Schemata, Symbols, and Syllogisms of Statehood in the Thought of Kant and Hegel

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Hegel's conception of the state in the Philosophy of Right as "the actuality of the ethical Idea" can easily look like a variant of the type of theocentric metaphysics found in Kant's earliest writings in which the interacting material substances constituting the world were conceived as held in patterns of law-governed community by a "schema" existing in the mind of God. By the time of his critical philosophy, however, Kant had effectively "dedivinized" this schema by splitting it into two types operative in the human mind: the constitutive sensible schemata linking concepts of the understanding to the realm of sensible intuition on the one hand, and the merely regulative "symbols" which gave a sensible presence to the ideas of reason and which oriented the subject's practice in the world on the other. For Kant, the conflation of these ways of sensibilizing concepts signalled an extension of the constitutive principles of the understanding to the workings of reason, a transgression of the limits of finite cognition which resulted in dogmatic metaphysics or "mysticism."

In recent decades, however, such a view of Hegel as regressing to an early modern pre-critical mode of thought has been increasingly contested, with Hegel now often being described in "post-Kantian" rather than "pre-critical" ways. But if it is the denial of a "constitutive" role to "ideas of reason" that is at the centre of Kant's break with pre-modern thought, how could Hegel claim such a constitutive, and not merely symbolic or analogical role for ideas, and still remain on the "modern" side of the Kantian revolution? In this paper I compare Kant's own critical way of re-interpreting his own pre-critical approach to the human community with the approach of Hegel in order to suggest some tentative answers to this question. In particular, I focus on what Hegel was committing himself to with the apparently theocentric notion of the state as a realized "idea" with "syllogistic" structure, an idea which at first looks like a recapitulation of Kant's pre-critical divine schema. In section 1 I review Kant's conception of the "symbolic exhibition" of ideas while in section 2 the role of symbolic exhibition in the first and second critiques is examined against the background of Kant's need to free himself from what he perceived as the mystical implications his pre-critical thought. In section 3 I argue that Hegel's logical conception of the state might be read as exploiting a conception of community implicit in Kant's third Critique, a conception of an "organic" community rather than that "mechanical" community that Kant had carried over into the first and second Critiques from his pre-critical thought. As Kant's idea of symbolization presupposed the earlier mechanical understanding of community as well as a conception of the "schematism" rendered problematic in the light of the third Critique, the framework of the Critique of Judgment offered Hegel a way around the dichotomy of "schematic" and "symbolic" forms of sensibilization, and hence around that between the "constitutive" principles of understanding and the "regulative" principles of reason. Finally, I suggest that Hegel's notion of recognition was what was needed to develop the idea of organic community implicit in Kant's third Critique. It is in terms of this notion that we can understand Hegel's appeal to the "syllogistic" structures of the actualized idea – the syllogisms which replace the divine schema of Kant's early philosophy.

Section 1: Schemata and Symbols

In a footnote in his Prolegomena to Any Future Metaphysics Kant suggests that we conceive of the juridical relation holding between human actions on the analogy to the mechanical relation holding between moving forces. "I never can do anything to another man" he notes, "without giving him a right to do the same to me on the same conditions; just as no body can act with its moving force on another body without thereby causing the other to react equally

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1 Hegel 1970, vol 7, §257; translated into English by H. B. Nisbet as Hegel, 1991b. All further references will be given in the text as PR followed by paragraph (§) number.
2 See, for example, Terry Pinkard's systematic portrayal of the development of post-Kantian philosophy in this light in Pinkard, 2002.
against it.” In such analogies it is not a question of comparing similar things. Rather, the relation of similarity is of a higher order, holding among relations between things: “Here right and moving force are quite dissimilar things, but in their relation there is complete similarity.”3 It is in virtue of this “complete similarity” of relations that the interacting bodies are able to give an indirect sensible exhibition (Darstellung) to that which would otherwise lack any phenomenal presentation, a form of exhibition that he refers to as “symbolic” or “analogical.”4 Thus in the example here, which is more or less repeated in the Critique of Judgment and the Metaphysics of Morals,5 it is the law-governed nature of the relation holding between the mechanically interacting bodies that is “completely similar” to the law-governed juridical relation holding between two actions, despite the fact that the things being related, material bodies on the one hand and legally considered acting agents on the other, are dissimilar; and, moreover, despite the fact that the law of the latter is not natural law but normative law specifying not how any two agents do but how they ought to interact. The capacity of mechanically interacting bodies to exemplify the law governing their interaction is possible because the concept of “community” [Gemeinschaft] or “reciprocal interaction” [Wechselwirkung], as the third of the categories of “relation,” is schematizable.6 Hence, we might say, that just as, for example, any red thing could be used to exemplify the empirical concept of redness, any two mechanically interacting bodies could be used to exemplify the relation of reciprocal interaction. In turn, this means that any empirical instance of mechanical interaction, by providing a sensible Darstellung of lawfulness itself, could now provide us with a way of symbolically representing the normative legal relation between two persons, which, because it is normative and not descriptive, is not the sort of relation that could be directly observed. In Metaphysics of Morals Kant describes this way of giving analogical empirical presentation of ideas as providing, “as it were,” the construction of the concept of justice (6:232).

In the Critique of Practical Reason, Kant uses the same idea of symbolic exhibition to provide a way of giving a sensible presentation to the idea of the moral law when he introduces the notion of a “Typus” or “type” of pure practical judgment. “What the understanding can put under an idea of reason is not a schema of sensibility but a law, such a law, however, as can be presented in concreto in objects of the senses (das an Gegenständen der Sinne in concreto dargestellt werden kann) and hence a law of nature, though only to its form; this law is what the understanding can put under an idea of reason on behalf of judgment, and we can accordingly, call it the type [Typus] of the moral law” (5:69).

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3 Kant, 1900–, vol 4, 358n43; translated into English by James W. Ellington in Kant 1985. All subsequent references to Kant’s texts will be given by volume and page number of Academy edition. As all the translations used (as listed in the bibliography) indicate the pagination of the Academy edition, reference to the page numbers of the translations has been omitted. For the Critique of Pure Reason, page numbers refer to the first (1781) and second (1787) editions, given as “A” and “B” respectively.

2 In a well-known passage in the Critique of Judgment, Kant distinguishes between two forms of Hypotyposis, or sensuous exhibition – Darstellung – of pure concepts: just as schemata are the means of the sensibilization (Versinnlichung) of concepts of the understanding, symbols sensibilize the ideas of reason (5:351–2). It is ironic that this formulation appears in a work which, as I argue below, appears to undermine the very foundations of the distinction between symbols and schemata.

5 Thus in the Critique of Judgment: “Thus, by analogy with the law that action and reaction are equal when bodies attract or repel one another, I can also conceive of the community between the members of a commonwealth that is governed by rules of law” (5:464–5). And in the Metaphysics of Morals: “The law of a reciprocal coercion necessarily in accord with the freedom of everyone under the principle of universal freedom is, as it were, the construction of that concept, that is, the presentation of it in pure intuition a priori, by analogy with presenting the possibility of bodies moving freely under the law of the equality of action and reaction” (6:232–3).

Critique of Pure Reason, A144/B183–4. The schema of the category of community is developed in the “Third Analogy” of the “Analogies of Experience” in the Critique of Pure Reason (A211–218/B256–265) and in the Metaphysical Foundations of Natural Science, ch 3, proposition 4 (4:545–551), where Kant links this category to Newton’s third law of motion, that for every action there is an equal reaction.
Kant introduces this notion of the "Typik" or "Typus" of the moral law in addressing the "special difficulties" facing pure practical reason. There exists a crucial asymmetry between theoretical and practical reason: the pure concepts of theoretical reason (the categories) have *schemata* by means of which they can be applied to the phenomenal world, however, "the morally good as an object is something supersensible, so that nothing corresponding to it can be found in any sensible intuition; and judgment under laws of pure practical reason seems, therefore, to be subject to special difficulties having their source in this: that a law of freedom is to [be] applied to actions as events that take place in the sensible world and so, to this extent, belong to nature" (5:68). Pure practical reason cannot determine action directly but must rather be applied to the "maxims" of the will (*Willkür*) which in turn are themselves responsible for the determination of action.

The "schematism" had been introduced in the first Critique to overcome a problem consequent upon the distinction between concepts and intuitions as "heterogeneous" types of representation: the schematism, "a hidden art in the depths of the human soul whose true operations we can divine from nature and lay unveiled before our eyes only with difficulty" (A141/B180), by producing images connected with concepts links those concepts to sensory intuitions. While Kant is here more interested in the transcendental schemata via which the pure concepts or "categories" are applied to the phenomenal realm than he is in the schematization of empirical concepts, it can be assumed that such transcendental schemata presuppose or are applied in conjunction with their empirical equivalents. Regardless of the details of how the operations of the schematism in theoretical reason are meant to be conceived, it would seem that for practical reason there exists a gap between reason and the understanding analogous to that between concept and intuition in the operations of the understanding, the gap bridged *there* by schemata. Such a gap is acknowledged later, in the *Metaphysics of Morals*, when Kant notes that "just as a passage from the metaphysics of nature to physics is needed – a transition having its own special rules – something similar is rightly required from a metaphysics of morals: a transition which, by applying the pure principles of duty to cases of experience, would *schematize* these principles, as it were, and present them as ready for morally practical use" (6:468). The indirect sensibilization of the moral law provided by its "Typus" (5:69) in the *Critique of Practical Reason* is one of Kant's attempts to bridge this gap.

In the *Inaugural Dissertation*, Kant had used the term "Typus" to designate a form of analogical representation – specifically the representation of periods or limits of *time* by the use of spatial lines and points (2:405). This same idea of spatial representation of temporal determinations is described in the *Critique of Pure Reason* (B154) as "external figurative representation" (äusserlich figurliche Vorstellung).

Kant gives a somewhat off-handed account of the schematization of an empirical concept: "The concept of a dog signifies a rule in accordance with which my imagination can specify the shape of a four-footed animal in general, without being restricted to any single particular shape such that experience offers me or any possible image that I can exhibit in concreto" (A141/B180).

Recently the theme of the origin, nature and significance of this "gap" in Kant's theoretical philosophy, and the extent to which it took Kant in the 1790s in the direction of post-Kantian idealists, has become a focus of the renewed debate over the significance of Kant's *Opus Postumum*. (See, for example, Beiser, 2002, ch 10; Förster, 2000; Edwards, 2000.) The most extreme reading of the degree to which Kant's continuing efforts to answer this problem caused him to adopt an essentially Hegelian position is advocated by Burkhart Tuschling (1971).

Other related attempts include Kant's proposals in the second *Critique* concerning the Christian representation of the "Kingdom of God" as a realm in which "nature and morals come into a harmony" which supplements the Christian doctrine of morals (5:128); the "schematism of analogy" involved in the scriptural representation of Christ as described in *Religion Within the Limits of Reason Alone* (6:65n); the "ideals of pure reason" in the "Transcendental Deduction" (book II, ch III) of the *Critique of Pure Reason*; and the empirical "counterpart" (Gegenbild) of the moral law in the "Deduction of the Principles of Pure Practical Reason" of the *Critique of Practical Reason* (5:33), an idea which essentially repeats what had been treated in the *Antinomies of the Critique of Pure Reason* in terms of the distinction between "empirical" and "intelligible" character. Kant describes the relation between empirical and intelligible causality in this latter case in a variety of confusing ways, but crucially he
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the Swedish mystic who claimed communicative access to a "spirit-world" thought of as a lesson Kant had drawn in the early 1760s from the unlikely source of Immanuel Swedenborg, the Swedish mystic who claimed communicative access to a "spirit-world" thought of as a type of invisible and spiritual analogue of the world of interacting embodied human beings.14 In his 1765 work "Dreams of a Spirit-Seer," Kant satirized Swedenborg but appears to have had more important targets in sight in that he had come to regard Swedenborg's views, it

describes empirical character as a "sensible sign" (A546/B574) and as a "sensible schema" (A553/B581) of intelligible character. Presumably Kant is suggesting here the "symbolic Darstellung" of the later formulations rather than the schema of the understanding, as with the latter he would be clearly breaching his own strictures on non-analogical sensory presentation of ideas.

"The same typic also guards against mysticism of practical reason, which makes what served only as a symbol into a schema, that is, puts under the application of moral concepts real but not sensible intuitions (of an invisible kingdom of God) and strays into the transcendent. Only rationalism of judgment is suitable for the use of moral concepts, since it takes from sensible nature nothing more than what pure reason can also think for itself, that is, conformity with law [Gesetzmässigkeit], and transfers into the supersensible nothing but what can, conversely, be really exhibited [wirklich darstellen lässt] by actions in the sensible world in accordance with the formal rule of a law of nature in general" (5:70–1).13

That anything other than a symbolic interpretation of the relation of the pure concepts of reason, the "transcendental ideas," to the empirical world results in "mysticism" is the lesson Kant had drawn in the early 1760s from the unlikely source of Immanuel Swedenborg, the Swedish mystic who claimed communicative access to a "spirit-world" thought of as a type of invisible and spiritual analogue of the world of interacting embodied human beings.14 In his 1765 work "Dreams of a Spirit-Seer," Kant satirized Swedenborg but appears to have had more important targets in sight in that he had come to regard Swedenborg's views, it

have to do not with the schemata of a case in accordance with laws but with the schemata of a law itself (if the word schemes is appropriate here) ..." (5:68–69). A few paragraphs later Kant resolves this terminological hesitation by implying that this "schema of a law" is really a "symbol" rather than a "schema" proper.11

This distinction between the schemata of the understanding and symbols of reason or, alternatively, between the sensuous and symbolic construction of concepts, was central to Kant's "critical" reaction to traditional "dogmatic" metaphysics.12 Already in 1764 in "Inquiry Concerning the Distinctness of the Principles of Natural Theology and Morality" Kant had criticized Wolff's conflation of the methods of mathematics and metaphysics (2:276–8), and in the Critique of Pure Reason he later denied that the concepts of metaphysics could be "constructed," that is, given an immediate intuitive presentation like those of mathematics (A712–6/B740–4). Hence, when he talks of the construction of justice in Metaphysics of Morals this construction can only be understood as analogous to that achieved in the matematizable sciences. In the discussion of the Typic of the law in the Critique of Practical Reason, he stresses the dangers of conflating schematic and symbolic exhibition. To think of the law-regulated natural world as providing a sensuous schema for the moral law would be to lapse into a "mysticism of practical reason" which "puts under the application of moral concepts real [wirkliche] but not sensible intuitions (of an invisible kingdom of God) and strays into the transcendent. Only rationalism of judgment is suitable for the use of moral concepts, since it takes from sensible nature nothing more than what pure reason can also think for itself, that is, conformity with law [Gesetzmässigkeit], and transfers into the supersensible nothing but what can, conversely, be really exhibited [wirklich darstellen lässt] by actions in the sensible world in accordance with the formal rule of a law of nature in general" (5:70–1).13

For my purposes here I use "critical" to characterize the approach of Kant based in the first two Critiques. From this perspective, the schema—symbol distinction and, by implication, the constitutive—regulative distinction, are central parts of Kant's critical philosophy and, to the extent that it is challenged in the Critique of Judgment, this third Critique might be thought of as "post-critical." For an opposed but more general view see Allison 2000.

C.f. Kant's stricture in "Religion in the Limits of Pure Reason Alone" against the confusion of "schematism of analogy" with a "schematism of objective determination" which leads to anthropomorphism in religion with its "most injurious consequences" (6:65n).

In the Anthroopology Kant notes that "to claim that the actual phenomena of the world, which present themselves to the senses, are merely a symbol of an intelligible world hidden in the background (as Swedenborg does), is fanaticism. However, in the exhibition of concepts (called ideas) which belong to that morality which is the essence of all religion and which consequently come from pure reason, we must distinguish the outer shell, useful and necessary for a time, from the thing itself, the symbolic from the intellectual (public worship from religion) – this is enlightenment. If this is not done an Ideal (of pure practical reason) would be replaced by an idol and final purpose would be unsuccessful" (7:191–2).
seems, as providing a type of *reductio ad absurdem* of traditional metaphysical conceptions of the soul, its characteristics and relations. In this way "Dreams" is commonly taken to be Kant's first published step towards his later critical orientation towards "dogmatic" metaphysics. Five years later, in the "Inaugural Dissertation," the work he later regarded as his first critical work, Kant claims that it is only in a *symbolic*, that is, analogical way that pure concepts can be applied to "noumena." Thenceforth, from the perspective of the critical philosophy, noumenal entities were to be eliminated as possible objects of theoretical investigation to play a purely *regulative* role within the processes of a purified *practical* philosophy.

We might think of as Kant's critical position as aiming at a type of *demythologizing* of the metaphysical tradition, treating the claims that that tradition took *literally* as having a fundamentally analogical or symbolic significance. The philosophies to which this demythologizing critique was retrospectively directed included not only those of thinkers like Leibniz who tried to derive substantive metaphysical knowledge from a basis of pure concepts alone, but also Kant's own pre-critical attempts, in the 1750s, at a systematic natural philosophy as well. These critical arguments are, however, usually taken as applying also *prospectively* to the philosophy of Hegel, whose logico–metaphysical approach to reality is commonly regarded that by "symbolic" here Kant simply means "conceptual" and that at the time of the "Inaugural Dissertation" Kant still believed that substantive metaphysics could be done on the basis of reasoning from pure concepts alone. Richard Velkley, however, reads Kant's allusion to "symbols" here as having the later, fully critical, sense (Velkley, 1989, pp. 132 & 210n149).

The analogical presentations of symbolism were used by Kant to solve a variety of related problems *within* the critical system. Not only was practical reason dependent on the sensibilization of ideas for their application, as indicated above, so too was theoretical reason. As Kant had noted in the Appendix to the *Critique of Pure Reason*, theoretical reason relied upon the idea of a purposefully systematic nature of the world in order to discover empirical laws that were under-determined by the structures of the understanding, an idea able to be presented in a "analogon" of the schema of the understanding (A665/B693). Finally, the critical turn had seemed to condemn theoretical reason to permanent frustration in denying the possibility of any cognition of the ideas that would satisfy the needs of reason. The analogical presentations of symbolism answered this need as well.

Kant's strategy, then, was not, as it is sometimes thought, that of simply urging us to renounce the activities of reason and to keep ourselves to the narrow confines of the "understanding." Rather, it was to re-interpret the goal and the achievements of reason. We must not think of reason as leading to the cognition of supersensible objects; rather, reason takes us to thoughts of objects that we must grasp as symbolic or analogical, thoughts that both satisfy reason's metaphysical demands and allow us to act in ways that are essential to our freedom.
manifest (Hegel, 1975b, p. 95) or as that whose history is the "march of God in the world" (PR, §258 add).

**SECTION 2: KANT AND THE DEMYTHOLOGIZATION OF THE DIVINE SCHEMA**

In his precritical natural philosophy of the 1750s, the young Kant had attempted to forge some sort of compromise between Leibniz's monadology, with its pre-established harmony between self-sufficient monads, and the Newton-inspired natural philosophy of "physical influx" as advocated by Christian Crusius and Martin Knutzen, which postulated real interactions among individual substances, including mind and body. In Kant's compromise as set out in "A New Elucidation of the First Principles of Metaphysical Cognition" of 1775 the world was to be conceived as a "community" (Gemeinschaft) of reciprocally interacting substances in which each substance brought about causal effects in the accidents of those other substances with which it interacted. But by postulating two separate principles — of "succession" and "co-existence" — Kant had attempted to reconcile the Leibnizian idea of the self-sufficiency of individual substances (monads) with the interactionist account of their "determination." Contra Leibniz, and in accord with the physical influx view, Kant held that any change in a determinate property of a substance could only be conceived as having an extrinsic source: thus individual substances interacted in such a way to reciprocally determine each other's properties — the idea captured in the "Principle of Succession." But Kant's view diverged from the physical influx view in virtue of the "Principle of Co-Existence." Whereas physical influx theorists explained the interaction between substances in terms of various forces attributed to those substances, the Principle of Co-Existence declared that "finite substances do not, in virtue of their existence alone, stand in a relationship with each other, nor are they linked together by any interaction at all, except in so far as the common principle of their existence, namely the divine understanding, maintains them in a state of harmony in their reciprocal relations." That is, for the young Kant, because individual substances could be conceived in isolation from each other, their interaction was to be explained by something other than the substances themselves. The "ground" of their mutual law-like interaction had to be the divine intellect, the "common principle of their existence." Specifically, it was in virtue of the existence of a schema of the divine understanding — a schema at once both epistemic and creative — that such lawful interacting among the individual substances allowed them to constitute a single "world."

Kant came to abandon this project of natural philosophy in the early 1760s, but we can nevertheless recognize survivals of his two early principles in aspects of his later work. Most importantly for our purposes, the picture of reciprocally interacting substances of the Principle of Succession reappears as the category of community in Kant's critical philosophy. For its part, the separation of particular existents from the issue of their determination appears in Kant's later claim, that "existence" was not to be regarded as a property designated by a conceptual predicate; which he made in 1763 in "The Only Possible Argument in Support of the Existence of God" and which was later to be made famous via his criticism, in the first Critique, of the ontological proof of God. We might even see the later critical separation of a thing's predicatable properties from a thought of the "thing in itself" allowed by the phenomena—noumena distinction in the same light.

Kant's abandonment of this early metaphysical position in the 1760s coincides with his attraction to the writings of Rousseau. Kant seems to have been won over to the view that the

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18 See especially the work of Eric Watkins (Watkins, 1995a & 1995b). Knutzen was one of Kant's teachers as Königsberg.

19 Kant's "Principle of Succession" reads: "No change can happen to substances except in so far as they are connected with other substances; their reciprocal dependency on each other determines their reciprocal changes of state" (1:410).

20 Recent interpretations of Kant's pre-critical writings have pointed to the pervasiveness of this cosmological theme of the community of interacting substances, and to its relation to the problem of the "community" of body and mind. See, for example, the works of Laywine, Shell, and Watkins listed in the bibliography.
fundamental significance of reason was to be found in its service to moral and practical life, rather than in any provision of a comprehensive theoretical picture of the world. Indeed, Rousseau seems to have made Kant suspicious of the very project of grounding moral ideas in a metaphysical system. More specifically, Kant seems to have acquired from Rousseau a new way of thinking of the human community. With his project of attempting to find a place for humans as rational enminded beings within this quasi-Newtonian cosmology of interacting substances seriously unravelling, Kant, as Susan Meld Shell has argued, now came to conceive of the human community as that cosmology's "practical equivalent — the idea of a moral world as a reciprocal community of independent wills" (Shell, 1996, p. 87). This, argues Shell, in turn had implications for Kant's views of the role of the divine schema in securing the coherence of the whole since "where he earlier sought, given matter, to create a hypothetical natural universe, he now seeks, given men, to realize an ideal moral world. Imitation of the divine creation thus gives way to a more practicable goal. The formula of unity in harmony with equality furnishes a kind of moral 'law of motion' analogous to the physical laws of Newton. But the 'ground' of this reciprocal harmony is not divine intelligence (as in Kant's earlier physical cosmology) but 'general will,' understood as an immediate synthesis of the one and the many" (Shell, 1996, pp. 98–99).

From Kant's later critical perspective, for their realization the appropriate law-like normative relations need the artefact of the state, in particular its laws and the coercive means at its disposal to enforce those laws. Whatever the natural laws that are manifested in the behaviour of human individuals, they are inadequate to produce the sort of "mechanical" regularity that would correspond to the normative external relations appropriate to moral beings. What is necessary for the establishment of law-like relations among humans is the universalization of that natural capacity to coerce others that establishes a "law of reciprocal coercion" conceived on the analogy of Newton's third law that will be the condition of the freedom of all. This coercive manipulation of the actions of others implies, as Kant points out in Perpetual Peace, that a well-constructed republican constitution is not dependant on any innate goodness in humans but is able to insure the legally appropriate behaviour even within a race of intelligent devils (12:366). From this point of view, then, with respect to the world of interacting human bodies, the law of the rational state comes to play the role originally played by the divine schema.

But this in turn seems to raise a question about human nature and its place in the natural order. Given that the dynamics of the "state of nature" involves the play of forces of human attraction and repulsion analogous to that of the mechanical world, what, we might ask, is peculiar about the nature of humans that makes the artefact of the state necessary for their lawful interaction? Given that their natural interactions clearly could not be in breach of the mechanical laws of nature, why is it that their interactions do not spontaneously express such laws, as would, for example, the interactions of the inhabitants of the kingdom of God (5:158)?

The answer to this question appears to depend on the characteristic way natural human powers are mediated by the role played by conceptual representation within the human will (Willkür). Kant implies that the need for a publicly lawful condition stems from the fact that in the state of nature "each has its own right to do what seems right and good to it and not to be dependent on another's opinion about them … each follows its own judgment" (6:312). In the state of nature it is as if the judgment of each as to what to do is made entirely on the basis of his or her own particular representations. It is thus the peculiar mixture of our

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21 John Zammito (2002) has argued that Herder's work can be regarded as a development of a distinctive popularphilosophisch approach to these issues with which Kant flirted in the early 1760s.
22 See, for example, Frederick Beiser's comments on Kant's reflections on Rousseau made in the margins of his personal copy of his 1764 work Observations on the Feeling of the Beautiful and Sublime (Beiser, 1992, 29).
23 As Shell puts it, for Kant in the Universal Natural History of 1755, "the unity of creation is unthinkable apart from the timeless divine schema or plan out of which creation temporally unfolds and in which each creature finds its ground or raison d'être." However, "Rousseau's concept of a universal will becomes the basis, for Kant, of a humanized and moralized version of the divine schema of creation. The spiritual community that Kant once sought through intellection becomes newly accessible through the idea of a republican constitution of free and equal beings" (Shell, 1966, p. 165).
natural animality and our normative rationality that is the problem. The behaviour of the human (arbitrium liberum) differs from that of the non-human animal (arbitrium brutum) by the fact that the human acts on incentives (Triebfedern) "only so far as the individual has incorporated it into his maxim" (6:24; 19), that is, incorporated it into a conceptualized practical representation.24 Thus it would seem that the particularity of the material or sensuous content of those representations (the Triebfedern) has here compromised the potential universality stemming from their conceptual form. This is why the quasi-mechanical law-likeness of human interaction will only be re-established once the particularity of Willkür is countered by the imposition onto its operations of the universalizing function of the Wille (pure practical reason). As has been commonly pointed out (for example, Beck, 1993, p. 44), Kant's thought here follows Rousseau's political thought. For Kant (as for Rousseau) a way needs to be found for isolating and rendering operative those aspects of the operations of Willkür that can be incorporated into Wille (or volonté générale). From the point of view of the rationality to which we aspire, that we are essentially living beings whose biological nature contribute a sensuous content to the otherwise formally rational determinants of our behaviour is the problem to be solved. In this sphere it is the state that is to reimpose a mechanical lawfulness on our interactions, a conception that is in line with the common 18th century understanding of the state as a machine.

**SECTION 3: HEGEL, KANT AND POLITICAL COMMUNITY**

As is often noted, against the general background of his opposition to Kant's critical philosophy, Hegel recognized the Critique of Judgment as constituting a turning point in modern philosophy. From Hegel's perspective, the third Critique went beyond the critical philosophy in that it took "self-relating rationality, freedom, self-conscious finding and knowing itself as inherently infinite" as the "foundation alike of intelligence and will" (Hegel, 1975a, p. 56). Clearly, too, this is reflected in Hegel's conception of the state which is in many ways more "organic" than "mechanical."25 The "idea" as self-actualizing concept that forms the starting point of Hegel's deduction of the state seems to repeat Kant's conception of a "natural purpose" which he defines as "the object of a concept, insofar as we regard this concept as the object's cause" (5:220). But, of course, according to the Critique of Judgment, the idea of a natural purpose was a principle of a merely "reflective" judgment – a restriction which for Hegel represented the lingering presence of Kant's critical system.26 But from the perspective of Kant's own critical system, of course, Kant had simply built into the third Critique the "symbolic" status of its principle that, as we have seen, he makes explicit in the idea of any "exhibition" of ideas elsewhere. Without this proviso, any attempt to give any actual construction of the idea of the state looks, from the critical perspective, like a regress straight back into pre-Kantian theocentric metaphysics. And this is what we seem to have in Hegel's conception of the state with its apparently "metaphysically" idealistic conception of its being pervaded by divine mental contents – the "idea."

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24 Kant's thesis about the nature of human motivation has been christened by Henry Allison "the incorporation thesis" (Allison, 1990, p. 5).

25 Thus in Philosophy of Right Hegel notes that with the development of civil society Sittlichkeit achieves a form in which "spirit is objective and actual to itself as an organic totality in laws and institutions" (PR §256 zusatz). It should be noted, of course, that regardless of the role that the idea of an organism might play in Hegel's conception of the state, it is clear that for him the state should certainly not be thought as having the same type of being as an organism: the state is an objectification of Geist, not nature. Following Fichte and others, Hegel's talk of the state as an organism is in contrast to the machine conception of the state of the 18th century. Frederick Beiser (Beiser, 1993, pp. 236–7) notes that in the early romantics this organic metaphor of the state was compatible with progressivist politics and that it was only in with Adam Mueller's Elemente der Staatskunst of 1808 that the organic metaphor started to acquire the conservative connotations that it had for the later romantic theorists. In his use of the metaphor Hegel is clearly critical of his contemporaries who had developed this idea in essentially irrationalist ways.

26 Limiting aesthetic and teleological judgment to a merely "reflective" status for Hegel marked the fact that despite his breakthrough Kant "fell back again into the presupposition between subjective thinking and objective things" (Hegel, 1975a, p. 56).
For Hegel the state is "the actuality of the ethical Idea" (PR §257), and given that "what is rational is actual; and what is actual is rational" (PR, preface, p. 20) and that "the syllogism is the rational and everything rational," it is not surprising that the state itself exhibits a syllogistic structure. Thus in the Encyclopaedia Hegel describes the state as a "system of three syllogisms" with the same *termini*: the singular person; the will or effectivity of individuals; and the universal in the form of "the state, government, and law" as "the permanent underlying mean in which the individuals and their satisfaction have and receive their fulfilled reality, intermediation, and persistence" (Enc §198). But conceiving the state in terms of *that* particular tri-structured syllogistic system (the three syllogistic figures of the "qualitative" syllogism, (Enc §§181–9)) really only captures it in terms of its "mechanical" mode of functioning. The more developed syllogism that captures its dynamics in a more encompassing way is for Hegel the specifically "disjunctive" syllogism of necessity, a structure that shows the roles of the monarch and the representative estates (Redding, 1996, ch 11; Richardson, 1989). In these descriptions, the idea of such a "syllogism" thus looks like a type of *divine inference*, an Hegelian equivalent of Kant's pre-critical divine "schema," the "onto-theological" dimensions of Hegel's approach manifesting themselves in the fact that Kant had identified the disjunctive syllogism as precisely that structure of reason which, when reason is used as *organon*, results in the theological proofs of god. If the state is the vehicle for the development of disjunctively syllogistic structures we can see, then, how its development will be the "march of God in the world." Another reading of these ideas may be possible, however.

A glance at Kant's table of categories in the *Critique of Pure Reason* brings out a clear connection between the disjunctive syllogism with Kant's own *critical* version of his earlier conception of the "community" of nomological and reciprocally interacting substances. In the wake of his critical turn, his conception of community reappeared as the third, after those of substance and causality, of the so-called categories of "relation." In the pre-critical writings, the interactive relation between individual substances was thought of as demanding a divine schema, but from the *critical point of view*, the relation of community applies within the realm of *appearance*, and is thus schematized by the processes of the rational finite mind, rather than the divine mind. In the "Metaphysical Deduction," the categories are themselves derived from forms of judgment, and the form of judgment from which the category of community is derived and which is expressed in the "third analogy" is that of the *disjunctive judgment* (A70/B95).

While Kant's *category* of community in the first *Critique* provides his critical alternative to the metaphysical concept of community of interacting *material* substances, in his analogous table of categories in the *Critique of Practical Reason* – the table "of the categories of freedom with respect to the concepts of the good and evil" – the third category of relation, "reciprocally of one person to another," is clearly meant to apply to the community of reciprocally related *moral subjects*. No justification is given for this table in the second *Critique* and Kant seems to have simply mechanically transferred the categories from the first. Thus Beck for example (Beck, 1960, p. 145) comments that Kant seems to have simply assumed that the logic of practical reason is the same as that of theoretical reason. But the identity of these structures must surely be more motivated than that. Given the formal

27 Hegel 1970, vol 8, §181; translated by T. F. Geraets, W. A. Suchting, and H. S. Harris as Hegel 1991a. Further references will be given in the text as *Enc* followed by paragraph (§) number.

28 Strictly speaking this structure describes that level of state's functioning that Hegel calls the "external state" (essentially the state as thinkers such as Kant understand it) and which he conceives as operating on predominantly "mechanical" principles. While mechanical functioning exists in the state, mechanical laws are not the decisive ones and exist in a "subordinate position" (*Enc* §195 *zusatz*).

29 In the A edition Kant names the principle the "Principle of Community," which he states as "all substances, so far as they coexist, stand in thoroughgoing community, that is, in mutual interaction" (A211). In the B edition, it is called the "Principle of Coexistence" and is stated as "all substances, in so far as they can be perceived to coexist in space, are in thoroughgoing reciprocity" (B 256). Essentially the critical system has allowed Kant to incorporate both earlier principles (of "Succession" and of "Co-existence") into the single category.
equivalence ("complete similarity") of the relation that for Kant exists between the law-conforming behaviour of objects in the empirical realm and the law-following moral behaviour of beings of the noumenal realm, we might appreciate how the structure of the categories of pure practical reason must recapitulate those of the understanding. It is the identity of the relations constituting these structures that allow the schematizable concepts of the understanding to give a symbolic Darstellung to the ideas of reason.30 Although Kant does little in the Critique of Practical Reason to connect the categories or their associated syllogisms to further parts of the text, it is clear enough how the idea of an interaction between two moral beings both following the moral law would have its symbolic exhibition in doctrines like those of the Typus or the "Kingdom of Ends."

So far then, for both the critical Kant and Hegel there is a sense in which the structures of reason can be read into the empirically presentable workings of a well-organized state. However, for Kant, from the perspective of the first and second Critiques, this can be understood in no more than "symbolic" terms. Hegel, however, in rejecting the restriction of reason to mere "regulative" status, will also reject this type of restriction on the "construction" of the state from the concept of freedom. From the perspective of the first two Critiques, Hegel then does look "pre-critical." But how do things stand from the perspective of Kant's third Critique, the Critique of Judgment?

At first sight the Critique of Teleological Judgment seems to promise a way forward for Hegel beyond that of the "mechanical" frameworks of the first and second Critiques. The organism is the prototype of an internally "organized" being,31 and although there is no explicit treatment of any "table of categories" in the third Critique,32 it seems clear enough that, at least in the "Critique of Teleological Judgment," it depends upon its own alternative category of "community," one different to that of the other Critiques. While the category of community of the first Critique (and that implicit in the second) repeated the precritical notion of the reciprocal determination of interacting bodies (based on the model of Newton's third law), that utilized in part II of the third is based on the relation of parts within an organized whole. In contrast to the idea of mechanically interacting substances, the parts of an organized whole are such that (1) their possibility depends on the whole to which they belong and (2) they "combine into a unity because they are reciprocally cause and effect of their own form [dass sie von einander wechselseitig Ursache und Wirkung ihrer Form sind]," and thereby are responsible for the unity of the whole (5:373).

But again in the context of the third Critique we meet the now familiar barrier of Kant's injunction not to confute the "symbolic" with an object of proper cognition. Such internal organization can only be grasped by "reflective" judgment which is linked to regulative rather than constitutive principles (5:360). Moreover, the organism is itself conceived in the essentially "symbolic" way by means of analogy to an artefact produced after a plan. The most apparent candidate for a model on the basis of which the purposiveness (Zweckmässigkeit) of the organism can be understood is the artefact that has been produced by an intelligent creator after some concept. Again, all indications seem to point to the idea

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30 There is one obvious sense, however, in which the context is importantly different in the case of the categories of practical reason. While the categories in the first Critique were categories of the understanding and hence articulated the possible forms of judgment, in the second they articulate the possible inference forms of reason. Thus, were one to connect the categories in an analogous way to the way in which they are connected to judgments in the first Critique, one would presumably connect them to types of syllogisms. One would suspect, then, that for Kant as for Hegel, the category of the community of ethical agents will be logically reflected in the "disjunctive syllogism."

31 On the link between Hegel's organic model here and his criticism of Kant's metaphysics see Sedgwick, 2001.

32 At the very beginning of "Division I: Analytic of Aesthetic Judgment" of the third Critique, Kant appends a note to the heading of the "First Moment" in which he comments: "I have used the logical functions of judging to help me find the moments that judgment takes into consideration when it reflects (since even a judgment of taste still has reference to the understanding)." But apart from pointing out that he has reversed the moments of quantity and quality from their presentation in the Critique of Pure Reason, Kant sheds little light on how the logical functions, and hence the table of categories, are meant to structure the analysis.
that abandoning the "as if" of the analogy puts one on a path that leads directly back to pre-critical theocentric metaphysics.

On further consideration, however, this may not be as straightforward as it seems. In the first instance, one might question the extent to which the symbol's contrastive term, the "schema," can be assumed to have survived the transition to the Critique of Judgment, given that it appears to offer an alternative way of conceiving of judgment to the approach of the first Critique with its doctrine of the schematism. For his part, Hegel simply rejects the need for the schematism by rejecting the starting point of the heterogeneity of representational forms. Thus for Hegel, the sorts of "reflective" judgments of the third Critique seem to become exemplary of judgments per se. But it is also far from clear that with his treatment of judgment in the Critique of Judgment, Kant himself has not side-lined his own earlier appeal to the schematism to explain the application of concepts in experience. Kant, in fact, had little to say either about empirical judgments or empirical schemata in the first Critique. In the "Introduction" to the third, he defines the "power of judgment" in general as "the ability to think the particular as contained under the universal" (5:179), but now distinguishes two types of judgment: determinative judgment in which a universal is given and judgment subsumes the particular under it; and reflective judgment in which the particular is given and judgment has to find a universal for it. This has the bizarre consequence that the judgments involved in scientific inquiry into empirical laws of nature (and as such, underdetermined by the a priori rules of the understanding) will be reflective. While Kant's linking of such sorts of empirical judgments to those paradigmatically "reflective" judgments of taste and organic teleology has been the subject of much traditional criticism, Kant's nexus here has been recently defended by Hannah Ginsborg. In fact, Ginsborg argues, we must understand reflective judgment more generally "as serving to bring particular objects under empirical concepts" (Ginsborg, 1990, p. 64). While the consequences of this analysis for our understanding of the Kant–Hegel relation cannot be pursued further here, it suffices to note simply that from the perspective of

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33 Further exploration of the role of analogy in the thought of objective purposiveness, however, might indicate that this is not so obvious as it seems. For example, the version of the divine will involved here looks peculiarly anthropomorphic. We can recognize purpose in nature because we are familiar with it in virtue of our own Willkür, but if we conceive of objective purpose "as if" it has been created by a divine intelligence, then we seem to be construing God's practical intelligence on the model of our own Willkür, but if we conceive of objective purpose "as if" it has been created by a divine intelligence, then we seem to be construing God's practical intelligence on the model of our own Willkür.

34 See, for example, Hegel's treatment of the "judgment of the concept" in the Encyclopaedia Logic, the most immediate form of which is the assertoric judgment which is a judgment about "whether an object, an act, etc., is good or bad, true, beautiful, etc. We never attribute the 'power of judgment' to anyone because he knows how to make positive or negative judgments such as: 'this rose is red' or 'This painting is red, green, dusty,' etc." (Hegel, 1991, §178 remark). This is the type of judgment that expands into a syllogism by the demonstration of its "mediating ground" (§§179–80).

35 Thus, in the published introduction to the Critique of Judgment, Kant contends that "since the laws that pure understanding gives a priori concern only the possibility of a nature as such (as object of sense), there are such diverse forms of nature, so many modifications as it were of the universal transcendental concepts of nature, which are left undetermined by these laws, that surely there must be laws for these forms too. Since these laws are empirical, they may indeed be contingent as far as our understanding can see; still, if they are to be called laws (as the concept of a nature does require), then they must be regarded as necessary by virtue of some principle of the unity of what is diverse, even though we do not know this principle. Hence reflective judgment, which is obliged to ascend from the particular in nature to the universal, requires a principle, which it cannot borrow from experience, precisely because it is to be the basis for the unity of all empirical principles under higher though still empirical principles, and hence is to be the basis that makes it possible to subordinate empirical principles to one another in a systematic way" (5:179–80).

36 Béatrice Longuenesse (1998) has also argued for the relevance of the reflective judgments of the third Critique for empirical judgment in general. According to Longuenesse, the idea of the reflective dimension of empirical judgment is consistent with Kant's position in the first Critique. For Longuenesse, the distinctiveness of aesthetic and teleological judgment lies in the fact that they are merely reflective, while empirical judgments are both reflective and determinative (Longuenesse, 1998, pp. 163–4).
the third Critique it is far from clear that Kant's original, and largely implicit, account of the schematism against which he contrasted symbolic exhibition was adequate, even for Kant himself, to perform the task that it had been introduced to do.37 I do however want to follow another path opened up by Ginsborg's interpretation of the third Critique in which she attempts to unpack the exact role being played by the artefact analogy in Kant's discussions of the purposiveness characteristic of the organic in a way that essentially separates it from the model of the divine artefact.38 In particular she draws attention to one characterization that Kant gives to purposiveness that has hitherto been largely ignored (Ginsborg, 1997a, p. 339) – that of purposiveness as the "lawlikeness (Gesetzmässigkeit) of the contingent" (5:404). From what we have been calling the "mechanical" perspective, of course, the notion of contingent lawlikeness is self-contradictory. Ginsborg suggests that the type of "lawlikeness" involved here is normative lawlikeness (1997a, pp. 339–340). What Kant points to is the need to grasp the natural object showing objective purpose (the organism) as an object that conforms to a normative constraint. For Ginsborg such an interpretation promises a way of conceiving of the idea of natural purposiveness that is essentially free of the analogy of the divine artefact: "To regard something as a purpose without regarding it as an artefact is to regard it as governed by normative rules without regarding those rules as concepts in the mind of a designer. It is thus to think … that there is a way it ought to be; yet without invoking the thought of an intelligent producer whose actions are governed by the idea that it ought to be that way" (Ginsborg, 2001, p. 251). As she notes, Kant himself explicitly introduced the concept of normativity into teleological judgement, and the idea of being normatively constrained by the concept of the thing is itself already implied within the model of the activity of the intelligent creator. Stressing the centrality of the role of normativity in this way promises a way for Hegel to exploit Kant's thought about natural purpose without being committed to the theocentric implications that it had first seemed to entail. My suggestion here will be that it is Hegel's use of the idea of "recognition" (Anerkennung) that provides him with a means for thinking of patterns of reciprocal human interaction as conceptually mediated and normative in their own peculiar way because of that mediation. In short, the framework of recognition becomes the means by which Hegel can conceive of a conceptually-permeated quasi-organic normative social order without thinking of those concepts as originating in a divine mind.

SECTION 4: RECOGNITION AND THE ARTICULATION OF ORGANIC AND MECHANICAL FORMS OF SOCIAL COMMUNITY

Hegel's concept of recognition is probably most well-known from the "master–slave dialectic" of Chapter 4 of the Phenomenology of Spirit. At the core of this example is a conception of an institutionalized and normative form of human interaction mediated by mutually defining social roles. Following a life and death struggle, one protagonist has accepted the role of slave to another in exchange for his life. Such recognition or acknowledgment (Anerkennung) of the other as his master and, by implication of himself as that master's slave constitutes, we might say, a commitment to a rule-governed form of life articulated by the linked concepts of "master" and "slave," involved. To adapt a locution from Wittgenstein, to play the "master–slave" concept game is to play the master–slave form of life. The mediation of concepts here brings a peculiar form of normativity to the relationship since to apply those concepts within the relationship is to hold oneself and be held to the normative roles defined by them. But this new form of normativity can only be understood against the background of a form of normativity implicit in the organic life from which this community has emerged: that is, it can only be understood against the background of the "organic" norm dictating continued life.

37 According to Eckart Förster (2000, ch 3) Kant already had doubts about the adequacy of the schematism chapter of the Critique of Pure Reason in the mid 1780s prior to the changes introduced into the second (B) edition of 1787. Förster, in fact, sees the series of changes through which Kant's philosophy evolved right up to the Opus Postumum as attempts to deal with this "gap" in the system. In relation to this, the passage quoted above from the Metaphysics of Morals (6:468), where he links the task of "schematizing" moral principles for their application to that of the "transition" from metaphysics of nature to empirical physics, seems particularly significant.

38 Ginsborg 1997a & b.
Hegel's use of "recognition" derives from Fichte who had used it as the framework for understanding Kant's concept of "right," and in this spirit, Hegel, in the *Philosophy of Right*, treats a contractual exchange on the market as a recognitively mediated interaction. The very act of alienating one's own property in exchange for that of another, in contrast to simply taking what one wants from the other, constitutes a recognition of that other as the rightful proprietor, not so much of the particular good, but of its general value. Thus the contractual exchange constitutes the Hegelian equivalent of the interactions of Kant's *social physics* in which the fundamental unit of "community" was understood on the model of the reciprocal interaction of bodies according to Newton's third law.

In Hegel's *Philosophy of Right*, however, this mechanical form of reciprocal interaction can only be understood as recognitive against the backdrop of a more immediate form of recognitively mediated community instantiated in the *family*. Family members relate to each other according to internally linked *particular* concrete social roles – man and wife, mother and son and so on – in ways structurally analogous to those found in the "master–slave" dyad. As in the master–slave relation, the structures of family life are in close approximation to the organic realm of natural normativity – here, however, the predominant mediating affect is that of *love* not fear. Against this backdrop Hegel can then treat the contractual exchanges of civil society as ones in which each agent has been reflected out of those pre-given substantive social identities constitutive of the family realm. Thus in the modern state "children are brought up to become free personalities and, when they have *come of age*, are recognized as legal [rechtliche] persons and as capable both of holding free property of their own and of founding their own families" (*PR* §177). As members of civil society these agents now recognize each other in terms of the formal and essentially empty identities of "persons" or "bearers of rights," whose normative interactions are secured by external law. 39 This is the sphere in which agents have been "released from the concept to self-sufficient reality" (*PR* §181). 40

Clearly, of these opposed modern contexts of recognition it is the immediate familial form that structures a community with a more obviously "organic" nature and the civil with a more "mechanical" nature. But while the members of a family interact according to social relations that map onto biologically given relationships, the forms of reciprocity found and the type of normativity at work mark themselves off from the organic realm by the conceptuality that is at least implicit in its acts of recognition. 41 Nevertheless, this is clearly an "organic" form of community in the sense of Kant's third *Critique*: for two beings to interact according to the norms of father and son is to have the social identities of "father" and "son." The constitutive nature of recognition means that each is "reciprocally cause and effect of their own form." But it is the potential for agents to be released from these roles into those of civil

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39 While we might think of the recognition involved in an exchange between bearers of "rights" as a developed and mediated "species" of the "genus" of recognition whose more immediate form is revealed in the context of the family, the type of conceptual division suggested by the genus–species distinction, and the role played by negation within it, is itself misleading. We might think of either as providing a paradigm of the recognitive relation, but then from the perspective of that paradigm the other will appear as a form of non-recognition: the family member may complain that they are only being recognized in terms of the social role they fill at the expense of their individuality, the bearer of rights might complain that they are being recognized only as a generalizable abstraction. In each case the complaint presupposes as normative the form of recognition offered by the other sphere. But for Hegel this structure is just what one gets from the "division" of the concept of recognition itself. 40

Later Hegel speaks of the "moments which are bound together in the unity of the family, as the ethical Idea which is still in its concept" being "released from the concept to self-sufficient reality" (*PR* §181).

41 Even here, however, even though biologically based affects and feelings play a central role, these are to be thought of as implicitly conceptual and so able to be raised to the level of explicit formulation. The non-human animal is entirely a creature of feeling: "through this immediate reflectedness-into-self in and out of its externality, the animal is self-existent subjectivity and has feeling; feeling is just this omnipresence of the unity of the animal in all its members which immediately communicate every impression to the one whole which, in the animal, is an incipient being-for-self" (Hegel, 1970, vol 10 (translated by William Wallace as Hegel 1971), §381 Zusatz) but "spirit is thought in general, and the human being is distinguished from the animal by thought" (*PR*, §4 add).
society that signals that the family is an organic form of *Geist* rather than nature. *This* the individual parts of an organism cannot do, and it is this capacity that is signalled in Hegel's treatment of these structures of mutual recognition as "syllogisms."

For Hegel, the "syllogism" takes on the role played by the divine schema of the pre-critical Kant in that it is what confers regularity onto the interactions of individual agents. Thus in the *Phenomenology*, for example, Hegel describes both master and slave as being for the other "the middle term, through which each mediates itself with itself and unites with itself."\(^{42}\)

The idea seems to be that each provides for the other a particular instantiation of a conceptual "major term" – the master presents for the slave a particular exemplification of the norms defining the more general conceived "mastery" of subjecthood itself, and the slave presents for the master, those defining the "servitude" of an object or instrument to be used.\(^{43}\) But Hegel also characterizes the structure of the syllogism as a relation of "singular," "particular," and "universal" terms, and so we might say that from the perspective of each protagonist, the other *qua* bare singular existence (a mere *this*) becomes a conceptually determined particular: *this* being becomes a particular instance of the genus master, *this* one, that of slave. With this we hear an echo of the young Kant's separation of the principles of succession and determination. As a bare singular existent an agent cannot be simply identified with some particular determination – their conceptualized social role. This is why, under certain conditions, an agent can be "released" from their concept (their social role), as it is institutionally defined, into some other. But neither can an agent exist as an agent outside these recognitive relations: the category of singularity can only be understood in relation to those of particularity and universality. The separation between singularity and particularity is reflected not in the capacity of an agent to exist as a singular being but in their capacity for *redetermination* by the process of *further conceptualization*.

Hegel's use of syllogisms to describe concrete structures here can look like an *ad hoc* appropriation of the language of Aristotelian logic for his own peculiar purposes, but on closer inspection its Kantian roots are clearly discernible.\(^{44}\) In Kant's critical transcendental logic, it was the intuition–concept distinction that provided a resource for the expression of his earlier crucial denial that existence is a predicate. The mediation of intuitions in the process of applying concepts to the world meant that concepts are not applied to "things in themselves" but rather to "appearances" given in indeterminate form as the content of intuitions. It was this distinction that allowed Kant at least implicitly to differentiate between the *subordination* of concepts under more general concepts and the *subsumption* of that of existence which is presented within intuitions under concepts,\(^{45}\) giving to Kant's treatment of a universally quantified categorical judgment features akin to those found within modern quantificational logic. Thus, given Kant's concept–intuition distinction, to say that "All Fs are G" is effectively to say that of everything of which F can be said, G can be said: that is, for all x (Fx ⊃ Gx).\(^{46}\) But there is also something misleading in such a comparison if the use of the variable "x" in quantificational logic is understood as a place holding device for a singular term. For Kant there are no singular terms in the sense of singular *concepts*: all concepts are general. To apply the modern schema to Kant, rather than standing for a singular term, the "x" in the schema above would have to be understood as something more akin to a demonstrative, able to make available to conceptual determination some otherwise indeterminate sensuously present "something" (Thompson, 1972). Read in this way, we might see the origins of Hegel's "syllogism" in the deep structure of the Kantian judgment, the nature of which is obscured in the first *Critique* by the doctrine of the heterogeneous concept–intuition pair and their schematic bridging.

Against a background such as this we can now start to get a clearer picture as to what is at stake in Hegel's conception of the state as a syllogistically articulated "idea." Thus we might start with the idea of society as a conglomeration of nuclei of such concrete "syllogisms" of

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\(^{43}\) And, of course, the slave can only be a slave given his potential mastery over the objects with which he can satisfy the needs of the master.

\(^{44}\) See, for example, Hegel's critical comments on Aristotle's treatment of syllogisms in the *Encyclopaedia Logic*, *Enc* §187 remark.

\(^{45}\) On the presence of this distinction in Kant, see Longuenesse 1998, 92-5.

\(^{46}\) On such a reading of Kant's judgment see, in particular, Thompson 1972 and Longuenesse 1998, pp. 90–92.
recognitive interaction which, because mediated by concepts, can themselves enter into "logical" relations with each other. At the immediate level of the family, for example, conceptual organization has a type of "horizontal" articulation: I can relate to a non-immediate relative as my "father's brother's daughter" for example. But concepts can also be linked, as it were, "vertically": I can also relate to my cousin as an independently recognized legal "person." It is this that allows for the recategorization of individuals as they "move between" syllogisms, as it were: Hegel's logical distinction between bare existence ("singularity") and determinate identity (conceptualized "particularity") repeating Kant's original separation of "existence" and "determination." But also, such movement, in virtue of which individuals who were in the first instance recognized under the more specific concepts can be recategorized under the more general clearly also depends on the availability of the differently structured and "mediated" syllogisms of civil society. In civil society, "particular persons" representing their (now "nuclear") families and standing in external market-based relations to other persons become the "mechanically" interacting bodies regulated by external normative law.

Contextualizing Kant's social physics in this way in turn allows Hegel to overcome the problem of the externality of sensory inclination to the rational conceptual form of the "maxims" guiding action as there is no original "heterogeneity" to be overcome (and hence no need for Kantian schemata) – that is, it allows him to overcome the problem of the "externality" of the moral law (Sedgwick, 2001). In Hegel's logic, the sensuous singularity that is subsumed under logically related concepts cannot itself be taken as constraining the choice of concept applied. From Hegel's point of view, the intuition–concept dichotomy had been Kant's superficial and unstable attempt to capture the syllogism as a structure which allows the constant redetermination of sensuous content. Furthermore, viewing the social world in this way allows Hegel to reformulate that "problem" for which the Rousseauenean "social contract" provided a solution. For Rousseau the social contract was a means by which a "general will" could be formed that expressed the collective interest, and this necessitated that for every individual the interests they shared with others qua citoyens be opposed to those interests that separated them as individual hommes. But in its absolutization of the distinction between particular and general determinations of the will, Rousseau's model can be seen to suffer from the same inadequacies that affected Kant's critical moral thought that it inspired. However, beneath Kant's critical system lay a truth that Hegel thought could only come out in his own logic, the truth that particular and general determinations of the will be related to the singularity of "pure indeterminacy" or the "I"s pure reflection into itself, in which every limitation, every content, whether present immediately through nature, through needs, desires, and drives, or given and determined in some other way, is dissolved (PR §5). The truth of the Kantian judgment, and hence the "incorporations" of Willkür, was the syllogistic configuration of singular–particular–universal. Thus only thinking of the syllogistic articulation of its elements could do justice to Rousseau's original insight. The state has rather to unite or integrate the dimensions of conceptualized normative interaction operative within the differently structured realms (the differently figured syllogisms) of family and civil society (Redding, 1994). These are achieved in the mediations of the final "disjunctive syllogism" capable of mobilizing the recognitive interactions of family and civil society into the structures of representative estates and a monarchy.

While the categorial structure of the first type of relationship is given in Hegel's "being-logic," that of the second is given in "essence-logic."

Hegel expresses this in terms of the idea of the "moments which are bound together in the unity of the family, as the ethical Idea which is still in its concept" being "released from the concept to self-sufficient reality" (PR §181). Expressed in abstract logical terms, "this gives the determination of particularity which is related to universality, but in such a way that the latter is its basis." This is the contribution of modernity. Market relations now establish relations between families via relations between their representatives.

Hegel, as Wilfrid Sellars implied, was an exemplary critic of the "myth of the given."

I would like to thank György Márkus and Simon Lumsden for their many invaluable critical comments on an earlier version of this paper.


