this objection indirectly in the next section, but, for a more thorough analysis, see Sedgwick 2009.

reason, and would therefore be impermissible. Conversely, any maxim whose universalization would not contradict itself would be in conformity with reason, and therefore permissible. Kant holds that the representation of the supreme practical law in the mind of the deliberating agent is *all* that is needed to determine which maxims are in accordance with duty, and which are not. Maxims determined to be in accordance with duty have their ground in pure reason, and are therefore universal and uncompromising.

The categorical imperative thus promises to supply morality with the rational basis that Kant's philosophy demands. It creates a detached vantage point from which any rational creature can evaluate and justify the propriety of the norms that bind her. The categorical imperative is both *formal*, since it concerns the practical relation between a maxim and its universalization, and *empty*, since it receives content only in its application to a particular set of circumstances. As such, it states simply that, for any maxim *x*, if the universalization of *x* does not contradict itself, then *x* is morally permissible. The foundational status of this supreme practical law is supposed to be guaranteed by the fact that no other content must be presupposed for the calculation to work. As we will now see, however, Hegel doubts that this is the case.

2.2. Hegel's "Empty Formalism" Objection

Against Kant, Hegel claims that the categorical imperative fails to do precisely what it is designed to do: inform the agent as to which maxims are in conformity with duty and which are not. As he argues in numerous places, the categorical imperative cannot reveal contradiction (or non-contradiction) unless relevant content is presupposed, despite the fact that Kant holds that no such content needs to be.[10] In other words, as long as the categorical imperative is indeed an

[10] NR 80; PhG §§428-36; PR §135A.

"empty formalism," it is uninformative; it can only inform us of our duties if we presuppose content in advance. In the most concise articulation of this objection, Hegel writes that, "from this point of view [i.e. that of the categorical imperative], no immanent doctrine of duties is possible; of course material may be brought in from outside and particular duties may be arrived at accordingly, but if the definition of duty is taken to be the absence of contradiction…then no transition is possible to the specification of particular duties" (PR §135A).

Consider Kant's own example of a maxim that supposedly fails the test: telling a lie to gain an advantage over another. According to Kant, although I "become aware at once that I can indeed will to lie," I could not successfully universalize my maxim, "for by such a law there could properly be no promises at all…and consequently my maxim, as soon as it was made a universal law, would be bound to annul itself" (GMS 19; 71). By Kant's reasoning, the maxim has been demonstrated to be contrary to duty, since, once universalized, it *contradicts* the very purpose of the action, and would therefore be an incoherent law. In this example, it would be absurd if everyone should be obliged to "lie *in order to take advantage of another*," since in such a world no one would ever believe a lie in the first place, and thus no advantage could ever be secured by means of one. It is, in other words, *incoherent* to maintain both the maxim and its universalization, since the former presupposes the belief that people are disposed to believe one another, while the latter entails the belief that people are not so disposed. The basic idea here is that maxims contrary to duty can only be enacted when they are exceptional, that is, when they require that others act otherwise. Because of this, such maxims cannot be universalized and remain reasonable.[11]

[11] Christine Korsgaard adopts this interpretation and argues that the contradiction that Kant appeals to is a distinctly practical one: "the contradiction that is involved in the universalization of an immoral maxim is that the agent would

But consider another maxim, which, in Kant's view, *is* required by duty: "to help the poor whenever possible" (GMS 10; 66). Hegel universalizes this maxim in the following way: "Were it thought that the poor are to be generally helped, then either there would be no more poor or nothing but poor and no one left to help them…Thus, as universalized, the maxim cancels [i.e. contradicts] itself."[12] Just as lying cannot be universalized without contradicting itself, neither can helping the poor. If I were to universalize my maxim, then I would will a world in which no one had less than anyone else, because everyone would be equally affluent or equally impoverished. What is contradicted is specifically the purpose of the action, and this maxim fails the test in the same way that lying did before. Yet since Kant is committed to classifying charity as a duty, Hegel concludes that the categorical imperative cannot inform us as to whether these particular maxims are in conformity with duty or not, and that Kant has used some other means to determine them as he has.

A Kantian might respond by stating that these examples are not analogous, that the contradiction operates differently in each case. After all, the inability to live in a world without poverty would not be absurd in the same way that the inability to lie in a world without promises would be, since we *do not want* poverty but we *do want* promises. However, such a response would prove Hegel's point: some consideration besides formal contradiction is needed to determine which maxims are good and which are bad.

Alternatively, the Kantian might complain that Hegel has formulated the maxim incorrectly and that a slightly modified version of it—e.g. that "we ought to help the poor to the extent that we are able"—could be universalized without contradiction, or that Hegel has used

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be unable to act on the maxim in a world in which it were universalized so as to achieve his own purpose" (Korsgaard 2007: 546). Any maxim contradicted in this way is revealed to be contrary to duty.

[12] NR 80; quoted in Sedgwick 2009.

the wrong the formulation of the categorical imperative and that applying the Kingdom of Ends formulation, for example—i.e. that we should never treat someone merely as a means—yields a different result. But Hegel can respond in roughly the same way as before: how does one decide which maxim or formulation is the correct one, *if not by knowing ahead of time which result one wants to achieve*? Since the categorical imperative does not supply its own criteria for distinguishing right from wrong formulations of maxims, these criteria must come from elsewhere. No matter how the Kantian tries to salvage the categorical imperative, Hegel argues that she is relying on some unacknowledged content—e.g. that poverty is bad and promises are good—despite the fact that this is precisely what she is trying to justify.

To be clear, Hegel's objection is not that the categorical imperative is completely ineffectual as a test, only that it must presuppose content if it is to determine which actions are in conformity with duty and which are not. Since Kant has failed to give an account of the origins of this content, his theory stands incomplete. Hegel thus concludes that the categorical imperative is not solely responsible for the justification of our moral practices, and he suggests that the prevalence of certain background customs plays an unappreciated justificatory role as well.

Hegel's suggestion promises a solution to the problem that he identifies in Kant's philosophy, but, as I will demonstrate in the following section, it seems to force him into an equally undesirable position, one in which individuals appear to be blindly subservient to the customs and traditions of their community. In other words, Hegel's response to Kant gives rise to a dilemma, since it would seem either that justification is supplied by reflection, in which case we are unable to justify our norms, or that justification is supplied by custom, in which case we

are unable to question our norms. Neither horn of this dilemma is particularly attractive, and Hegel must find a way to avoid both if his theory is to be viable.

2.3. A Dilemma in Hegel's Theory of Ethical Life

As we have just seen, Hegel aims to supplant Kant's theory of morality with his own theory of *Sittlichkeit*, or "ethical life," in which the justificatory role of custom is given its due. However, a number of scholars have viewed Hegel's alternative to Kantianism as reactionary or even totalitarian, since it appears to require citizens to submit to the authority of prevailing custom.[13] Their concern could be put like this: if reflection upon our moral obligations can only be justified with reference to other prevailing customs, how could we ever be in a position to question the legitimacy of those other customs and identify those that we no longer want to endorse? After all, the lasting accomplishment of the Enlightenment has been the liberation of the individual from the tyrannical grasp of non-rational authority, whether espoused by monarchy or religion, and to accept another non-rational given in their stead would seemingly amount to a retreat from this great achievement.

In response to this admittedly serious concern, Hegel's more charitable readers have argued that this interpretation of Hegel's position simply overlooks the reflective components of modern ethical life, which Hegel emphasizes throughout his published works. As he states in the *Philosophy of Right*, for instance, freedom requires "thinking of the state as something to be

[13] Popper 2006: 36; Berlin 1969.

known and apprehended as explicitly rational" (PR §258A).[14] In other words, we moderns do not take our customs and traditions for granted; we submit them to critical scrutiny, and we abandon those that fail to meet the rigorous standards of rationality to which we appropriately hold them. No custom is sacred, and none is in principle inaccessible to the penetrating light of reason. On the charitable reading, then, Hegel's theory of ethical life escapes the charges of conservatism and totalitarianism leveled by his detractors. For individual rationality is not impaired, obstructed, or coerced by the presence of custom, since we remain in a position to reflect on our customs and to abandon those that we cannot rationally endorse.

Does this charitable reading leave Hegel in any better a better position? Not really. If we require that our norms and practices must be endorsed by reason if they are to be legitimately binding on us, then we locate their justification outside of them and *in the authority of impartial reason*. Thus, by responding too hastily to the charge of conservatism, we find ourselves back at the "empty formalism" problem that Hegel's theory was designed to avoid in the first place, where it is assumed that we *can* step back from our commitments and evaluate their collective rationality. As we have already seen, this move is precisely the move that Hegel wants to block Kant from making. For Hegel, there is no place of cosmic exile from which to subject our norms and practices to critical scrutiny.[15] It would thus seem that we can rescue Hegel from one horn of the dilemma only by forcing him into the other.

In the following chapter I will argue that Hegel has a way out of the dilemma. By acknowledging the crucial role that *habit* and *feeling* play in Hegel's conception of practical rationality, we can understand why, on the one hand, an individual's ability to rely on her

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[14] And, of course, being *right* about it.
[15] To use Hegel's terminology rather than Quine's, reflection on the absolute cannot contain any determinations that are external to the absolute itself. See WL 530.

community's customs and traditions does *not* prevent her from being able to adopt a critical stance toward them, and why, on the other hand, her ability to adopt a critical stance toward them does not require that she be able to step outside of the normative framework of which each scrutinized custom is a part. According to Hegel, the justification of our moral beliefs is tied not solely to a set of evidentiary reasons, which can be established as universally valid, irrespective of the specific form of life in which they are applied, but rather to the publicly articulated social norms that govern various circumstances, which are valid only within a particular form of life. The justification of these social norms is established independently, in turn, by investigating whether they provide individuals with a coherent system of norms and practices that allow them to pursue their various projects freely and successfully.

To affect the transition from a theory of epistemic justification that looks solely to evidentiary reasons to one that looks more broadly to context-sensitive social norms, Hegel must radically reconceive the nature of rationality, abandoning the idea that it supplies a detached, impartial "view from nowhere," and thinking of it instead in terms of an individual's participation in various normative social practices. As I will argue in the next chapter, there are two distinct ways in which Hegel's theory could be articulated. One of them ultimately collapses back into one horn of the dilemma posed above, but the other provides a viable theory for the epistemic justification of moral beliefs.

3. HEGEL'S SOLUTION TO KANT'S "EMPTY FORMALISM" PROBLEM

In this chapter I will consider two possible solutions to the dilemma formulated in the previous chapter, which I will call the weak and strong interpretations of the justificatory role of custom in Hegel's theory of ethical life. The weak interpretation holds that customs are *provisionally* justified, pending a reflective endorsement test, while the strong interpretation holds that customs are fully justified, independently of whether a reflective endorsement test has been applied to them. I will argue that only the strong interpretation can avoid both horns of the aforementioned dilemma, but I will conclude the chapter by noting that another problem arises as a result of adopting the strong interpretation. The rest of this paper will be dedicated to working out this problem.

3.1. Hegel's Solution: Spirit, or Socially Situated Rationality

To overcome Kant's "empty formalism" problem and the dilemma to which it gives rise, Hegel argues that we need to situate Kant's view of individual rationality within a broader understanding of cultural "mindedness," which Hegel calls *Geist*, or "spirit" (PhG §350).[16] For Kant, the basic unit of analysis is the autonomous individual, who, *qua* rational subject, is equipped with everything she needs in order to discern the rightness and wrongness of her actions. What Hegel's "empty formalism" objection has demonstrated to us, however, is that individual reason is *not* sufficient on its own to discern the rightness or wrongness of an action, and that the scope of our analysis must be widened if we are successfully to account for this ground. The analysis thus shifts from the individual to the community, and from the structure of

[16] Pinkard 2002: 278; Pippin 2008: 210-238.

a transcendental consciousness to the structure of a social form of life, which sustains the complex network of background norms and practices that dictate what the individual must do in various circumstances in order to be counted as having acted rationally.

For Hegel, then, reason is treated as a social rather than a transcendental phenomenon, and the development of individual rationality is regarded as a particular kind of social achievement. The ethical community into which an individual is enculturated provides her with a basic way of interacting with others and the world; she is raised to speak a particular language, to assume a particular set of social roles, to have certain sensibilities, and, most importantly, to act within the community's "space of reasons," where she learns what she is responsible for knowing and doing, and how these responsibilities are coordinated and negotiated with others.[17] Thus, whereas Kant's individual-centered conception of rationality seeks to compare the individual's beliefs with an objective, impartial "fact of the matter," Hegel's socialized conception of rationality takes the individual's beliefs to be responsible to the normative practices of knowledge ascription that operate within the community.[18] It follows from this idea that rationality denotes a *practical* competence more so than it does a uniquely *theoretical* capacity.

So what makes an agent a competent participant in social practices? At the very least, she must be able to orient herself within and maneuver comfortably through the customs, values, and mores that constitute her culture's form of life. She must be able to recognize which features of the world are morally salient, which features she is free to manipulate, and which features she is not free to manipulate. Hegel argues that these abilities are possible only if she can internalize a

[17] Pinkard 2002: 281; Brandom 1999: 175.
[18] Pinkard 1994: 133-34.

shared form of life in habit, such that it becomes a "second nature" for her (PG §410A). As he puts it,

> the facility that we achieve in any kind of knowing, and also in art and technical skill, consists precisely in the fact that, when the occasion arises, we have this know-how, these ways of handling things, *immediately* in our consciousness, and even in our outwardly directed activity and in the limbs of our body. (EL §66)

This know-how is neither innate nor natural, but is "radically conditioned by mediation," which is to say that it is brought about by "development, education, and culture" (EL §67). Our experience of the world, in other words, is thickly theory-laden, where the "theory" through which we engage the world is a social comportment acquired through cultural inculcation. Hegel's broader claim here is that spirit—this socially based "mindedness," which has been habituated in the enculturated individual—can account for how the content of our moral obligations contributes to its own justification, which is precisely what the "empty" form of reason was unable to do on its own.

Hegel's model for this conception of social rationality is the (romanticized) archaic Greek *polis*.[19] Here, the standards that determine a beautiful and noble Greek life are so firmly entrenched within the culture that reflection upon their rationality is not yet possible. They are, for a time, unavailable to critical scrutiny, despite the fact that the Greek must rely on them in order to know how to act and live rightly (PhG §436). On this point, Hegel takes himself simply to be repeating a view held by the ancient Greeks, rather than anachronistically explaining what accounted for their behavior: just as Homer regarded *ethos* as the place where horses return to pasture, Hegel regards ethical life (*Sittlichkeit*, his translation of *ethos*) as the place where

[19] Although Hegel's depiction of the archaic Greek *polis* may not be historically accurate, his argument relies on it only as a proposal for how a naïve reliance on custom can provide members of a community with a functioning understanding of right and wrong. See Pinkard 1994: 135-37; and Hoy 2009: 172-173.

individuals feel at home with themselves.[20] It supplies the basic context—the background traditions, values, and mores—that allows the members of a community to know how to respond to any given situation, and how to define their character and personal identity in the process.[21]

What interests Hegel most about Greek ethical life, however, is the way in which its naïve reliance on custom breaks down, and how this breakdown opens the door to subsequent reflection upon the norms that were once held to be authoritative. The question that Hegel wants to address, in other words, is, "How could the standards that determine a beautiful and noble Greek life, which had preserved social harmony for a time, lose their grip on the individual?"[22] Hegel argues that Sophocles' reflection on this breakdown in the *Antigone* offers an astute explanation: the diverse customs within the archaic *polis* generated incompatible duties, which, in turn, generated irresolvable conflicts between individuals. In Sophocles' play, Antigone was required by duty—and was therefore right—to bury Polynices, just as Creon was required by duty—and was therefore right as well—to sentence her to death for doing so. The human and divine laws demanded contrary actions from men and women, but since both were equally authoritative for each of them, it became impossible to achieve one's ends within the normative framework supplied by that culture.[23] In light of this type of normative breakdown, Greek society began instituting various practices designed to reflect on their norms and to make sure that they were not similarly flawed. Greek Tragedy was an early form of such a practice, and these practices evolved through a series of developments that Hegel explores in the

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[20] Homer 2003: 6.511.
[21] Hegel argues that individuals can define their identities only in terms of existing social roles and expectations in his discussion of early modern *Bildung* (PhG §§487-525; see Pinkard 1994: 151-165 for a helpful analysis).
[22] Showing how forms of life which are based on a mistaken conception of the world eventually break down makes up an important part of Hegel's argument that forms of life in general, which seem to base justification on mere coherence, are nevertheless responsible to the objective facts of the world.
[23] Hegel's account involves a complicated analysis of gender roles in Greek society, which has not been included here. For an interesting discussion of this topic, see Hoy 2009: 175.

Phenomenology of Spirit into the critical philosophical practices that prevailed over non-rational authority during the Enlightenment.[24] These reflective practices and customs are no less a part of the community's overall normative framework than the particular customs that they examine, and both types are equally important to the individual's ability to maneuver through the world and to develop into the kind of person that she aspires to be.

Hegel is not naïve enough to think that we could return to the pre-reflective harmony of the Greek *polis*, nor does he think that we should want to, since he considers the modern development of individual reflection and conscience to be a great achievement; but he does argue that there is a way to retrieve the sense of social harmony that the *polis* exemplified.[25] In his political philosophy, Hegel aims to reunite the individual with the community, and to establish a robustly reflective form of ethical life, which combines the best aspect of Greek ethical life—the individual's identification with the customs and traditions of her community—with the best aspect of modern morality—the individual's demand to reflect on the validity of these customs. How these two seemingly incompatible tendencies are supposed to be unified is precisely what is at issue here, and in the following sections I will propose two possible interpretations for understanding this synthesis. According to the *weak interpretation*, customs do indeed provide content to our moral obligations, but they are not justified as such. In other words, we acknowledge that we must presuppose their validity if we are to engage in ethical behavior at all, but we treat them as "justifiable," or "redeemable," pending their explicit endorsement.[26] I will argue that the weak interpretation, despite offering an easy answer to the critics' charge of

[24] See Stolzenberg 2009: 190-208; and Pinkard 1994: 135-220.
[25] PR §137A; referenced in Pinkard 1999: 226.
[26] I borrow the idea of "redeemable" customs from Pinkard 2002: 280, 288.

conservatism, collapses back into the same "empty formalism" problem that Hegel has designed his theory of ethical life to overcome.

According to the *strong interpretation*, on the other hand, customs provide not only content to our moral obligations, but justification as well. They do not require explicit endorsement in order to have full justificatory status, since they are already fully rational and justified in their implicit functioning in our ethical behavior. The strong interpretation escapes the "empty formalism" problem, but seems vulnerable to the critics' charge of conservatism. I will argue that it is not, since it does not prevent the individual from reflecting on particular customs and traditions and assessing their compatibility with her individual projects and goals. But while the strong interpretation allows Hegel to escape the dilemma posed above, I will conclude the chapter by noting that another version of the "empty formalism" problem returns to haunt Hegel's project. The solution to this problem, found not in Hegel, but in the philosophy of Adam Smith, will be discussed in the remaining chapters of this thesis.

3.2. The Weak Interpretation of the Justificatory Role of Custom

According to the weak interpretation, modern ethical life acknowledges the importance of custom in providing content to our moral obligations, but it stipulates that these customs must be reflectively endorsed if their pre-reflective, merely *provisional* justificatory status is to be redeemed. In other words, we inherit a set of rules and practices concerning right and wrong, but insofar as we can question their validity, we must subject each to critical scrutiny in order to determine which are rationally binding and which are not. Many of them may turn out to be valid, but others may be exposed as remnants of irrational traditions or commitments, and thus not legitimately binding on us. Justification, in this view, requires giving the *implicit* content of

these customs an *explicit* rational form—subjecting it, in other words, to a reflective endorsement test—since it cannot be rational or justified when it is merely implicit in custom. Customs are hence justifiable, but not justified, as long as they are operating as custom. The weak interpretation accepts Kant's basic distinction between inclination and duty, which grounds the parallel distinction between habit and reflection, but tries to overcome Kant's "empty formalism" problem by giving an account of the social origins of our moral obligations.

In the preface to the *Philosophy of Right*, Hegel describes his project in terms that seem to confirm the weak interpretation. He writes that the refusal "to recognize in conviction anything not ratified by thought" is a trait that "does honor to mankind" (PR 12). Likewise, he claims that the state is only actual when its inherent rationality "is present in consciousness" (PR §258Z). Hegel is clear, moreover, that the modern individual's knowledge of the rationality of the norms that bind her is not akin to the blind faith or trust that the Greek felt toward the customs of her society, which had not been reflectively endorsed, but is rather "assured conviction with truth as its basis" (PR §268). Individuals in the modern state can identify with their customs when these customs have passed a reflective endorsement test, and thus have been redeemed from their merely implicit status in being made explicit through reason. As Hegel puts it, "the state is spirit fully mature and it exhibits its moments in the daylight of consciousness" (PR §270Z).

The weak interpretation is an attractive one, not least of all because it offers an easy answer to the critics' charge of conservatism. Although members of the state ought to support its customs and traditions, these customs and traditions are only binding insofar as their rationality is explicitized in a reflective endorsement test. Normative authority remains centralized in individual rationality, but individuals can rationally accept the fact that they need *some* set of customs in order to be moral beings, and it is left entirely up to them to make sense of *which*

customs will allow them to achieve this objective best. Despite its attractiveness, however, the weak interpretation is problematic insofar as it forces Hegel back into the position that he finds objectionable in Kant, namely that of an "empty formalism."

As I have portrayed it, the weak interpretation states that although we must rely on customs to provide content to our moral obligations, they are merely provisionally justified when they serve in this capacity, and they must be ultimately redeemed by those same practices if our reliance on them is to be understood as rational. We operate within a complex network of norms, and we must trust the stability of a great number of these norms every time we turn our reflective gaze on others. But, given enough time, we can eventually endorse each custom and practice individually, so that each part of the whole will be rationally justified. The problem with this view becomes apparent, however, once we consider how this endorsement is supposed to work. Although I can (and indeed must) trust in the stability and redeemability of a great number of implicit norms when I "create a space"[27] to reflect on one norm in particular, the implicit norms that I am relying on would themselves be unjustified. The justification of the explicitized norm would then be premised on its coherence with the implicit and unjustified ones, and so the justification would need to be discounted. As a result, the only way to rationally justify *any* of my norms would be to justify them collectively all at once. But this is precisely the strategy that Hegel criticizes Kant for employing; I cannot step back from all of my commitments in order to evaluate them, since reason does not provide me with a detached vantage point from which to view them. Rather, what we have learned from Hegel is that epistemological concepts such as rationality, knowledge, and justification are normative ascriptions, applicable only within a network of social practices defined in and by a community. Justifying the totality of our norms

[27] See Pinkard 2002: 288.

and practices would require the employment of a norm that is itself a part of this totality, and thus not independent of it.[28]

The weak interpretation of the justificatory role of custom cannot resolve the problem that Hegel identifies in Kant's philosophy, so we must abandon it in favor of a stronger interpretation. To make sense of our various normative commitments, then, we must understand how they can be rational and justified even if we have not explicitized them in thought.

3.3. The Strong Interpretation of the Justificatory Role of Custom

The strong interpretation will prove to be a superior alternative to the weak only if it can successfully avoid both horns of the dilemma posed in the previous chapter: it must avoid the "empty formalism" problem to which both Kant and the weak interpretation fall prey, and it must avoid the critics' charge of conservatism, according to which our reliance on custom prevents us from being able to question the legitimacy of particular customs and to free ourselves from those that we cannot rationally endorse. As I will now argue, Hegel's socialized conception of rationality will allow him to succeed on both counts. By understanding rationality in terms of one's acting in accordance with the norms and practices of one's community—which includes habitual as well as reflective behavior—rather than in terms of an impartial "view from nowhere"—which is accessible only through disembodied reflection—Hegel can explain why our pre-reflective grasp of a community's customs is no less rational or justified than conscious reflection upon them. At the same time, the implicit rationality of our customs does not excuse them from critical scrutiny. In addition to maintaining customs whose purpose is to dictate how we should act in various circumstances, our society also maintains customs whose purpose is to

[28] Hegel thereby denies that we need a reason to be rational, since, in asking for a reason, we have already situated ourselves within the space of reasons.

reflect on individual customs and to assess their compatibility with others. Philosophy, for Hegel, is a paradigm example of the latter type of custom. Thus, despite the fact that we cannot free ourselves entirely from the customs and traditions that bind us, we can nevertheless abandon any particular customs that do not meet the rigorous standards of reflection to which we hold all of our customs. The key difference between this view and that of the weak interpretation is that here we acknowledge that these standards of reflection are no less conventional than the individual customs that we evaluate under them, and no less dependent on a host of other implicit and interentailing customs. For Hegel, the irrationality of a norm can only manifest itself in its conflict with another norm, and thus we need not worry that *all* of our norms are irrational or unjustified. Since the weak interpretation gives credence to this worry, it demands that the justification of our moral obligations must come from outside of them, even though this is precisely the demand that it finds is impossible to satisfy.

As we saw in the previous section, the weak interpretation attempts to get around Kant's "empty formalism" problem by telling a story about the social origins of our moral obligations. This interpretation ultimately falls back into the same problem, however, since it considers customs to be redeemable only through the explicitized form of reason. Hegel's strategy for circumventing this problem is to argue that Kant's problem goes much deeper than his failure to tell the right kind of story about these origins; rather, his project is set to fail as soon as he considers the distinction between inclination and duty to be absolute. As Hegel writes in the *Philosophy of Mind*, "The difficulty for the logical intellect consists in throwing off the separation it has arbitrarily imposed between the several faculties of feeling and thinking mind, and coming to see that in the human being there is only *one* reason, in feeling, volition, and

thought" (PG §471).[29] Our activity is not divided absolutely into non-rational feelings and rational thoughts; rather, feelings and thoughts denote two different ways of being sensitive and responsive to norms, either of which can be rational or not.[30] Since Kant embraces the absolute distinction between the two, he considers only the explicit *form* of reason, expressed in thought, to be capable of justifying our moral obligations. Hegel, on the other hand, rejects this distinction, and he considers the *content* of our moral obligations to supply its own justification. In the *Philosophy of Mind* he writes that feelings which concern "right, morality, ethics, and religion…are distinguished from one another by their own peculiar content *which gives them their justification*" (PG §472Z; my emphasis). As such, the moral content of an action does not need to be explicitized in thought in order to count as rational, since it already counts as rational in its implicit functioning in custom and habit. In Hegel's words, although we desire to explicitize "the truth about right, ethics and the state," this content is "already rational in principle," even before it has been given "the *form* of rationality [i.e. discursive form] and so appears well-founded to untrammeled thinking" (PR p. 3). Explicitizing our customs in reflection, then, does not play a justificatory role *on top* of that which the custom is already playing, since the purpose of reflection is rather to assure us that the custom is in fact justified. Customs are justified insofar as they are part of the background form of life that allows individuals to situate themselves meaningfully within their community's social space, and customs become unjustified only when they lose their hold on individuals, either because they

[29] Also: "feeling, intuition, image, etc., are *the forms* of this content, a content that remains *one and the same*, whether it be felt, intuited, represented, or willed" (EL §3).
[30] For Hegel, "thought" (*Denken*) in the technical sense is never irrational. "Representations" (*Vorstellungen*), on the other hand, are for him always irrational insofar as they give an inadequate form to a specific type of content. I use "thought" above in a looser sense, which contains Hegel's technical sense of the word as well as discursive representations, and so can be either rational or irrational.

have come into conflict with more fundamental norms, or because they fail to allow individuals to express themselves through them.[31]

Hegel's theory of ethical life thus considers individuals to be acting rationally and justifiedly when they respond correctly to the norms that govern their situation, regardless of whether they have responded immediately by means of their feelings and inclinations, or mediately by means of thoughtful reflection.[32] As a matter of fact, most of our interactions in the world do not require us to reflect on what we are doing. In these situations, we act immediately out of a pre-reflective feeling, intuition, or know-how about what ought to be done, which has its origin in the customs of our community, and which has been made habit through the process of enculturation.[33] As long as this feeling motivates us to act in a way that conforms to the standards of appropriateness upheld by the rational community, it is both rational and justified. At times, however, our pre-reflective activities generate friction, and in such cases we ought to engage in reflection in order to resolve the resulting tension. If someone's behavior does not conform to our understanding of what is appropriate, for example, we may ask this person to give an account of herself, in which case we want her to justify her action or belief with reasons. By engaging the situation in terms of reasons and justifications, we can then work out that problem that was not resolved when we were acting simply through feelings.

How are the norms that govern proper explanation different from the norms that govern proper behavior and feeling? They are alike in one respect, and different in another. One the one hand, they are alike in that, despite the fact that the norms that govern proper explanation and

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[31] See Neuhouser 2000 for a nice discussion of the criteria by which Hegel judges the rationality of a social order.
[32] Brandom offers a nice vocabulary for understanding how these two relate and differ, although he presents it in the context of distinguishing perceptual judgments from inferential judgments: both feelings and thoughts are inferentially articulated, but only the latter are inferentially elicited (Brandom 1999: 175; 186-87n30).
[33] Pinkard 2002: 290.

justification are more sophisticated than the norms that govern proper behavior, they operate in the same general manner. We know immediately which types of excuses relieve us of responsibility and which do not. If someone has reneged on a commitment, for example, we know that we should consider her to have acted rightly if she was engaged with what we would consider a more pressing concern. Of course, we could continue to "step back" at each stage of reflection, and ask why this excuse should relieve responsibility rather than another, etc., but Hegel's point is that we act rationally and justifiedly simply on the condition that we respond appropriately to the norms that govern the situation, and not on the condition that we always explicitize our activity on increasingly higher levels of abstraction. Or, to put it another way, our activity is rational insofar as we potentially *could* reflect further on it, and not insofar as we always and in every case *do*.[34] Since every act of reflection is responsible to some set of reflective norms, at no point do we finally "step out" of all of our normative commitments altogether. Even the sophisticated reflections in which philosophy engages are responsible to a set of rational norms that are known and upheld within a certain sphere of society.

On the other hand, these two types of norms (those governing proper explanation and those governing proper behavior and feeling) are different in that varying situations can demand varying types of responses. Hegel argues for instance that "it is inadmissible for anyone to appeal simply to his feelings" when giving an account of oneself, or when engaging in an act of reflection (PG §400Z). What is "inadmissible" here is not the *expression* of an ethical content through feeling, since we have seen that Hegel is not opposed to this idea, but rather the *appeal*

[34] Hegel's claim here shares a certain structural similarity to Kant's transcendental unity of apperception, according to which every experience *may*, but *need no*t, be accompanied by the "I think." Sellars makes the same point in his "Empiricism and the Philosophy of Mind," when he writes that, "For empirical knowledge, like its sophisticated extension, science, is rational, not because it has a *foundation*, but because it is a self-correcting enterprise which can put *any* claim in jeopardy, though not *all* at once" (Sellars 1991: 170).

to feeling in argumentation. When one is asked to give an account of oneself, one is being asked to give reasons for why one has acted in some way or why one believes some proposition—to explicitize one's conduct, in other words. To give a feeling as a reason, however, is not to explicitize a content that is implicit in feeling, but rather to *refer* to the content without actually explicitizing it. This account, then, far from being a legitimate reason, is only a refusal to provide legitimate reasons, and thus a refusal to engage correctly in the practice of resolving tensions. Hegel writes that, "He who [appeals to his feelings] withdraws from the sphere, common to all, of reasoned argument, of thought, of the matter in hand, into his particular subjectivity which, since it is essentially passive, is just as receptive of the worst and most irrational as it is of the reasonable and the good" (PG §400Z). Feeling is a legitimate, rational, and justified form for a moral content as long as one is not being elicited to give an account of that content. Upon being elicited, however, one must give this content an appropriate, mediated form, namely explicitized judgments and arguments.[35]

Since both the immediate (e.g. felt) and the mediate (e.g. reflective) responses to a community's customs can be justified, Hegel's theory of ethical life escapes the "empty formalism" problem that he criticizes Kant for committing. The justification of our actions does not consist in our having subjected all of our norms to an impartial principle that is itself outside of our normative framework; rather, our actions are justified insofar as they conform to the norms of our ethical community—a community which, in turn, is rational and justified insofar as it provides a coherent system of norms that allows individuals to pursue their projects freely and successfully, and to have the resources to resolve any tensions that arise, without generating

[35] Some contents, especially those that theoretical philosophy must engage, can be expressed *only* in thought. Of the subject matter of the *Logic*, Hegel writes that "thoughts are grasped in such a way that they have no content other than one that belongs to thinking itself, and is brought forth by thinking" (EL §24Z2).

irresolvable conflicts along the way. Thus, in place of a traditional internalist foundationalist or coherentist theory of epistemic justification, which ties justification to evidentiary *reasons*, Hegel proposes a radically new conception of epistemic justification, one which ties justification to a publicly articulated nexus of social norms, which involves a reciprocal relation between norms that govern reflection and norms that govern immediate dispositions and behavior. The person who assembles justificatory reasons in support of her beliefs is not thereby made *more* rational or *more* justified than she was before assembling these reasons; rather, what she has gained is the knowledge that her beliefs were in fact justified, and that her upbringing was therefore the right type of upbringing. The contents of her beliefs, then, were justified not by those reasons themselves, but by the fact that they fit into the overall normative framework that then allows them to be explicitized into justificatory reasons.

The foregoing analysis shows us Hegel's way out of the other horn of the dilemma as well, namely that a necessary reliance on custom threatens to prevent individuals from being able to question the legitimacy of the customs that bind them. Just as it is inadmissible to appeal to one's feelings when engaged in an argument, so too is it inadmissible to appeal to custom when reflecting on the legitimacy of particular customs; appealing to "the way things are done," in other words, cannot establish the rational basis of any norm. A proper account of such a basis will involve a level of reflective rigor that is not impeded by the fact that our reflective practices are situated within the normative framework of our community, rather than outside of it. The strong interpretation is entitled to the same reflective practices as the weak, and, as a result, the strong interpretation is no less committed to the practice of critiquing our customs and abandoning those that we are unable to rationally endorse.

To review: the strong interpretation of the justificatory role of custom allows Hegel's theory of ethical life to escape both horns of the dilemma posed at the outset of this paper. On the one hand, we have learned that we can only consider our norms to be rational or justified insofar as we consider them from *within* the network of norms and practices that govern our reflective activities, and that we need not justify all of our norms at once from some detached "view from nowhere." On the other hand, we have learned that this does not make us blindly subservient to the customs and traditions of our community. While our reflections on and critiques of these traditions are indeed just as much a part of our conventional practices as the scrutinized traditions themselves, there is no critique of a tradition that, say, a liberal could raise that would be unavailable to the Hegelian. We need not worry that we are fundamentally mistaken about our normative commitments, moreover, since this concern, as well as any possible answer to it, would have to be meaningful within our existing normative framework in order for it to appear as a problem in the first place.

3.4. The Return of the "Empty Formalism" Problem

As I have presented Hegel's theory of ethical life, agents engage the world necessarily from within a complex form of life, which through the process of enculturation has become habit, and which permits various features of the world to be endowed with meaning. Hegel describes an agent's habituation of this form of life in terms of an "inner feeling," which "originates and belongs to spirit," but which has been "invested with corporeity (*verleiblicht werden*)" (PG §401; translation altered), which is to say that the agent internalizes the customs of her community, such that they are not always available to conscious thought, but are experienced immediately in various ways. Moral contents, for example, are experienced in terms of an

affective valence: that which is held to be good produces positive affective feelings in the agent, whereas that which is held to be bad produces negative affective feelings in her. Rather than holding that an affective knowledge of morality is less rational than a reflective knowledge of it, Hegel insists that it can be equally rational. As he puts it,

> In feeling, there is present the whole of Reason, the entire content of spirit. All our representations, thoughts, and notions of the external world, of right, of morality, and of the content of religion develop from our feeling intelligence; just as, conversely, they are concentrated into the simple form of feeling after they have been fully explicated. (PG §447Z)

Reflective knowledge is, as we have seen, only the *explicitization* of the community's norms, and not their rationalization or justification.

Of course, Hegel does not mean to say that *any* moral claim is justified just because it has been habituated and is felt by an agent. Indeed, we often hear people assert that something is a "moral abomination" and that it elicits disgust, despite the fact that we believe their feelings to be illegitimate. In these cases we want to be able to say that such people are blameworthy for feeling this way, and that their corresponding beliefs are unjustified. Yet, to do so we must argue that their feelings fail to meet some standard—that their feelings are not responding correctly to the norms that govern proper feeling. Therefore, when our feelings disagree, we ought to engage in reflection in order to work out the problem. Habits and feelings must be made *answerable* to reflection if they are to be truly rational, or, as Hegel puts it, they are rational only if they are "performed at the behest of my mind" (PG §410Z). If a habit or feeling could *not* be explicitized—e.g. if someone's feeling that something is a "moral abomination" could *not* be regarded as correct or incorrect—then we should say that this feeling is not rational.

On the one hand, the demand that we should be able to explicitize our habituated norms in thought if they are to count as rational is perfectly reasonable, since our habituated feelings are

purported to be rational insofar as they are not authoritatively given but answerable to various independent norms, namely reflective norms, and so available for revision. One the other hand, saying that a norm counts as rational only when it is or could be made answerable to reflection is no different than the claim that a custom is justified only once it is or could be validated by a reflective endorsement test. Since the latter claim falls prey to Kant's "empty formalism" problem, the former must as well. Thus, when we combine Hegel's account of the rationality of habit with the strong interpretation of the justificatory role of custom, the latter collapses into the weak interpretation, which, in turn, collapses into Kant's "empty formalism" problem with which I began my analysis.

To repeat the problem: Hegel has argued that we do not need to explicitize the contents of our norms in order to justify them, since we can rely on the rationality of the form of life with which we engage the world and with which the explicitization of any norm is made possible. Further, he has argued that while it is important that we engage in the practice of explicitizing our norms in thought and submitting them to reflective endorsement tests, the point of this practice is to ensure that our norms are in fact already justified, and not to contribute to their subsequent justification. However, by asserting that the content of a norm can be *rational* only once it is made answerable to reflection, Hegel falls back into the problem that he has sought to avoid.

In the following chapter, I will argue that while Hegel has not identified a way out of this problem, a near contemporary of his, Adam Smith, does offer a way out, and that, further, Smith's account of habit is ultimately compatible with Hegel's broader theory of ethical life. In short, Smith argues that our sentiments are answerable to the sentiments of others, and thus that we can understand them to be rational even when they are not answerable to explicit reflection.

We can use Adam Smith's resources to get Hegel out of the problem that his own account of habit creates.

4. ADAM SMITH'S RATIONAL SYSTEM OF THE AFFECTS

In the foregoing chapters I considered why, according to Hegel, we need to consider an agent's dependence on custom to be rational if we are to account for the rational basis of our moral obligations. The upshot of this analysis was his conclusion that, unless we attribute a necessary justificatory role to custom, we cannot ground the validity of *any* of our moral obligations whatsoever. Additionally, I argued that Hegel conceives an agent's dependence on custom in terms of an ability to discern the community's standards of right and wrong, which have been "invested with corporeity" through habituation, and so are felt immediately rather than thought inferentially. Yet, as I argued in the conclusion to that chapter, Hegel's account of habit—which states that something must exist explicitly in thought before its internalization in habit is made rational—ultimately leads him back into the "empty formalism" problem that he designed his theory to escape.

In the remaining chapters of this paper I will argue that we can rescue Hegel's theory from this problem by looking to Adam Smith's argument in the *Theory of Moral Sentiments* for why an agent's commitment to various values can be rationally negotiated and habituated on the level of affect, without requiring them to be ever explicitized in thought. As I will argue here, Smith understands an agent's acquaintance with the standards of right and wrong to be achieved by means of a long process of positive and negative reinforcement from others, which is then experienced affectively by means of her "moral sentiments." Thus, while our moral sentiments may seem to be innate or natural, Smith argues that they in fact arise from our *social* development. Furthermore, Smith understands the achievement of rational sensibilities to be possible only if the development of them takes place within an ethical community structured by

relations of mutual recognition, in which agents regard others' judgments about them to be authoritative for them, just as they regard their judgments about others to be authoritative for those others. This latter thesis about the authority of norms is clearly consistent with Hegel's social theory,[36] so by showing that the former thesis about the achievement of a habituated acquaintance with a community's customs is consistent with the latter, I will have shown that it is consistent with Hegel's theory as well.

This chapter is divided into two sections. In §4.1, I will argue that Smith is committed to the aforementioned thesis about the authority of norms, despite the fact that most interpretations claim otherwise. Then, in §4.2, I will show how this thesis allows Smith to tell a story about the development of moral sentiments which takes place primarily on the level of affect, yet which allows these sentiments to be answerable to publicly articulated norms. I will then turn to the last chapter in this paper, in which I will argue that Smith's account gives Hegel a way out of the problem to which his own account of habit gives rise.

4.1. Adam Smith on the Social Source and Authority of Norms

Although Smith is widely regarded as a champion of rational self-interest, and his *Wealth of Nations* is heralded as a forbearer of capitalism and the individual atomism presupposed by it, a close reading of his earlier *Theory of Moral Sentiments* suggests that Smith is in fact much less liberal than his readers take him to be. In particular, Smith argues in the *Theory* that an agent's conceptual awareness of herself—of her individual interests, desires, and sentiments—is entirely dependent upon the way that others regard her within an intersubjective social framework. Thus, far from holding that an agent's interests and sentiments are naturally given and straightforwardly

[36] This is the central thesis of Neuhouser 2000.

authoritative for her—which is what the dissenting interpretation claims—Smith avers that both the source and the authority of moral norms are to be located in the social structures in which the agent is situated.

This point in Smith's philosophy has been generally overlooked, and interpretations of Hegel's relation to Smith have consistently operated on the assumption that Smith presupposes an individualistic logic of self-interest throughout his philosophy. Paul Redding, for example, writes that,

> for Smith moral sentiments are explained by the fact that the other serves not in his genuine 'otherness' but rather as a type of screen onto which is projected imagined states of the self. Social life is thus conceived as an ensemble of 'theatricalized' relations, within which each regards the other much as a spectator regards an actor on stage and in turn imagines himself or herself as regarded by the other in the same way…. In this way, sympathy, rather than being any self-less moral concern for the suffering of another, becomes an interest of intelligent self-interest.[37]

In Redding's depiction of Smith's thought, an agent's interests are regarded both as originating in her immediate consciousness and as authoritative reasons for action. Were this interpretation to be correct, however, it would follow that my interpretation—which holds that Smith takes social structures of mutual recognition to explain the origin and authority of our norms—could not be. Since I want to argue that the way in which an agent engages the world is necessarily structured by a particular form of life, and, thus, that the way in which an agent *reflects* on herself and the world is entirely dependent on the types of norms and practices that are authoritative within that form of life, I must be able to prove that my interpretation is the superior one. My account will be primarily exegetical, but will also rely on a philosophical reconstruction of a number of points that are underdetermined in Smith's rich text.

[37] Redding 1996: 209-210. Redding credits this view to David Marshall.

That Smith regards structures of mutual recognition to explain the origins and authority of our moral norms is evident from the developmental story that he tells about these norms. This story, which is found in the third part of his work, appropriately entitled "Of the Foundation of our Judgments concerning our own Sentiments and Conduct, and of the Sense of Duty," tells us that human agents become morally conscious individuals only once they have entered into an intersubjective relation with other agents. As Smith puts it: "Whatever judgment we can form concerning [our own sentiments and motives]…must always bear *some secret reference*, either to what are, or to what…would be, or to what…ought to be the judgment of others" (TMS III.1.2, my emphasis). In other words, Smith holds that *intersubjectivity* is a necessary condition for the possibility of *subjectivity*, since an agent can formulate judgments about her own interests and passions only if she knows the ways in which these interests and passions are judged by others. Although this claim may sound counter-intuitive, Smith formulates what I will call the "dialectic of mutual affectation" in order to explain how intersubjective experience can mold us into the types of individuals who are capable of judging their own interests and passions without conscious reference to those of others. This dialectic resembles Hegel's "dialectic of mutual recognition" in that it provides an intersubjective account of the authority of norms, but it is more specifically the ways in which it differs from Hegel's account that are of interest here. Specifically, Smith's dialectic takes place entirely within the sphere of affect, and does not require conscious reflection at any stage (although his account does offer an explanation of how reflection becomes possible).

Smith's dialectic begins with an imagined solitary individual equipped with the most basic passions and the most rudimentary means of desire satisfaction. The "stranger to society," as Smith calls her, could never have reason to reflect on her standing in the world: the world

around her—the immediate causes of pleasure and pain—would wholly consume her attention (TMS III.1.3). But provide her with a companion, one who can mirror her actions, and she will become cognizant of her own agency, and of the fact that she embodies a single perspective among many.[38] How does this work? One individual might express triumph at having captured an animal for supper, and an onlooking individual will, without intention or motive, share in the celebration. When her passions are visibly reproduced in the other, the first individual recognizes them as her own, but in a way that was not possible prior to this experience.[39] She sees them not merely as a singular experience, but as a universal one, which has meaning for other agents under other circumstances as well. She can, in other words, form a *concept* of her sentiment, and begin to comprehend its meaning and use. Furthermore, insofar as she understands her sentiment to be an object for another, she becomes cognizant of the fact that she occupies one perspective in the world among many, and that the objects that she confronts exist for other conscious subjects as well.

Smith writes that this moment of seeing oneself within the other—seeing oneself *reflected* by the other—is the most fundamental form of reflection (TMS III.1.3). Thus, for Smith, the subjective act of introspection, even in its developed and mature form, is the product of a long process of experiencing and internalizing the judgments of others. It follows, moreover, that a proper examination of individual human agency requires one to acknowledge its fundamentally intersubjective basis. That which we understand as the self is not *immediately* our own, but is constituted only when we stand in a particular relation to others. And while moral

[38] Smith gives another version of his developmental story at TMS IV.2.12, which is compatible with the first: "[the stranger to society] would not exult from the notion of deserving reward in the one case, nor tremble from the suspicion of meriting punishment in the other. All such sentiments suppose the idea of some other being, who is the natural judge of the person that feels them; and it is only by sympathy with the decisions of this arbiter of [her] conduct, that [she] can conceive, either the triumph of self-applause, or the shame of self-condemnation."

[39] One Smith scholar has already pointed out that "It is thus the…reception of other men's sympathetic endeavors that makes us conscious of our own mind" (Haakonssen 1989: 53).

sentiments are indeed authoritative according to Smith, it is more precisely the moral sentiments of *others* that bestow this authority, and only insofar as the agent serves the same role for the other as the other serves for the agent—in other words, that this recognition of authority is symmetrical between them. In Smithian terms, agents are always spectators and spectators are always agents.

Having established that Smith regards the source and authority of our norms to be found in a particular type of social interaction, I must now deal with the fact that Smith's picture of the socialized "stranger to society" is still far from looking anything like a modern moral agent. In the following section, I will offer a reconstruction of Smith's account of how an agent becomes acquainted with the moral standards established within her community, and thus matures into a modern moral agent. This account will be important for our understanding of Hegel later since it presents this development as taking place basically on the level of affect, yet which nonetheless presents affects as answerable to norms that are external to the individual, and thus rational. Although reflection does play a role, this account does not require the specific contents of morality—the various "rules" of correct behavior—to be explicitized along the way; rather, it allows them to develop in such a way that they become available to reflection and subsequent revision, which is what establishes their rationality.

4.2. Adam Smith on the Development of Moral Subjectivity

To be a social being, according to Smith, an agent must understand that she is a member of an ethical community, and that she is held accountable for her actions by this community. If this accountability is to be practically action-guiding, however, she must, at the very least, be able to identify proper moral behavior competently, even if it is the case that her actions do not

always meet this standard. Recognizing this basic requirement, Smith provides an account of how an agent can acquire a robust standard of propriety in the first place. This account consists of three stages, which correspond to an increasingly strong grasp of the shared values of the community, without which a moral subject could not successfully interact with others. What is crucial about Smith's analysis is that the standard of propriety to which the agent is enculturated is not some non-rational given, which is generated independently of the rest of that agent's commitments, and which is the static standard with which all of her other commitments are determined to be coherent or not; rather, this standard of propriety is being continually revised and updated in its replication in each individual agent in light of changes in what the members of the community take to be important or necessary for their form of life. This standard is, in other words, being made *answerable to* all other considerations that play a role in the community's overall normative framework.

Smith asserts that the immediate reaction of another is the *first* standard by which the agent judges herself, where approval is "good" and disapproval is "bad." It is important to note that, for Smith, approval and disapproval are always described affectively in terms of sympathy: "To approve of the passions of another, therefore, as suitable to their objects, is the same thing as to observe that we entirely sympathize with them; and not to approve of them as such, is the same thing as to observe that we do not entirely sympathize with them" (TMS I.i.3.1). Thus, at this initial stage, which is that of the newly socialized stranger to society, if the agent's action is sympathized with (approved of), then she understands it to be proper, whereas if her action is not sympathized with (disapproved of), then she understands it to be improper. The other is understood as the sole authority on all matters of right and wrong. Of course, this standard is

unsatisfactory, since it would follow that propriety is grounded upon the whim of whoever happens to cast a critical eye in our direction.

Through the repeated experience of being judged by others, however, the agent finds that her actions are at times approved of, and at others disapproved of, and she becomes "anxious to know how far [her] appearance deserves either their praise or approbation" (TMS III.1.4). In other words, the agent realizes that numerous others serve as authorities for her, and she understandably wants to be able to act in ways that will earn the approval of all of them. To be able to form proper predictions about the judgments of others, the agent must imaginatively "divide [herself] into two persons," where the one "person" judges the conduct of the other (TMS III.1.6). The former, whom Smith calls the "spectator," must embody the standard of propriety that has been more or less imperfectly extracted from the manifold of concrete cases of approbation and admonishment observed in the countenances of others—in other words, the shared, public values of the agent's immediate community. The latter, whom Smith equivocally also calls the "agent," and who will be referred to in this paper as the "actor," represents the particular perspective of the individual, including her "private" interests and desires (TMS III.1.6). The divided agent—the individual who is both "spectator" and "actor"—can conclude that her activity is worthy of approbation only if the spectator approves of the behavior of the actor. Reflection and self-judgment are, at this stage, mediated not by a single, real other, but by an abstract other who is an amalgamation of a series of interactions with real others, and who represents the way in which others are expected to act. This is the *second* standard by which the agent judges herself.

Although reflection is being employed here, it is importantly different from the type of reflection on which Hegel's theory of habit relies. Here, what is being reflected upon is not a

specific moral content—i.e. *what* is right or wrong—but rather the *character* of the judging person. As many virtue ethicists have argued in recent years, we can become virtuous agents without needing to formulate complex theories about why, for instance, lying is wrong and telling the truth is right; the only justification we need, they claim, is to have observed that virtuous individuals consistently act in this way. A similar type of analysis can be given in Smith's account as well.

Having thus become acquainted with an external standard of propriety, the divided agent is capable of relating to herself in the way that she had previously related only to others. She can view herself, as it were, "at the distance and with the eyes of other people" (TMS III.1.4). The agent is motivated to do so not least because she has learned, through experience, that insofar as she has a natural proclivity to exaggerate her own concerns beyond their appropriate degree, others have been disposed to reprimand her on account of this exaggeration (TMS II.ii.2.1). In other words, viewing herself with these eyes allows her to recognize the effects of the natural bias of self-love, and to become capable of acting in a way that she expects to be met with praise.[40] And once the agent has viewed herself with "the eyes of other people," and has tested her own assessments against the actual assessments of others, she finds that she can turn these same eyes outwards and towards the activity of other individuals, i.e. she can judge their actions and judgments according to the shared values of the community and not according to her invested interests. She realizes from this discovery that she is complicit in the continual

[40] Self-love and self-deceit will be discussed in more detail below, but the following quotation must be sufficient for now: "Nature, however, has not left this weakness, which is of so much importance, altogether without a remedy; nor has she abandoned us entirely to the delusions of self-love. Our continual observations upon the conduct of others, insensibly lead us to form to ourselves certain general rules concerning what is fit and proper either to be done or to be avoided…. It is thus that the general rules of morality are formed" (TMS III.4.7-8). Of course, the general rules of morality and the standard of propriety are to be distinguished, but it seems that Smith takes them to be generated in the same way.

formation and preservation of this standard, which is to say that she realizes that she is educating others just as they are educating her.

The spectator whose standards are applied with equal rigor to the actor as well as to all other agents is called the "impartial spectator," and represents the *third* standard by which the agent judges herself. One result of this development is that the agent learns to distinguish proper from improper assessments of her character by others; if, having viewed herself with the eyes of the impartial spectator, she is content with herself, then she can more easily bear the occasional disapproval of others than if her self-judgment had been less favorable (TMS III.1.4).[41] A second, more significant, result is that she desires not only actually to receive the approval of others, but moreover to be *worthy* of receiving their approval; she desires, in addition to praise, praise-worthiness (TMS III.2.1).[42] And whereas "the first desire could only have made [her] wish to appear to be fit for society…[t]he second was necessary in order to render [her] anxious to be really fit" (TMS III.2.7). To say that an agent desires "praise-worthiness" is to say that she desires justification for her moral sentiments, in which case this justification transcends the contingencies of the particular norms of her community, and applies to all of humanity. In other words, even if the agent receives approval from her peers, she reasonably worries whether her activity would be met with equal praise by others outside of her immediate milieu.

At this stage in the moral development of the agent, the standard of propriety has been conceptually separated from actual instances of approval, and we can find, for the first time, that

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[41] Of course, "proper" and "improper" are not absolute values here, but relative to the agent's standard of propriety, which will undergo continuous revision and correction throughout her life. If the agent too often shrugs off the disapproval of others, for instance, and finds herself rarely the object of approbation, then this dearth of sympathy should motivate her to alter her standard.

[42] "Nature, when she formed man for society, endowed him with an original desire to please, and an original aversion to offend his brethren…. But this desire of the approbation, and this aversion to the disapprobation of his brethren, would not alone have rendered him fit for that society for which he was made. Nature, accordingly, has endowed him, not only with a desire of being approved of, but with a desire of being what ought to be approved of" (TMS III.2.6-7).

"[w]e are pleased to think that we have rendered ourselves the natural objects of approbation, though no approbation should ever actually be bestowed upon us" (TMS III.2.5). In other words, actual instances of approval can only be fully appreciated insofar as they correspond to the impartial standard of propriety, since, as Smith observes, no respectable individual enjoys undeserved praise (TMS III.2.4). Thus while an examination of the subjective motives of moral behavior in *mature moral agents* suggests that the desire for praise is derived from the desire for praise-worthiness, Smith's account of the development of moral agency proves that this is not the case. The desire for praise-worthiness is possible only late in the developmental process.[43]

Significantly, the desire for praise-worthiness motivates the agent to *reflect* upon her sentiments and to assume that they, as well as the standard they reflect, are corrigible and in need of improvement or alteration. She concedes that the concrete values of her community are an imperfect embodiment of the ideal, and while she cannot step outside of her community, as it were, she can nevertheless adopt a critical attitude towards it.

At this point it will be helpful to review the stages of development that have been laid out so far: in the first stage, the agent understands herself to have acted rightly when her action is met with the immediate approval of another. In the second, she understands herself to have acted rightly when she acts in such a way that she expects her action to be met by the approval of others. And finally, in the third, she understands herself to have acted rightly when she has acted in unselfish conformity with the standard of propriety that progresses towards the ideal standard, which binds each and every "member of the vast commonwealth of nature" (TMS III.3.11). These stages conform to Smith's assertion, quoted in §4.1 above, that our self-judgments "must

[43] Smith's developmental account has both a temporal and a dialectical aspect. On the one hand, an agent can become a mature agent only through a temporal development of becoming initiated into an ethical community, but, on the other hand, this development is possible only through the dialectical (non-temporal) relation that the agent stands in with others.

always bear some secret reference, either to what are [first stage], or to what…would be [second stage], or to what…ought to be the judgment of others [third stage]" (TMS III.1.2).

By the end of this process, the agent has become acquainted with the values of her community, which she cannot help but accept as her own, insofar as they have calibrated her sentiments to their specification.[44] As such, her acquaintance with these values operates on a basically affective level—it has been habituated over a long series of positive and negative reinforcements, and it need not in every case be available to conscious reflection or scrutiny. This is not to say, however, that the agent is wholly confined by these values, since the desire for praise-worthiness points her beyond them, thereby permitting her to explicitize them in thought, reflect upon them, and revise them should she see fit to do so.

In the last chapter of this paper, I will argue that Smith's account of the habituation of custom can be of great use to Hegel. It will allow him to avoid the problem that his own account of habit generates, and it will allow his theory of ethical life to remain a coherent corrective to the "empty formalism" of Kant's moral philosophy.

[44] Since I argue that propriety is based in the sentiments of others, the agent principally concerned is learning this standard through positive and negative reinforcement, which I think can be nicely described with the "calibration" metaphor. The further one's own standard departs from that of the community, the less calibrated it is said to be, since it is less capable of automatically anticipating the approval or disapproval of others.

5. REVISING HEGEL'S ACCOUNT OF HABIT

Having reviewed Smith's account of the affective negotiation of moral commitments, we can see how we can rescue Hegel from the "empty formalism" problem to which his own account of the rationality of habit gave rise. To repeat the problem: Hegel's notion of "spirit," or socially situated rationality, is designed to explain why we do not need to explicitize the contents of our norms in reflection in order to justify them. Hegel has argued that while it is important that we engage in the practice of explicitizing our norms in thought and submitting them to reflective endorsement tests, the point of this practice is to ensure that our norms are in fact already justified, rather than to contribute to their subsequent justification. However, by asserting that a habit or feeling is rational only if it is answerable to reflection, Hegel falls back into the problem that his notion of "spirit" purports to escape.

As I mentioned above in §3.4, Hegel's demand that we should be able to reflect on our feelings if they are to count as rational is based on a very reasonable requirement: namely, that a feeling is rational only to the extent that it is answerable to various norms that are external to that feeling. Reflection, however, is only one way in which a custom can be made so answerable. Smith's analysis of the development of moral sentiments highlights another way in which customs can be made so answerable—one that operates entirely on a pre-reflective, non-discursive level. Agents can expose their own sentiments to revision and refinement by experiencing the approval or disapproval of other agents. The positive and negative reinforcement that an agent receives can slowly and subtly change the way that she feels about various things, so that she can eventually acquire the sensibilities that would allow her to engage

the world in the most smooth and fluent manner possible. Sentiments which prevent her from doing so are not simply unhelpful, but *incorrect*.

If this account is right, then we can even rely on customs and habits which have never been nor ever could be explicitized, since they would not thereby forfeit their rational status. These customs and habits are an integral part of our overall form of life, and have proved through generations of duplication to be compatible with our diverse projects and goals. Were they to be incompatible, then their presence would have produced some friction over the course of our interactions with others, and an account of them would have been elicited. In other words, the invisibility of a custom—the fact that it has not been made an issue for reflection—is evidence that it is compatible with our overall projects and therefore justified.

We are now in a position to sketch a general picture of the role that habit and feeling play in Hegel's theory of ethical life. As we saw in the first chapter, Hegel responds to the failure of the categorical imperative to give a rational grounding for our moral obligations by reconceiving the nature of rationality. Rather than thinking of rationality in terms of an objective "view from nowhere," which either succeeds or fails in representing an independent "fact of the matter," Hegel thinks of it fundamentally in terms of a social *practice*, which either succeeds or fails in following the rules established in various culturally constructed forms of life. Against traditional theories of epistemic justification, which regard evidentiary reasons and affective dispositions as two completely different types of things—where an instance of the former could be called a reason *as justification* and an instance of the latter could be called a reason *as cause*—Hegel sees both as interacting reciprocally within a complex "space of reasons." Since reflection always takes place *within* a particular form of life, and cannot "step outside" of these forms altogether, Hegel argues that no amount of reflection can justify the whole of our normative commitments.

The act of reflection which attempts to consider all of our norms at once is still governed by a set of norms which are outside of its scrutiny.

In the face of this necessary limit to reflection, Hegel is surprisingly optimistic. Far from thinking that our norm-governed activities devolve into incoherence or irrationality, Hegel thinks that we can still be assured of their basic rationality. Why would Hegel think this? After all, if we necessarily engage the world from within a particular form of life, which provides us with the rules of inference and warranted assertibility that we subsequently use to reflect on that form of life, then why not think that these rules are themselves problematic, and that all of our reflections on the world are fundamentally unjustifiable?

Habit is Hegel's answer to this question. The fact that our reflective practices presuppose certain norms and values that have not themselves been subjected to reflective endorsement tests is not problematic, since Hegel has demonstrated why it is rational to rely on these habituated norms and values. Reflection is *only* possible within a form of life, and thus *only* possible when the beings who engage in it have certain habits and feelings. Because of these conditions, Hegel demonstrates that we are fundamentally mistaken if we demand that our norms should receive justification from something that is non-normative.

Having thus outlined Hegel's general position, we can now see how it is different from competing positions that might appear at first blush to be similar to Hegel's. Hegel's position is, in the first place, distinct from the Kantian position. For Kant, our inclinations may be brought in line with duty, but those inclinations neither contain nor contribute to the rationality or justification of the moral content. For Hegel, on the other hand, duty is an empty concept *unless* it is built up from an affective foundation. In other words, even though Hegel thinks that we ought to bring our affects into conformity with the affective standards set by the community,

these affects are neither adventitious nor superfluous in the justification of any specific moral duty.

Hegel's position is also distinct from that of the virtue ethicist. Whereas the virtue ethicist thinks that the character of the virtuous person in fact determines what is good or right, Hegel thinks that the character of the virtuous person is indicative only of what is good or right. The fact that we need character and moral aptitude in order to be moral agents does not in turn mean that character is the sole ground of morality. Furthermore, Hegel is reluctant to appeal to the character of the virtuous person as a philosophical *reason* for why something is rational or justified, since doing so is only a refusal to make that content explicit. The practice of giving justificatory reasons retains its importance in Hegel's theory; it is simply contextualized within the broader normative framework that contains its relation to other, non-discursive practices.

Hegel's socialized account of rationality is attractive in large part because it takes the non-reflective aspects of our humanity into account. It demonstrates that habit, feeling, and corporeality, far from being accidental or even corrupting features of our rationality, are in fact essential and important to it. Thus, Hegel's advancement beyond Kant's moral philosophy, far from regressing into conservatism, promises to be an interesting and important source for future work in moral philosophy.

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