

Introduction

This is the hallmark of the high and absolute destiny of human beings, that they know what good and evil are, and know that the will itself is either good or evil – in a word, they can have responsibility [*er Schuld haben kann*], responsibility not only for evil but also for good; responsibility not simply for this or that or for everything that is around them or in them, but also responsibility for the good or evil that are inherent in their individual freedom. Only the animal is truly innocent [*wahrhaft unschuldig*]. But to prevent or remove all of the misunderstandings to which this claim usually gives rise (for example, the concern that by understanding innocence as complete unconsciousness of evil we are thereby debasing or devaluing it) would require an extensive discussion, a discussion no less extensive than a complete treatise on freedom itself.¹

In the above passage, Hegel declares responsibility (*Schuld*) to be the defining characteristic of humanity but acknowledges that there are certain misunderstandings his theory of responsibility is prone to create. This book is intended to provide just that “extensive discussion” of the topic that is needed to remove those potential confusions. There are two primary sets of questions about responsibility that I aim to address in the following. The first concerns the *state* of being responsible: What does it mean to be responsible for something? When can we be held responsible for what we do? What are the various senses of responsibility and how are they related? The second set of questions concerns the *status* of responsible agency for Hegel: Who is responsible? Why are they responsible? Under what circumstances are they responsible?

It will quickly become apparent that Hegel's answers to these perennial questions are intimately related to the most philosophically interesting and distinctive aspects of his project. With regard to the state or condition of being responsible, it is standard to distinguish between our causal

¹ *PH*, 97–98; *TWA* 12:50–51 (translation modified).

responsibility for the external consequences of our actions, and our moral responsibility for those aspects of what we did which we were subjectively aware of (or at least should have been aware of). But Hegel appears to deny the validity of this common distinction, insisting that once action is placed within the horizon of a given ethical community, it becomes clear that there is no opposition between our inner intention and the outer deed. Even when well-meant intentions come to nothing, he says, this “essential unity of inward and outward holds good; and hence it must be said that a person is what he does” (*EL* §140 A). With claims like these, Hegel seems to be deliberately courting paradox: claiming *both* that someone can only be responsible for what they intended, *and* that agents are fully responsible for everything that they do, even consequences they could not have foreseen.

Similar paradoxes are presented by his claims about the status of being responsible. There is already a hint of this in the above claim that responsibility is humanity's *Bestimmung* or “destiny” – a word pregnant with ambiguity. By saying that responsibility is our *Bestimmung*, Hegel is indicating that it is both what makes us human, and yet a vocation we are called to realize; it is both our essential nature and also a social and historical achievement. The deepest puzzle about Hegel's understanding about the status of responsibility is figuring out how it could be both of these at once, both an individually owned natural capacity and yet something constituted by social recognition, something that would be impossible outside a certain “pattern of reconciliation” as he puts it in one place.²

As this brief overview already indicates, what is most original and philosophically radical about Hegel's theory of responsibility is the role that social and historical conditions are supposed to play in it. Hegel not only wants to claim that what we are responsible for can only be determined by placing our actions within a certain social and historical context, but that our very status as responsible agents depends on being in the right context. (We will see that these are inter-related claims.) Hegel's general concern to re-inscribe human action within a social, historical, and institutional framework has, of course, not gone unremarked – far from it. Among critics of Hegel, there is a longstanding worry that his approach to practical philosophy ends up conflating normative issues with sociological ones, failing to distinguish, for example, between what we ought to recognize as right and what some people, in fact, do recognize as right.

² *LPR* 3:204; *VPR* 3:137.

The state of responsibility

3

Even those who find something valuable in Hegel's emphasis on sociality have not agreed on what that something is. In recent accounts, Hegel's commitment to the inherent sociality of human life has been defended as an obvious truth, interpreted as implying some sort of radical social constructivism, and creatively reconstructed in light of current theories of social psychology. Though there is much to be learned from these various ways of reading or re-inventing Hegel, I think they all have serious drawbacks. This book aspires to provide an interpretation of the role sociality plays in Hegel's theory of responsibility that lacks these defects: one that is simultaneously non-trivial, philosophically defensible, and exegetically sound.

Although Hegel's theory of responsibility has not been the subject of much critical discussion, a complete treatise on the topic, despite Hegel's words to the contrary, might seem unnecessary. The related topics of action and freedom have now been at the center of Hegel research for some time, and have received their own treatises. It might be thought that even if the issue of responsibility has not been explored with the same thoroughness, it has been adequately handled insofar as it touches on these other research areas. And even if it turns out that these other, incidental treatments of responsibility are inadequate, as I think they are, it might seem that the issue is of distinctly secondary interest when compared with these more obviously central topics. It will take the rest of this book to show otherwise, but I hope to take the first few steps in that direction here in the Introduction. I want to identify what Hegel means by responsibility, show how Hegel's claims about responsibility have been distorted by recent treatments of his theory of action and how my book will correct for that, and briefly indicate why responsibility is so important to his practical philosophy as a whole.

The state of responsibility

Since we speak of responsibility in an extraordinarily wide range of different ways, it is necessary to say something about the kind of responsibility that Hegel thinks is characteristic of humanity, and which will be the subject of this book. Although we sometimes say that the hailstorm is responsible for ruining the crop, or that the squirrel is responsible for breaking the vase, and so on, Hegel is clearly using the word in a narrower sense, to pick out a more specific notion. In speaking of *Schuld* in the above passage he is concerned with something like what is now usually termed moral responsibility. This is the sort of responsibility presupposed

by praise (responsibility for good) and blame (responsibility for evil), not the merely causal responsibility involved in the example of the hailstorm, nor the kind you might attribute to non-sapient animals. When Hegel says that only humans can have responsibility, he means that they are the only animals whose actions are open to something like moral evaluation.

By specifying *Schuld* in this way, as openness to moral evaluation for what you do, we are also distinguishing it from the kind of responsibility humans can have for merely instrumental or prudential failures. Agents are often thought to be open to blame, or at least criticism, for failing to take the means to their ends, or for acting in ways that frustrate their overall happiness. We will see that Hegel has a place in his account for these forms of failure, but being open to criticism on these grounds does not imply *Schuld* in the sense he is interested in. When we criticize someone for taking the wrong means to some end, she is only wrong insofar as she actually has the relevant end. If this end is a contingent one, an end she does not necessarily endorse, accepting blame is up to her. She might be willing to take responsibility for some given failure, but she is also free to relinquish the end and thus free herself of any blame. One might call this subjective responsibility, since it is connected to a kind of blame or criticism the agent may choose to accept or reject. What Hegel is primarily interested in, though, is objective responsibility, the kind of openness to blame that is not dependent on the subject's choice to accept it. As has often been pointed out, our ordinary intuitions about moral blame presuppose this stronger sense of responsibility.³ If I blame you for doing something immoral, you are not freed of blame by denying that acting morally was one of your ends; this denial would just put you further in the wrong. This sort of responsibility presupposes that there are some ends that are not contingent on some act of choice, ends that are necessary. For Hegel, as for Kant, the ends of morality have this status

³ It might be thought that there are forms of objective responsibility that have nothing to do with accepting blame at all. If I fail to properly assemble a bookcase because I was neglecting the directions, it would seem that I am responsible for my failure to assemble a stable bookshelf in a sense that I could not reasonably reject, but it might seem unduly moralistic to say that I must accept blame for this failure. Hegel does not explicitly treat cases like these so there is some real ambiguity about how Hegel would analyze them. I think the most promising strategy would be to simply deny that the responsibility at issue here is objective in the relevant sense. Responsibility appears to be objective in cases like these because it is being measured according to shared norms that we knew or could have known were valid in some sphere of activity (e.g., one should always consult directions when assembling bookcases), standards we have no good reason to reject. But for Hegel objectivity is not secured simply by shared standards that we choose to comply with, it requires that our assent to these standards be required by reason. That further criterion is not met here. I want to thank an anonymous reader for drawing my attention to this point.

The state of responsibility

5

because they are conditions for the freedom of the agent. To be responsible, according to this generally Kantian line of thought, is to be under the law of freedom; it is to be accountable for acting in ways that are consistent with that law.

Although this gets us closer to Hegel's concept of *Schuld*, anyone who has spent some time with the *Philosophy of Right* will feel that there is something misleading about identifying Hegel's notion of responsibility with openness to moral evaluation. Morality, after all, is just one of the three spheres of right that Hegel identifies in that work; it is preceded by Abstract Right and followed by Ethical Life. Abstract right is different from morality since it abstracts away from questions of our intentions or motives; we are responsible for violating someone else's property rights, for example, even if we did not intend to do so, and even if no moral blame accrues to us. Ethical life is different from morality because it goes beyond our subjective intentions and motives; we are responsible for failing to fulfill our duties even when we were acting in accord with our subjective convictions. For Hegel, then, we are objectively responsible for complying with the norms articulated in *all three* of these spheres of right; we are responsible not just for moral breaches but also for violations of abstract right and for failing to live up to the duties of our ethical station. On Hegel's account, then, moral evaluation proper is only one species of the kind of normative evaluation humans are distinctively open to.

One thing that this means is that responsibility cannot be considered solely a matter of praise and blame. Although speaking about praise and blame is natural when we are talking about failures and successes in the moral sphere, these forms of appraisal sometimes seem awkward or even overextended in the other two spheres. In well-functioning societies we do not usually praise someone for conforming to the law or for getting a job and supporting her family (though both of these, for Hegel, are also required by freedom and so represent ends the agent necessarily wills). Even the idea of blame, which certainly has a role to play in all three spheres, is at times quite inappropriate, as it is in cases of strict liability, cases where someone is answerable for damages without having willed to do anything wrong. So although these moral reactions are included in the phenomenon we are interested in, and are typical of it, it would be misleading to simply identify being responsible with being open to praise and blame.

A second problem with this provisional definition of *Schuld* is that moral evaluation is not even the most important species of normative evaluation for Hegel. The central thesis of the *Philosophy of Right* is that the

spheres of abstract right and morality cannot exist independently (*für sich*), or on their own, since formal right and morality have determinate content only by virtue of their actualization in a given form of ethical life. This implies that the sphere of ethical life is prior to the spheres of abstract right and morality in two senses: a historical sense and a normative one. It is historically prior, because the formation of the ethical sphere is a developmental precondition for the differentiation of the spheres of abstract right and morality. On Hegel's account, you can be responsible in the sense of being open to ethical evaluation without being responsible in the sense of being open to specifically rightful (*rechtlich*) or moral (*moralisch*) evaluation. When he says that the Greeks lacked conscience, for example, he means they did not yet distinguish between what they subjectively took to be right and their conventional, ethical duties.⁴ On Hegel's account, it was after Socrates discovered the conscience that a conflict between moral convictions and ethical obligations became possible. Prior to that point, Greek agents were open to ethical evaluation but not moral evaluation in the proper sense. But the ethical sphere is not left behind when abstract right and morality come into existence; it remains a necessary condition for the existence of legal and moral obligations. It continues to have normative priority since it is the support and foundation of the other two spheres. Abstract right and morality depend on ethical life, because outside of ethical life, he thinks our rights and duties would lack determinacy and validity. It is because of this that ethical evaluation will prove to be of paramount importance in Hegel's theory of responsibility.

This means we need to seriously qualify our initial claim that what it is to be responsible for something is to be open to moral praise and blame for it. What was right about this is that responsibility in Hegel's sense is an objective matter: it is openness to normative evaluation in light of ends the agent cannot reject. What was misleading about this initial way of putting things was that it is oversimplified: Hegel is interested in at least three ways actions can be evaluated, moral evaluation being only one of them and not the most fundamental. We can thus provisionally define being responsible for something as being open to rightful, moral, or ethical evaluation for it, keeping in mind that the last of these will prove the most important for Hegel.

⁴ For a discussion of this, see Moland (2011), pp. 108–09. On Hegel's account, the norms of Abstract Right and Morality are developed in the Roman and Germanic (*Germanisch*) periods respectively. It is thus only in modern states that these three spheres are fully differentiated.

The status of being responsible

The second issue I will focus on concerns the status of being responsible in Hegel: What conditions must be met by an agent in order for her to be open to rightful, moral, or ethical evaluation for what she does? We have already seen Hegel claim that responsibility is characteristic of humanity in particular. Clearly, a hailstorm or a squirrel is not open to this sort of evaluation; the question is, why?

Historically speaking, there are two rival ways of explaining what makes someone an appropriate subject of responsibility ascriptions: consequentialist approaches and merit-based approaches. According to the first, it is appropriate to praise or blame someone, to return to these characteristic examples of objective normative evaluation, if reactions of this kind would lead to some desired modification in the subject's behavior. It is worth noting that Hegel himself justifies blaming small children and the mentally incompetent for their mistakes on just these grounds. They should be praised and blamed, he says, in order to encourage their better sense; this helps them to develop into genuinely responsible agents. In these cases, though, he thinks we are treating individuals *as if* they were responsible agents when in fact they are not yet, or not yet fully responsible. A pedagogical employment of praise and blame is only justified, he thinks, because it helps transform children and the mentally unfit into beings who are appropriate targets of legal, moral, and ethical evaluation in some other, more proper sense.

We can see what it is to be responsible in the proper sense by turning to Hegel's statements about criminality. Hegel frequently claims the criminal does not receive his due of honor as a rational being if he is being punished for the sake of reforming him or even deterring him from committing future crimes. Hegel thinks this would be to treat him as if he were a child or a dangerous animal rather than a rational being. Someone who is genuinely responsible is not just open to praise or blame, he has a *right* to be credited for whatever good he has done and to be regarded as culpable for whatever bad he has done.⁵ And he has that right regardless of whether it would be useful to him, or society in general, to treat him that way. For Hegel, these more utilitarian considerations are simply

⁵ It is certainly a further question as to whether, in the case of some particular wrong, the agent should also be "actively blamed," to use Angela Smith's useful locution (Smith 2007, p. 470). At issue here is only the agent's right to be regarded or judged as responsible in general. There are certainly further conditions that need to be satisfied for active blame.

downstream from the question of desert. Although they might be relevant to determining punishment, they can only be raised once it has been established that someone is in fact responsible. Hegel thus clearly advocates a merit-based view of responsibility.

What we need to know, then, is not what makes humans particularly responsive to praise and blame (the question raised by the utilitarian approach) but rather what makes them truly deserving of praise and blame. For Kant, as for many other historical advocates of merit-based views, the relevant feature is the special kind of control human agents have over their actions: the freedom to have done otherwise. Since this sort of freedom appears incompatible with causal determinism, advocates of control-based approaches immediately face the challenge of showing whether this sort of freedom is even possible. And, of course, a wide range of philosophic strategies have been deployed to meet this challenge. It is telling, however, that Hegel has almost nothing to say about the traditional free-will problem in his philosophy of spirit. The only explicit mention of determinism in the *Philosophy of Right*, for example, is in a remark appended to §15. There he says that the very question of whether freedom is opposed to determinism is generated by an inadequate notion of freedom as arbitrariness, and he suggests that his own, expressive notion of freedom as being-with-yourself is simply not vulnerable to this objection.

The significance of Hegel's refusal to address the free-will problem in the *Philosophy of Right* has been subject to a great deal of debate lately.⁶ Some have claimed that Hegel's notion of freedom allows him to simply sidestep the traditional free-will problem in a basically compatibilist fashion, whereas others have claimed that he must be committed to some specific account of agent-causation that he provides elsewhere. Both sides of the debate agree that Hegel thinks specifically mechanistic causal explanations hold good in their own sphere but are inappropriate for spiritual phenomena, and that Hegel's full account of the inadequacy of mechanism is in the *Logic*, not in his practical philosophy. The real bone of contention, I think, concerns whether Hegel thinks responsibility for our actions is especially threatened by the availability of mechanistic explanations, threatened in a different way than, say, teleological judgments about plant and animal life, or accounts of thinking itself, all of

⁶ A classic treatment is Wolff (1992). Discussions of this issue can also be found in Hoffman (1982), Taylor (1985a), Quante (1993), Stekeler-Weithofer (2005), Wallace (2005), Pippin (2008), Knowles (2010), and Kreines (2013). Yeomans (2011) certainly offers the most impressive and detailed treatment of this issue in the literature.

The status of being responsible

9

which Hegel also thinks cannot be captured in merely mechanistic categories. If you think action is *not* especially threatened, then Hegel can avoid the traditional free-will debate in the *Philosophy of Right* because action is no more problematic than any of these other categories.⁷ So long as he can show the inadequacy of mechanism as an absolute category in the *Logic*, he will not need to come back to the topic in his philosophy of spirit. But if you think that responsibility for our actions *is* especially threatened, say, because it presupposes the principle of alternate possibilities,⁸ or because an action cannot be said to express my reasons unless the latter truly cause the former,⁹ then we need to provide a more specific account of the productivity of action in order to complete Hegel's account of responsibility. On this assumption, Hegel needs to revisit the issue, and since he does not actually do this in the *Philosophy of Right*, we need to reconstruct his answer to the free-will problem in light of what he says in the *Logic* or elsewhere in the system.

It has become increasingly clear that these questions about how action fits into the causal order for Hegel cannot be resolved without a full interpretation of the relevant sections of his *Logic*. But for our purposes here, the issue can be bracketed, since the question of whether Hegel's account of responsibility presupposes some special kind of productivity or not cannot be answered until we have a clear idea of what he thinks responsibility requires. At the very least, we can say that it is not immediately obvious that Hegel's concept of responsibility will raise these problems, for Hegel claims what makes humans responsible is not that they have a special kind of control over what they do, but that they have a certain kind of knowledge of it. For Hegel, I do not merit responsibility for my actions because I brought them about in some unique way (though I certainly have to have caused them in a forensic sense, as we will see) but because I can see them as expressive of my subjective will. The human capacity that Hegel treats as crucial to responsibility ascriptions is thus not a causal power but a cognitive one: the capacity to "be with yourself" in your activity. He treats this as a kind of agent's knowledge, an ability to know the reasons for which you are acting. To be responsible for an action, the agent must know not just why she is acting, but whether the action she is willing is right or wrong, moral or immoral, ethical or unethical.

⁷ Pippin (2008), pp. 15–16.

⁸ Yeomans (2011). Yeomans argues that Hegel endorses the principle of alternate possibilities in *PR* §6, and that, in light of this, the rest of Hegel's Introduction can be viewed as addressing the free-will problem.

⁹ Knowles (2010).

In his lectures on religion, Hegel often clothes this point in imagery drawn from the opening chapters of Genesis: he says man is responsible because he has eaten of the tree of good and evil and has come to know that his will is either good or evil.¹⁰

So, on Hegel's account, someone counts as a responsible agent only if she *deserves* to be held accountable for what she does, and she deserves this insofar as she *knows* her actions to be expressions of the good or bad reasons she had for acting. Having located Hegel's account with respect to other possible approaches to the conditions of responsible agency, we can now point to what is most striking and most interesting about his theory. This is his claim that it is not enough to have the relevant cognitive capacities in order to be accounted responsible; in addition to this, the relevant capacities must be actualized. By this, we will see he means two things. First, he thinks the agent must have achieved a certain specific self-conception: she must know herself to be essentially free, to be the sort of being that is incapable of slavery. Second, since it is impossible to arrive at this self-conception by oneself, he thinks an agent must be recognized as free. If these two conditions do not obtain, he thinks the agent cannot know herself as a person who is under the authority of right, and so fails to satisfy the cognitive condition on responsible agency. By making these stipulations, Hegel makes *being regarded as a responsible agent* a necessary part of what it is to *be such an agent*. It is this social dimension of Hegel's theory of responsibility, of course, that raises the most problems. It is common to worry that accounts like these get the cart before the horse: why would we recognize or regard someone as a responsible agent but for the fact that they are, in fact, responsible? And if someone is already responsible in some sense, what does recognition add? Addressing these worries is one of the major tasks of this book.

Responsibility and action

Now that I have said a little about what Hegel means by responsibility, and what it means to be a responsible agent, it might appear that questions concerning action are more fundamental than questions concerning responsibility. It looks like we need to determine whether something is an action at all before we attempt to ascertain whether or to what extent we are responsible for it; and we need to figure out what is involved in agency prior to moving on to the presumably more complicated case of

¹⁰ *LPR* 3:300–02.