

Unruly Extimacy: The Problem of Nature in Hegel's Final System

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Abstract

Concentrating on G.W.F. Hegel's controversial *Naturphilosophie* (1830), Part I ventures the following thesis: Hegelian nature is characterized by a "constitutive lack." Insofar as the natural register *lacks* the precision and necessity immanent within the dialectical developments of conceptual thought it is capable of radical novelty—the unexpected. This is important: it offers a sense of how the natural register is open to thought and yet, simultaneously, a source of that which has the perpetual possibility of undermining conceptual distinctions and anticipations. The remainder of the project systematically maps what such a conception of nature must mean in terms of Hegel's concept of spirit (*Geist*). Consequently, Part II analyzes Hegel's bizarre account of psychopathology. The central thesis in this context claims that what Hegel's speculative analysis of 'madness' shows us are the ways in which subjectivity might be dominated by its material-instinctual dimension as it unfolds within the unconscious depths of concrete subjectivity. Subjectivity retains the perpetual possibility of *regression* insofar as it reverts to being materially (maternally) determined strictly by way of externality. Questioning the presupposition of nature's complete sublation, Part III focuses on Hegel's political writings. Hegel's analysis of criminality and punishment allows for the possibility of what we will call "surplus repressive punishment." A surplus repressive punishment, a brute form of natural external pressure, would constitute spirit's, i.e. freedom's, "regressive de-actualization" at both the individual (subjective) and intersubjective (objective, communal) levels. Therefore, surplus repressive punishment, as an expression of spirit's naturality, serves to undermine spirit's objective actualization in its entirety. The problem of nature remains very much an active dimension of spirit's concrete actualization at the socio-political level. The project offers a precise indication of how Hegel's philosophy of spirit, i.e. his philosophy of freedom, is one intertwined with the problem instantiated by the matrices of nature. Sensitivity to this problem, that there is a problem here, and that Hegel's system can be pursued to address it is one of the not always recognized merits of his thought. Simultaneously, Hegel's system becomes surprisingly relevant for our contemporary world insofar as nature remains a problem for our living present.

Key Words: Nature's Constitutive Lack, Psychopathology, Madness, Crime and Punishment, Surplus Repressive Punishment, Nature-Spirit Dialectic

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Introduction: the Problem of a Philosophical Rendering of Nature in Hegel's Final System

We know with relative certainty that Hegel's interest in the problem of nature, and its philosophical rendering, dates at least as far back as his childhood in Stuttgart where, from a very young age, physics and mathematics were amongst his favorite subjects. While in Tübingen he attended lectures on physics and ultimately wrote his "habilitation" on the orbits of the planets. Concomitantly, we cannot underemphasize the influence the young Schelling's investigations into nature had on Hegel.¹ From at least as early as 1800, as evidenced from the 1800 *Fragment of a System*, but most likely from even earlier, we see not only Hegel's inclination towards Schelling's restructuring of critical philosophy as an "objective" idealism but also emergent attempts to understand the unified organicity of "life" in terms of what Richard Kroner refers to as a "biological metaphysics."² Not only is Hegel's intensifying interest in Schelling's philosophy of nature evident in the qualified endorsement he gives it in his first philosophical monograph from 1801, the *Difference* essay, but by 1802/03 Hegel was working with Schelling on the *Critical Journal of Philosophy* where we have good reason to think he would have gained significant exposure to Schelling's philosophy of nature from the period. Indeed, we might go so far as to suggest that Hegel endorsed it—at *that* point in his philosophical development. As Pinkard's research shows, moreover, upon his arrival in Jena, Hegel established a strong friendship with the scientist Thomas Johann Seeback, who also had an acute interest in *Naturphilosophie* and Goethe's theory of colour.³ In this sense, the concern of nature, the *problem* of nature, was present from very early on in Hegel's intellectual development and therefore, in a sense, it was only a certain passage of time that separated him from developing his own philosophical rendering of that problem.

We also know with certainty, from the Jena manuscripts spanning 1804-1806, that Hegel's first attempts at a complete philosophical system had distinct sections dedicated to the problem of nature. As Pinkard's research indicates, the *Third Jena System Draft* reveals that the writings on nature are much more polished than those in the same draft dedicated to Spirit.⁴ We also know that Hegel lectured on the

¹ While Schelling's influence is widely recognized, an emergent strand of Hegel scholarship has also explored the influence that Schiller's account of nature had on Hegel. See, for example, Michael H. Hoffheimer's "The influence of Schiller's Theory of Nature on Hegel's Philosophical Development," in *Journal of the History of Ideas*, vol.46, no.2 (April-June 1985), pp.231-244.

² Richard Kroner "Introduction" to Hegel's *Early Theological Writings* trans. T.M. Knox (Philadelphia: University of Pennsylvania Press, 1996), p.13.

³ See Terry Pinkard's *Hegel: a Biography* (Cambridge: Cambridge University Press, 2000), p.116.

⁴ Pinkard, p.189-90.

philosophy of nature once between 1804-06 while still in Jena. As Petry's scholarship shows us, Hegel lectured on the philosophy of nature a total of eight times.⁵ While this is significantly less than the number of lectures he dedicated to various other subjects, such as, for example, anthropology, it nonetheless reveals that Hegel continued to be interested in the question of nature throughout the entirety of his mature philosophical activity. He lectured on nature in Heidelberg in the summer of 1818, and "...six times at Berlin in 1819-1820, 1821-1822, 1823-1824, 1825-1826, 1828 and 1830."⁶ What these historical details would seem to suggest, then, is that while Hegel's early thought orbits around the themes of Christianity and religion, as instantiated in, for example, *The Spirit of Christianity and Its Fate* (1799), themes which he would remain dedicated to throughout his life and philosophical career, it also exhibits an increasing interest in the problem of nature and that this interest as a problem emerges forcefully sometime around 1800. In this sense, we might suggest that the concern of a philosophical rendering of the protean enigma of nature was fermenting in Hegel's work from at least as early as the late 1790's. Therefore, the problem of nature, in some significant sense, continued to perplex, provoke and engage Hegel over the course of more than three decades until his untimely death in 1831. That this is the case is reinforced when we consider Hegel's continuing preoccupation with the details of his system's rendering of nature as evidenced in the over 3600 "significant alterations [that] first appeared" in the 1830 editions of Hegel's nature philosophy.⁷

While Hegel's philosophical activity has widely been recognized for its controversial, if not significant, contributions to such disparate domains as aesthetics, history, logic, politics, and religion, his philosophical approach to the conundrum of nature has not been afforded the same recognition. For many Hegelians, as Pinkard indicates, Hegel's philosophy of nature was: "Ignored for the most part in his own time..." and it "...fell into complete disrepute immediately after his death and has been rarely looked at since by anybody other than dedicated Hegel scholars."⁸ Despite Hegel's thought in this context having been committed to the oblivion reserved for the excesses of metaphysical speculation it nevertheless remains clear that Hegel himself saw his philosophy of nature as a fundamental dimension of his final system. Insofar as the free self-reflexive activity of spirit must take itself up *within*, and *against*, the natural register, his system presents a clear demand that such an upsurge of free auto-actualization must

⁵ Petry "Introduction," *PN*, vo.1, p.186.

⁶ Petry, "Introduction," *PN*, vo.1, p.186.

⁷ Petry, "Introduction," *PN*, vo.1, p.122.

⁸ Pinkard, 562.

be given a conceptual rendering within the coordinates of that speculative system in order to show the two registers as, in some sense, conceptually coherent and, ultimately, interconnected if not explicitly complimentary. Hegel's mature thought, therefore, remains fundamentally committed to the post-Kantian developments in critical philosophy as strikingly pursued in the frenetic work of the young Schelling, i.e. nature must show itself as open to the possibility of freedom's emergence, and such an emergence must be given a coherent and systematic conceptual rendering. Concomitantly, Hegel saw it as crucial, as Kant had already ambivalently and problematically shown in the third *Critique*, that some balance must be struck between Newtonian-mechanistic explanations of natural phenomena, on the one hand, and teleological explanations of various related phenomena, on the other hand. Simultaneously, Hegel also sought to avoid all, "...mystical conceptions of nature that relied on religious or pseudo-religious conceptions to develop a conception of nature that put it outside the realm of rational inquiry; to him, that represented both a restoration of premodern dogmatism and a possibly dangerous threat to the modern social order..."⁹ Therefore, given the significance Hegel assigns the philosophy of nature within the matrices of his final system, and in direct conflict with its scornful reception, we return to this obscure and much maligned dimension of his thought with the objective of discerning the fundamental features of what we might call a distinctly *Hegelian* philosophy of nature. In this sense, we ask: what would it mean to take this element of the system seriously?

We believe, all too often, Hegel's thought in this context is read as a derivative of Schellingian or Romantic innovations. Our suspicion is that such a move serves to obscure Hegel's uniqueness in this context, if it is not fundamentally mistaken. Our interests, however, are not strictly of an esoteric, historical bent. We also will want to discern what the characteristics of a distinctly Hegelian conception of nature must mean, not only in terms of spirit's fitful emergence from the natural register, but also what it must mean from *within* the coordinates of spirit's living auto-composition in terms of a second nature. It is our hope that not only will such an investigation illuminate the dynamical tensions between spirit and nature immanent within the very core of Hegel's speculative system more generally but we also hope to investigate what insights such a reconsideration might still offer our living present in terms of conceptual approaches to the enigmas surrounding the protean status and problem demarcated by "nature" and its relation to the complexity we demarcate by "culture."

⁹ Pinkard, p.563.

Part I of this investigation sets itself the task of generating a distinct interpretation of Hegel's writings on nature in the encyclopedic system. It ventures the following thesis: Hegelian nature is characterized by what we will call a "constitutive lack." Paying careful attention to the entirety of his writings on nature, the project argues that what Hegel's conceptual rendering of the natural register suggests is that, most generally, it *lacks* the precise autogenetic determinations characteristic of conceptual thought proper. We argue that it is this lack of conceptual precision that prompts Hegel to characterize nature as impotent, even monstrous. We believe that there are two very important consequences that follow from such a thesis. First, insofar as the natural register lacks the precision and necessity immanent within the dialectical developments of conceptual thought it is capable of generating radical novelty—the unexpected. Insofar as nature is not *strictly* bound, in a special sense, by conceptual determination it leaves itself open to being understood in terms of generative potentiality. This is important for our project insofar as it offers us a sense of the way in which the natural register is both conceptual and yet, simultaneously, a source of that which has the perpetual possibility of undermining clear conceptual distinctions and anticipations.

Second, insofar as the natural register lacks the internal auto-structuration characteristic of the concept it is characterized by what we will refer to as an "extimate exteriority." Concentrating on Hegel's writings on organics, specifically animal organics, reveals that the internal, self-referential, structure of the animal organism is consistently and persistently given over to external determinations that are not only dangerous to its life as such but, also, to its status as one of the primary upsurges of freedom *within* the matrices of material nature. In this sense, nature's exteriority perpetually functions as a crucial condition for freedom *and* a feature that serves to threaten the very possibility of that freedom. In this sense, we argue that extimate nature is a necessary yet problematic condition in the genesis of freedom's actualization. Yet, if this is the case, then, there must be some sense in which nature shows itself as both a precondition and perpetual problem for the more complex structures of freedom which Hegel explores in his writings on spirit (*Geist*). Consequently, the remainder of the project commits itself to exploring how this problematic dynamic unfolds from within the coordinates of Hegel's writings on culture.

Part II, therefore, takes up the results of our distinct interpretation of Hegelian nature in order to examine what such an account of nature must mean when considered in terms of spirit's reconstructive activity of itself as a second nature. Examining Hegel's fascinating, yet bizarre, anthropological writings

the section ventures the claim that spirit, in its originary ontological position, in its emergence from the lack of the world, shows itself as dependent on its material conditions, as what Hegel refers to as a “being rendered by nature.” We attempt to defend this claim by way of a careful reconstruction of Hegel’s speculative analysis of the *in utero* relation. We believe that such a move not only breaks with a significant portion of the secondary literature in this context which completely overlooks this opaque yet important developmental feature of the Anthropology but it also can be deployed as a reflexive heuristic device: as a precise expression of the origins of *spirit* the neonate reveals itself, and therefore spirit, as dependent, maternally and materially determined by forces of externality. If we are permitted such a reading, then, we believe that it allows us to argue that the spirit, in its origins, is bound firmly within the parameters of the problem of nature. Resembling the problematic externality that haunted the animal organism on all sides, spirit, in its origins is nothing other than an intense dynamic devoted to a reconfiguration of the externality and unruliness characterizing Hegelian nature. In this sense, spirit is nothing other than this reconstruction of its natural origins.

Subsequently, Part II proposes to map Hegel’s conceptual rendering of the problem of psychopathology. In contradiction to spirit’s *developmental* trajectory as outlined by way of the *in utero* relation, we propose to read Hegel’s bizarre analysis of mental illness as a precise instantiation of what we will refer to as spirit’s “regressive potential.” The central thesis that we venture in this context suggests that what Hegel’s speculative analysis of ‘madness’ shows us, in no uncertain terms, are the ways in which subjectivity might be dominated and determined by its opaque material-instinctual dimension as it unfolds within the opacity of the unconscious depths of concrete, developed subjectivity. In other words, subjectivity retains the perpetual possibility of *regression* insofar as it reverts to being materially (maternally) determined strictly by way of externality. We believe that various forms of trauma reveal that Hegelian subjectivity retains the ability to collapse into structural positions that are inadequate to its concept of auto-articulating freedom. What this means, then, is that the problem of nature, i.e. determination in terms of externality and opaque impulse, is never fully bypassed for spirit. Nature retains the ability to destabilize, even undermine, spirit’s autarkic agency. In this sense, to a degree that is often not emphasized, we are able to view Hegel’s speculative system as a protracted confrontation not only with the subject of freedom but also with the very problem of nature. Reinforcing this thesis, we maintain that it is only by way of the habitual transformation of the natural body, through the establishment of what

Hegel revealingly calls a “second nature,” that the unruliness of spirit’s natural dimension has the possibility of being integrated within the self-referential totality of the whole. However, we argue that there is nothing in the analysis which guarantees that the subject’s natural dimension will not, at any given moment, (re-)assert itself in such a way that destabilizes subjectivity’s free actualization. In this sense, nature remains a perpetual problem for the project of spirit insofar as we understand that project, as Hegel most certainly does, as radical autopoiesis.

Attempting to intensify our thesis concerning the problem of nature as it unfolds *within* the parameters of spirit’s reconstructive activity, Part III concentrates on Hegel’s writings on objective spirit, i.e. that dimension of the system where the problem of nature is often thought to have been overcome, sublated. Fundamentally questioning the presupposition of nature’s complete sublation, we focus on Hegel’s writings on “Abstract Right,” the most rudimentary determination of objective spirit, with the suspicion that the problem of nature continues to haunt these conceptual coordinates. By way of careful textual analysis, we argue that there are fundamental analogical affinities between the problem of psychopathology, on the one hand, and the issues of criminality and punishment, on the other. Resisting all forms of reduction and synonymy, we argue for key resemblances between the two without ignoring their fundamental differences. Establishing these affinities, we believe, allows us to argue for three key claims. First, the subject of personhood (the grounding concept of abstract right) retains an active natural dimension (i.e. impulses, drives and desires) which Hegel views as crucial to the actualization of right. Second, while this natural dimension is crucial to the actualization of right, we also argue that insofar the subject operates *only* in terms of these natural impulses it is led directly to violations of the principle of right and, by extension, the actualization of freedom. These violations, we maintain, become most explicit in the phenomena of criminality. Third, and most importantly, however, we argue that the most pressing problem of this natural dimension of abstract right is *not* so much the criminal activity because insofar as it is always punished it is always, in a sense, dealt with. Instead, our central thesis maintains that if criminality is a problem of nature, then, there is a distinct sense in which punishment must also be framed in similar terms. We then argue that if punishment is a form of (re-)habituation (again, akin to the treatment of psychopathology), then, one of its inherent risks is that it might operate largely in terms of a brute, natural immediacy which actively destabilizes spirit’s essence as free self-articulation. More specifically, we will suggest that Hegel’s analysis allows for the possibility of what we will call “surplus

repressive punishment” which establishes a host of problems for spirit’s objective expression insofar as such expression is to be understood as the actualization of freedom. A surplus repressive punishment, a brute form of natural external pressure, would constitute spirit’s, i.e. freedom’s, “regressive de-actualization” at both the individual (subjective) and intersubjective (objective, communal) levels. In this sense, surplus repressive punishment, as an expression of spirit’s brute naturalness, serves to undermine its objective actualization in its entirety. The problem of nature remains very much an active dimension of spirit’s concrete actualization at the socio-political level. If this is the case, then, we believe, it offers us a precise indication of the extent to which Hegel’s philosophy of spirit, i.e. his philosophy of freedom, is, simultaneously, one very much intertwined with the perpetual problem instantiated by the enigmatic matrices of nature. The sensitivity to this problem, that there is a problem here, and that Hegel’s system can be pursued to address this problem is one of the not always recognized merits of his thought. Simultaneously, it is one of those dimensions that make it surprisingly relevant for our contemporary world only insofar as nature, understood in its broadest possible sense, remains a problem for our living present.

Concluding, the project attempts to develop various responses that might be available to potential criticisms of our reading of Hegel’s writings on nature and their relation to the system’s rendering of the concept of spirit. Subsequently, we attempt to generate a sense of other lines of inquiry that might be pursued as a result of our investigative efforts. Its last remarks concentrate on some of the more general consequences that follow from the project as they unfold in terms of the nature-spirit dialectic. We now leave those concerns, however, to their appropriate place.

I

Hegelian Nature's Constitutive Lack

...Hurled like water From ledge to ledge Downward for years to the vague abyss.
~Hölderlin

1 Materiality, Life, and the Problems of Sickness and Death¹⁰

Systematically reinterpreting the internal dynamics of Hegel's *Philosophy of Nature*, in an attempt to explore what such an interpretation must signify within the coordinates of the rest of the system, is, as we have already noted, at significant odds with the largely negative reception it has received for the better part of two centuries. Bolzano, Hegel's contemporary, rejected it, as did the sober-minded scientist Helmholtz.¹¹ Despite Hegel's insistence that it was Schelling who constituted, and perpetuated, the problematic reception of *Naturphilosophie*, he himself was dismissed along similar lines. The last two hundred years is littered with no shortage of bewilderment, though a very specific strand has been reserved for those who have confronted Hegel's writings on nature.

We can historically trace the philosophical rejection of Hegel's *Naturphilosophie* at least as far back as Schelling's scathing criticisms, in and around 1833-4, regarding what he saw as the unbridgeable void separating the register of Hegel's *Logic* from the domain of nature.¹² Feuerbach developed his own unique variation of dissent in terms of 'the absolute' being nothing other than consciousness' self-alienation.¹³ Marx and Engels developed their set of criticisms of Hegel writings on nature by elaborating, as some commentators have argued, on the criticisms first generated by Schelling. Marx and Engels, in

¹⁰ Hegel citations are from *Hegel's Philosophy of Nature*, ed. and trans. M.J. Petry (London: Humanities Press, 1969), unless otherwise noted; hereafter *PN* followed by paragraph (§), *Zusatz* and page number for references where necessary (*Zusatz*, p.##); volume numbers are clearly indicated where specificity requires (vo.#). Where necessary, original German terms are from *Werke [in 20 Bänden auf der Grundlage der Werke von 1832-45]*, eds. E. Moldenhauer and K.M. Michel (Frankfurt am Main: Suhrkamp, 1970); hereafter *W* followed by volume number (#) and paragraph (§). Original German terms indicated with square brackets [...].

¹¹ See Sebastian Rand's "The Importance and Relevance of Hegel's *Philosophy of Nature*," in *The Review of Metaphysics* 61 (December 2007), pp.379-400. Here p.380.

¹² See Schelling's *On the History of Modern Philosophy* trans. Andrew Bowie (New York: Cambridge University Press, 1994). See especially the section on Hegel, pp134-160. Of this chasm, Schelling writes: "...the Idea... [says Hegel]...in the infinite freedom, in the "truth of itself, *resolves* to release itself as nature, or in the form of being-other, from itself." This expression "release"—the Idea releases nature—is one of the strangest...expressions behind which this philosophy retreats at difficult points...It is a very awkward point at which Hegel's philosophy has arrived here...a nasty broad ditch..." (p.155); See also Andrew Bowie, *Schelling and Modern European Philosophy: An Introduction* (New York: Routledge, 1993) Ch. 6 for an overview of the significant tensions between the two; Consider also, Manfred Frank and Joseph P. Lawrence's "Schelling's Critique of Hegel and the Beginning of Marxian Dialectics," in *Idealistic Studies: An Interdisciplinary Journal of Philosophy* 19, no.3 (1989), pp.251-268.

¹³ See "The Contradiction in Speculative Doctrine of God" in *19th-Century Philosophy*, ed. Patrick L. Gardiner (New York: Collier-MacMillan, 1969), see pp.246-50. Here we get a sense of Feuerbach's criticism of Hegel's speculative philosophy insofar as the latter situates both humans and nature *within* the processes constituting the Absolute whereas, pace Hegel, Feuerbach maintains that the Absolute needs to be understood as objectified (alienated) human consciousness, hence, secondary.

attempting to counter what they saw as the Hegelian system's *barring* of dialectical-historical developments within the natural register, attempted to interpret scientific findings and phenomena in terms of a distinct dialectical-materialism, arguing that there could be no real sense of history that was not already an outgrowth of natural history. Therefore, part of their objective of developing a *complete* world outlook, not only in terms of philosophy and political economy, means: "...they inevitably had to arrive at the necessity...[of] generalizing in philosophical terms the main achievements of natural science, to disclose the dialectical character of the development of nature and thereby show the universality of the basic laws of materialist dialectics."¹⁴ Amplifying his dissatisfaction with what he views as the upshot of Hegel's idealism, Engels, in *Dialectics of Nature* (1883), writes:

It is...from the history of nature and human society that the laws of dialectics are abstracted...indeed they can be reduced in the main to three:

The law of the transformation of quantity into quality and vice versa;

The law of the interpenetration of opposite;

The law of the negation of the negation.

All three are developed by Hegel in his idealist fashion as mere laws of *thought*...The mistake lies in the fact that these laws are foisted on nature and history as laws of thought and not deduced from them. This is the source of the whole forced and often outrageous treatment...We are not concerned here with writing a handbook of dialectics, but only with showing that the dialectical laws are real laws of development of nature, and therefore are valid also for theoretical natural science.¹⁵

Insofar as Hegel's system insisted on the diremption between the categories of thought, on the one hand, and their absence in the natural register, on the other, it was caught in irremediable dilemmas. Indeed, the essential problem, in terms of Marxian criticism, consists in Hegel's forcing the laws of thought into nature instead of deriving them from the natural register. In this sense, Hegel's system, as Marx and Engels argue, requires radical inversion.¹⁶

For entirely different reasons, Popper dismissed Hegel writings on nature, so did Russell.¹⁷ It is no exaggeration to maintain that this line of rejection has continued straight through to the present. Current strands of speculative thought, which assign priority to mathematics in terms of access to the

¹⁴ See the "Preface" to Karl Marx and Frederick Engels *Collected Works Volume 25 Frederick Engels: Anti-Duhring and Dialectics of Nature*, trans. Emile Burns and Clemens Dutt (New York: International Publishers, 1987), p.XIX.

¹⁵ Engels, *Dialectics of Nature*, p.356-7.

¹⁶ For systematic treatments of Marx's conception of nature see, for example, Alfred Schmidt's *The Concept of Nature in Marx* trans. Ben Fowkes (London: NLB, 1971); see also John L. Stanley "Marx's Critique of Hegel's Philosophy of Nature," in *Science and Society*, Vol.61, No.4 (Winter 1997/1998), pp.449-473; See also Zhang Wenxi's "The Concept of nature and historicism in Marx," in *Front. Philos. China* 4 (2006), pp.630-42.

¹⁷ See Stephen Houlgate's *An Introduction to Hegel, Freedom, Truth and History* (New York: Blackwell, 2005), p.106ff.

Real, continue to view Hegelian thought as suspicious (Meillassoux¹⁸). Even the recent resurgence of interest in German Idealism and Romanticism in terms of *Naturphilosophie* has led one of its more recognized figures, Iain Hamilton-Grant,¹⁹ to reject the idea that Hegel's thought might contribute to such a project.

This history of dissent, however, constitutes only one dimension of the complexity surrounding Hegel's philosophy of nature and its reception. This is because, even for those who remained dedicated to Hegel's thought more generally, the significance of the writings on nature is all but established. For instance, as Thomas Posch's research indicates, James Hutchinson Sterling (1820-1909), ironically described the impression Hegel's writings on nature left on him: "I have before me not an active, sensible, intelligent man, with his wits about him, looking at the thing in a business-like manner, and treating it so on the common stage of education and intelligence as it is now, but an out-of-the-way sort of body, a mooning creature with a craze, who, in pure ignorance, non-knowledge...non-intelligence, simply impregnates a mist of his own with confused figures of his own, that have no earthly application..."²⁰ Others, in the spirit of Kojève, remained dedicated to fundamental features of Hegel's system while outright rejecting the philosophy of nature as nonsense.²¹ The oblivion, in which this aspect of the system has resided, especially in the English speaking world, is in part evidenced by the fact that it was not translated until 1970, when two distinct translations were generated, one by A.V. Miller and another by M.J. Petry. As Petry notes, however, there is still no standard consensus as to the overall significance of this dimension of the system.²²

¹⁸ Quentin Meillassoux, *After Finitude: An Essay on the Necessity of Contingency*, trans. Ray Brassier (New York: Continuum, 2011), Meillassoux sees Hegel's idealism as exemplifying "correlationism" (Ch.1, p. 5ff). He also challenges the viability of Hegel's nature-philosophy in the status it assigns to contingency (p. 80 and its footnote 7).

¹⁹ Iain Hamilton Grant, *Philosophies of Nature after Schelling* (New York: Continuum, 2008), Grant develops the differences between Schelling and Hegel regarding nature early (p.15ff). He further develops Hegel's misreading of Schelling later (p.172ff.).

²⁰ See Thomas Posch's "Hegel and the Sciences," in *A Companion to Hegel* eds. Michael Baur and Stephen Houlgate (New York: Wiley-Blackwell, 2011), pp.177-202. Here, p.178.

²¹ Alexandre Kojève, *Introduction to the Reading of Hegel: Lectures on the Phenomenology of Spirit*, ed. Allan Bloom and trans. James H. Nichols, JR. (Ithaca: Cornell University Press, 1980), Ch. 7 p. 212ff. in particular (N.B. footnote 15).

²² See Michael John Petry's "Hegelianism and the Natural Sciences: Some Current Developments and Interpretations," in *Hegel-Studien* 36 (2001), pp.199-237. Here, p.199.

Despite this lack, several distinct strands of inquiry have emerged since the Seventies.²³ As Ferrini's recent systematic remarks indicate, the Seventies and Eighties saw Petry and others attempting to establish; "...Hegel's competence in the empirical sciences..."²⁴ The late Eighties and Nineties, subsequently, became more specialized and systematic, with several research efforts dedicated to tracing the ways in which Hegel criticized the: "...metaphysical presuppositions of the working scientist's activity."²⁵ The resultant lines of inquiry of such efforts have led several sustained inquiries focusing on: "...the enigmatic transition from Logic to Nature..."²⁶ addressing the relationship between Hegel's idealist conception of nature and its dependence on his dialectical logic. It is only in the last ten-fifteen years that several systematic research efforts have emerged concentrating on the transition within the system from the philosophy of nature to the philosophy of spirit. Even then, as in Catherine Malabou's important monograph *The Future of Hegel* (1996),²⁷ which addresses the construction of second nature in Hegel's philosophy, there is only a protracted analysis dedicated to the internal nuances and developments within the philosophy of nature itself. Most recently, several lines of inquiry, McDowell et al., have concentrated on 'naturalness' in relation to culture and democracy, while still others have focused on how Hegel's philosophy of nature might inform debates revolving around the environment and bioethics in terms of the "ecological cultural revolution."²⁸ By way of contrast, others have tended to downplay the importance of the writings on nature and any metaphysical import they might contain in order to concentrate on the socio-political dimension of Hegel's system (Pinkard, Pippin).²⁹ More generally speaking, then, a decided ambivalence continues to permeate the reception of Hegel's

²³ See Stephen Houlgate's "Introduction," in *Hegel and the Philosophy of Nature*, ed. Stephen Houlgate (Albany: SUNY Press, 1998), pp.xi-xxvii. See especially, p.xv-xvi where he cites at least four major monographs that have been dedicated to Hegel's *Naturphilosophie* in the wake of the Petry translation. Those works are: *Hegel and the Sciences* eds. R.S. Cohen and M.W. Wartofsky (Boston: D. Reidel Publishing, 1984); *Hegels Philosophie der Natur: Beziehungen zwischen empirischer und spekulativer Naturerkenntnis*, eds. R.P. Horstmann and M.J. Petry (Stuttgart: Klett-Cotta, 1986); *Hegel und die Naturwissenschaften*, ed. M.J. Petry (Stuttgart: Frommann-Holzboog, 1987); *Hegel and Newtonianism*, ed. M.J. Petry (Dordrecht: Kluwer, 1993). The volume Houlgate edited, of course, constitutes a fifth monograph dedicated to this subject matter.

²⁴ See Cinzia Ferrini's "Hegel on Nature and Spirit: Some Systematic Remarks," in *Hegel-Studien* 46 (2011), pp.117-150. Here p.118.

²⁵ Ferrini, "Hegel on Nature and Spirit: Some Systematic Remarks," p.120.

²⁶ Ferrini, "Hegel on Nature and Spirit: Some Systematic Remarks," p.121.

²⁷ First published in English in 2005. *The Future of Hegel: Plasticity, Temporality and Dialectic*, trans. Lisabeth During (New York: Routledge, 2005). See especially PART I "Hegel on Man: Fashioning a Second Nature" pp. 21-76.

²⁸ "Hegel on Nature and Spirit: Some Systematic Remarks," Ferrini, p.122-3.

²⁹ For the way in which this dimension of the system is not only downplayed but framed pejoratively if it has any metaphysical import, see, for example, Robert Pippin's *Hegel's Idealism* (Cambridge: Cambridge University Press, 1989), p.66.

philosophy of nature. Considering the competing interpretations of William Maker, Jeffrey Reid and Allison Stone, to name only a few of the most recent English commentators, reveals that anything but consensus is established in this aspect of the system.³⁰ Consequently, although we are able to discern relative continuity amongst various subjects guiding research over the past forty years, the overall significance and importance of the text as a whole, both in isolation and in relation to the rest of the system, and in its various subsections, remains very much a series of open questions.

It is from within the contours of these research efforts that the current project strikes its own position and intends to do so by paying careful attention to the transition in the system from the domain of nature to that of spirit. It is our suspicion that Hegel's thought, as developed in the philosophy of nature, offers us an entire lexicon of sophisticated conceptual tools with which to think both sides of this complex problem: on the one hand, it offers a thoroughgoing materialism that proves fundamental to the base-level of the natural register, while, on the other hand, it systematically traces how the immanent movements of that materiality prove crucial to the genesis of complex autopoietic structures (idealities) that, nevertheless, are irreducible to the material coordinates that were crucial to their genesis.³¹ Our central thesis in Part I will claim that these significations follow with precision from what Hegel characterizes as nature's impotence [*Ohnmacht*],³² what we will call its fundamental, constitutive *lack*. Nature's constitutive lack of determinacy, its under-determination, especially at its zero-level, as we shall see, is what makes it averse to the precise determinations of conceptual thought proper. Not only is this lack crucial to the natural register's materiality it is also, simultaneously, what opens up the entire sphere

³⁰ Jeffrey Reid's *Real Words: Language and System in Hegel* (Toronto: University of Toronto Press, 2007) offers a concise account of the major camps. See Ch. 4 (N.B. p.40ff.). For the divergence between thought and nature consider William Maker's "The Very Idea of the Idea of Nature," in *Hegel and the Philosophy of Nature*, ed. Stephen Houlgate (Albany: SUNY Press, 1998), pp.1-28. For an argument concerning the *a priori* status of Hegel's philosophy of nature, see Allison Stone's *Petrified Intelligence: Nature in Hegel's Philosophy* (Albany: SUNY Press, 2005). Reid operates as a midpoint between these divergent positions.

³¹ We use "autopoiesis" and its cognates to demarcate the self-referential and self-constituting processes of properly ideal structures, what Hegel refers to as conceptuality and even life. For a history of the concept of autopoiesis, see, for instance, the groundbreaking study by Humbert R. Maturana and Francisco J. Varela's "*Autopoiesis and Cognition: the Realization of the Living*," in *Boston Studies in the Philosophy of Science*, vo.42 (1980). For the relation of this concept to Hegelian thought see, for instance, See Francesca Michelini's "Thinking Life: Hegel's Conceptualization of Living Being as an Autopoietic Theory of Organized Systems," in *Purposiveness: Teleology between Nature and Mind* eds. Luca Illetterati and Francesca Michelini (New Jersey: Transaction books, 2008), pp.75-96. Here p.88; see also her "Hegel's Notion of Natural purpose," in *Studies in History and Philosophy of Biological and Biomedical Sciences* 43 (2012), pp.133-39; see especially section "4. Hegel's Appropriation of Aristotle and the 'bio-philosophy': life is activity of deficiency," p.137ff. See also Slavoj Žižek "Discipline Between Two Freedoms: madness and Habit in German Idealism," in *Mythology madness and Laughter* (New York: Continuum, 2009), pp.95-121; consider section 2 "The Auto-poiesis of the Self" (pp.104-111).

³² PN§250, PN§250 Remark; W9 §250.

to the generation of radically contingent structurations such as organics, life, ideality, all of which are utterly irreducible to the material conditions aiding their genesis. Concomitantly, the depth of Hegel's analysis allows us to think how the unruliness of the natural register, its indeterminacy, its contingency, its externality, perpetually threatens self-relating structures in a myriad of complicated modalities. We plan to substantiate this second dimension of our thesis through a systematic analysis of the animal organism. Intensifying the problematic consequences that follow from our interpretation of Hegelian nature will be our primary focus in Parts II and III of this project: we will attempt a sustained, systematic analysis of the ways in which spirit is perpetually (a) entangled with various configurations of natural materiality in its project of (re-)constructing a second nature, and; (b) that the unruliness of this natural dimension shows us the vulnerabilities of self-relating structures (ideality), and; (c) there are several potential problems that perpetually arise in spirit's attempts to reconfigure natural unruliness within the objective register. Our immediate objective is to substantiate what we will call Hegelian nature's constitutive lack, the fundamental materialism operative in the natural register, and the genetic problems consequent upon such a starting point.

Establishing our thesis concerning the impotence of Hegelian nature, we believe, means there must be some key sense in which Hegel's repeated assertions about the exteriority of nature, its contingency, its irrationality, need to be taken both literally and seriously.³³ Therefore, the reading that we seek to substantiate must prove its merit against interpretations such as the one advanced in Alison Stone's recent monograph that ventures a systematic argument for the fundamental rationality of Hegelian nature. According to Stone's interpretation, Hegel's philosophy of nature, in the spirit of Schellingian philosophy of nature around 1800, offers what she calls a "strong *a priori*"³⁴ rendering of the totality of natural forms such that they are derived independent of experience and, concomitantly, display themselves as rationally and necessarily interconnected, and, ultimately, rational, "...transforming themselves in accordance with rational requirements."³⁵ Stone argues for this thesis throughout the entirety of the text because Hegel "...gives no clear and uncluttered statement of this view" concerning the status of nature.³⁶ Stone offers a relatively succinct account of what she has in mind when she speaks of nature's thorough rationalism, by writing that all: "...natural forms necessitate one another, as

³³ See, for example, *PN*§248 Remark, *PN*§250, *PN*§250 Remark.

³⁴ Stone, p.1ff.

³⁵ Stone, p.xii.

³⁶ Stone, p.60.

exhibited in their development. Hegel believes each form to follow its predecessor necessarily in that it provides the *rationaly necessary* solution to the internal *contradiction* within the structure of the predecessor.”³⁷ Consequently, not only does Stone’s interpretation show striking affinities with Schelling’s early writings on nature, it also shows affinities with the Marxian-Engelsian reading of the problem of nature: nature itself is conceived to operate in terms of dialectical antinomies and syntheses that fundamentally necessitate, with iron force, the movements of nature’s protean forms.

One of the crucial ways in which Stone substantiates this interpretation of Hegelian nature is by way of a systematic comparison of the developmental correspondences between nature, on the one hand, and consciousness, on the other. Throughout the entirety of her argument she draws direct analogical correspondences between shapes of consciousness, as they unfold in both the *Phenomenology* and the *Philosophy of Mind*, and the developments of nature as genetically mapped within the writings on nature. Stone’s method, therefore, presupposes a *strict* correspondence between the immanent developments of the two spheres. Stone, moreover, ultimately grounds the rationalist interpretation of Hegel’s philosophy of nature by way of emphasis on what she describes as its superior metaphysical presuppositions when compared to those grounding the natural sciences (i.e. where natural phenomena are understood as barren things). Hegel’s metaphysics, by way of contrast, maintains that: “natural forms are (in a certain qualified sense) *rational agents*, which act and transform themselves in accordance with rational requirements.”³⁸ It is this immanent rationality (Stone revealingly uses Schelling’s terminology to describe this rationality, i.e. *petrified intelligence*—the title of her monograph), the unconscious agency of natural forms, following from Hegel’s distinct metaphysics, which grounds the natural domain’s dignity, autonomy and rationality, of which it is deprived by way of the natural sciences’ inadequate metaphysical presuppositions which convey the natural register as various constellations of barren, inert, *things*—utterly devoid of rational agency.

While Stone’s interpretation of Hegelian nature is apposite, thoughtful, and systematic, we believe that it is fundamentally at odds with several important features of Hegel’s writings in this context and actually comes much closer to a Schellingian-Romantic conception of nature as opposed to one that is distinctly Hegelian. First, we do not think it is clear that Hegel’s analysis operates by way of a strict *a priori* rendering of nature, attempting to generate an exhaustive deduction of natural forms, and their

³⁷ Stone, p.60.

³⁸ Stone, p.xii. Emphasis ours.

necessary interrelations, *completely* independent of empirical presuppositions. While this is, arguably, the method employed in Schelling's early philosophy of nature it is not evident that this is Hegel's methodology in the final system. Stone maintains that Hegel: "...incorporates large quantities of material from contemporary science, [but] he does this only when he can interpret scientific claims as corresponding to his basic a priori theory."³⁹ However, Hegel explicitly states in the introduction to the writings on nature that the philosophy of nature *presupposes* the findings of the empirical sciences. He writes: "The relationship of philosophy to what is empirical...is not only that philosophy must accord with the experience nature gives rise to; in its formation and in its development, philosophic sciences presupposes and is conditioned by empirical physics."⁴⁰ It is well outside the sphere of our current investigation to give an exhaustive analysis of Hegel's relation to the empirical sciences, a dimension of scholarship that has advanced steadily since the Seventies. However, we can say, by way of referencing support in the literature that there are good reasons to think that Hegel's *Naturphilosophie* depends, in key ways, on the findings of the empirical sciences. Yet, if this is the case, it is not clear that there is only a contingent relationship between the organization of materials in the philosophy of nature and the findings of the empirical sciences, as Stone argues. We believe, therefore, that several other interpretations of Hegel's writings on nature are correct in arguing that the empirical sciences provide the first-order materials through which the philosophy of nature *must* work (e.g. Petry, Reid, Renault), otherwise it would have nothing to work with but itself—the domain of *logic*.⁴¹ Speculative science, in this context

³⁹ Stone, p.xii.

⁴⁰ *PN*§246, *Remark*; See also the *PN Introduction, Zusatz* where Hegel makes explicit the necessary relation between the two. For instance, there we find: "Physics and Philosophy of Nature are therefore to be distinguished, not as perception and thought, but merely *by the nature and manner of their thought*. Both are a thinking cognition of nature" (p.193.).

⁴¹ The current list is not exhaustive but it offers a sense of various commentators who have attempted to articulate the ways in which the empirical sciences operate, in various ways, as the presuppositions of speculative thought. See for instance, Gerd Buchdahl's "Conceptual Analysis and Scientific Theory in Hegel's Philosophy of Nature (With Special Reference to Hegel's Optics)," in *Hegel and the Sciences* eds. R.S. Cohen and M.W. Wartofsky (Boston: D. Reidel Publishing, 1984), pp. 13-36, see also his "Hegel on the Interaction between Science and Philosophy," in *Hegel and Newtonianism* ed. M.J. Petry (Boston: Kluwer Academic Publishers, 1993), pp.61-72; see also Cinzia Ferrini's "Hegel's Confrontation with the Sciences in 'Observing Reason': Notes for a Discussion," in *Bulletin of the Hegel Society of Great Britain* 55-56 (2007), pp.1-22, see also her "Being and Truth in Hegel's Philosophy of Nature," in *Hegel-Studien* 37 (2004), pp.69-90; see Gilles Marmasse "La Philosophie de la nature dans l'encyclopédie de Hegel," in *Archives de Philosophie* 66, 2 (2003), pp.211-236; consider, also, Petry's succinct account of Hegel's methodological approach to empirical science in his "Introduction a. Empiricism" to *Hegel's Philosophy of Subject Spirit* (vol.1). See, for example, one of the many instances where he writes to this effect: "Since philosophy presupposes empiricism in the same way that empiricism presupposes realism, these three ways of thinking about objectivity are complimentary" (p.x), see also, p.xi, p.xiii, pxix; consider Terry Pinkard's "Speculative Naturphilosophie and the Development of the Empirical Sciences: Hegel's Perspective," in *Continental*

what Hegel calls “*rational physics*,”⁴² consequently, makes explicit the interconnected movements of conceptual thought immanent in these findings, organizing them in terms of emergent structuration and complexity. However, this is distinct from asserting that nature simply unfolds dialectically in accordance with the concept. Not only would this seem to suggest a crucial difference between strictly dialectical thought and the domain of nature, while holding out the possibility of their emergent similarities, but it also seems to suggest that a distinctly Hegelian philosophy of nature would remain perpetually open to thinking through new developments in the empirical sciences, situating them in terms of conceptuality and the architecture of the speculative framework.⁴³

Second, amplifying our remarks above, one of the presuppositions propelling Stone’s argument for the fundamental rationality of natural forms depends on asserting the direct *correspondence* between the development of thought, on the one hand, and natural forms, on the other.⁴⁴ Again, while this move seems much more justified in terms of early Schellingian nature philosophy, as in, for example, *The System of Transcendental Idealism* (1800), it is not at all clear that Hegel maintains that such an *identity*

Philosophy of Science ed. G. Gutting (Malden: Blackwell Publishing, 2008), Ch.2; see Reid’s *Real Words: Language and System in Hegel*, p.43ff.; see also Emmanuel Renault’s *Hegel: La naturalisation de la dialectique* (Paris: Vrin, 2001), Renault writes:

La philosophie ne doit pas traiter de *tout*, mais seulement du rationnel. Par voie de conséquence, elle ne doit pas se rapporter aux phénomènes, mais seulement à un discours ayant déjà effectuée la rationalisation des phénomènes. Il en résulte que la philosophie de la nature toujours des *conditions* et des *présuppositions*; elle a les sciences de la nature pour condition et présupposition. Hegel désire établir une paix durable entre les sciences et la philosophie. Il désire mettre un terme à la guerre (schellingienne et romantique), par un accord basé sur un rapport véritable des deux termes en conflit... La philosophie de la nature est une philosophie du savoir scientifique (p.67).

Consider, also, Thomas R. Webb’s “The Problem of Empirical Knowledge in Hegel’s Philosophy of Nature,” in *Hegel-Studien* 15 (1980), pp.171-186.

⁴² *PN Introduction, Zusatz* p.193.

⁴³ We believe there is something fundamentally correct in such openness. For example, there are several more recent efforts in Hegelian scholarship investigating the ways in which Hegel’s philosophy of nature would be able to incorporate a distinctly Darwinian theory of evolution. Consider John Burbidge’s “New Directions in Hegel’s Philosophy of Nature,” in *Hegel: New Directions*, ed. Katerina Deligiorgi (Chesham: Acumen, 2006), pp.177-192, Burbidge appears open to the “introduction of the concept of history into nature” (p.187), see especially section IV (p.187ff); see also J.M. Fritzman and Molly Gibson’s “Schelling, Hegel, and Evolutionary Progress,” in *Perspectives on Science*, vol. 12, no.1 (2012), pp.105-128; see Errol E. Harris “How Final is Hegel’s Rejection of Evolution?” in *Hegel and the Philosophy of Nature*, ed. Stephen Houlgate (Albany: SUNY Press, 1998), pp.189-208; see too David Kolb’s “Darwin Rocks Hegel: Does Nature Have a History?” in *Bulletin of the Hegel Society of Great Britain* 57/58 (2008), pp. 97-117. Considered collectively these studies suggest that Hegel’s philosophy of nature is not completely antithetical to some form of evolutionary theory which, simultaneously, allows us to think that it would also be open to a form of natural history. However, if that is the case, then we would have grounds by which to undercut, in some significant sense, the ways in which Schelling, Marx, and Engels allege this dimension is entirely absent in Hegel’s philosophy of nature.

⁴⁴ For a criticism of this move in terms distinct from our own see Edward Halper’s “A Tale of Two Metaphysics: Allison Stone’s Environmental Hegel,” in *Bulletin of the Hegel Society of Great Britain* 51-52 (2005), pp.1-11.

holds to the degree the argument for strong *a priori* rationalism requires. We believe, by way of contrast, that what is necessary to the most fertile reading of Hegel's philosophy consists, at least in part, in systematic emphasis on the real *differences* it activates between various domains of inquiry, especially in terms of the radical qualitative differences dividing the constellational registers of nature and spirit. Although we will develop this point systematically throughout the body of Part I, for the moment we will only reference Hegel's opening, most general, conceptual determination of the natural register, i.e. the Idea in the form of *otherness*. We take this otherness quite literally as signifying the domain of that which is utterly limited in its conceptuality.⁴⁵ Taking Hegel's starting point, then, in its most literal sense possible, means that it becomes difficult to base an interpretation of his writings on nature on analogical correspondence with spirit's and thought's immanent *conceptual* developments, i.e. those which transpire in a heterogeneous register. Moreover, if we are to take seriously the starting point of insisting on a significant heterogeneity between the two registers, i.e. nature and spirit, then that means that nature must, in some significant sense, *lack* the more robust conceptual coherence and rational structuration characteristic of the autogenetic movement of thought and its internally self-relating, differentiating, and unifying process of actualization. What our interpretive starting point does, then, is open up the possibility that nature is not a strong *a priori* rationalism as Stone's argument maintains. This is a line of thought that we will systematically emphasize over the course of Part I.⁴⁶

Third, further accentuating our thesis concerning the qualified non-conceptuality of the natural register leads us to question Stone's claims regarding the metaphysical status of rational agency that she claims Hegel assigns to *all* natural forms. While there is no question that Hegel's speculative science operates with metaphysical principles that distinguish it from the metaphysical presuppositions driving the natural sciences, it is not evident that rational agency can be assigned to the *entirety* of a domain that Hegel frames, in its most fundamental determination, as that which is the non-Idea, the non-thought, i.e.

⁴⁵ For a more detailed sense of our interpretation of the relation between thought (logic) and the register of nature, see the paragraph below which unfolds our "prefatory introduction" to our "weak *a priori*" methodology.

⁴⁶ It is not our suggestion to deny any relation between the realms of conceptuality, therefore dialecticity, and nature for to do so would risk a form of dualism that is entirely antithetical to Hegelian thought more generally. Instead, our thesis seeks to establish a midpoint between such an extreme diremption between the two registers. We believe that what Hegel's position allows us to think is the way in which more stabilized structurations are only established in the natural register by way of fitful starts, abortions, and failures at key moments in materiality's immanent instability. In this sense clear conceptual distinctions only become materialized in sufficiently complex structurations. Simultaneously, it is what Hegel's calls nature's monstrosity that is crucial to the genesis of more complex structuration, i.e. conceptuality's materialization. This would not make Hegel's position, then, as completely antithetical to the position advanced by Marx and Engels.

the domain which lacks, in some significant sense, not only stable structuration but the responsiveness requisite for concerns of rational input. While Stone is careful to argue that nature's agency is not necessarily conscious agency, assuming such a qualification holds for the *entirety* of nature, she also frames this agency in explicitly Schellingian terms, i.e. she repeatedly frames nature in terms of "petrified intelligence." However, it is not clear that Hegel explicitly endorses such a locution, nor that he would have it function as the comprehensive determination of the entirety of the natural register. From the opening page of Hegel's *Naturphilosophie*, he scathingly states that one of the most significant contributors to the 'pseudo-science' status assigned to the philosophy of nature is *Schelling*. Hegel writes: "It is charlatany such as this, and Schelling's philosophy is a prime example of it, that has brought the philosophy of nature into disrepute."⁴⁷ Furthermore, a systematic examination of the significant endorsement of *mechanics*, which Hegel's philosophy of nature makes explicit in its opening section's analysis of the indeterminate exteriority of space, justifies the question as to whether it is textually grounded to suppose that Hegel views *all* natural forms in terms of rational agency. How, to frame this concern in the form of a question, can we meaningfully assign *agency*, given the nature of Hegel's analysis, to spatiality (i.e. radically indeterminate exteriority)? While Stone's rationalist interpretation of Hegel's philosophy of nature seems to have more affinities with Schellingian and/or Romantic conceptions of nature (in terms of a Blumenbachesque dynamical vitalism),⁴⁸ we believe there are real grounds to ask whether such a conception can be readily assigned to Hegel's philosophy of nature, or systematically substantiated by way of a careful reading of the entirety of the text.

If these concerns have valid critical traction, which we believe they do, then this means that an alternative reading of *Hegel's* philosophy of nature is necessary, one that can be clearly contrasted with Schellingian-Romantic philosophies of nature, in order to systematically explore the pressing questions that can only be skeletally sketched here—insofar as we are restricted by the internal limitations of an introduction. The current investigation is a first attempt at addressing this systematic concern. Part I, therefore, is not so much a critique of Stone's position as it is a sustained attempt to generate an alternative reading of Hegel's philosophy of nature that is textually substantiated. It also seeks to set the

⁴⁷ *PN, Introduction*.

⁴⁸ For an argument concerning the significant influence Romantic thought had on Darwin's theory of evolution, and the ways in which Schelling's philosophy (and to a lesser extent Blumenbach's work) is crucial in that influence, see, for example, Robert R. Richards *The Romantic Conception of Life: Science and Philosophy in the Age of Goethe* (Chicago: University of Chicago Press, 2002).

tone for developments to come subsequently in our larger analysis: subsequently, we will seek to present Hegelian nature as a necessary presupposition for spirit's activity, and, simultaneously, systematically develop the ways in which it functions as a perpetual problem for spirit's self-actualization. In this sense, Hegelian nature is asymmetrical, non-reductivist, and under-determined, therefore radically open-ended. One of the real merits of Hegel's thought in this context is that it offers us the sophisticated conceptual lexicon with which to think the very problem of nature in its entirety, its complexity, without falling into obscure rhetoric of mysticism, religion or various forms of irrationalism that maintain that the natural world is utterly inaccessible to the dynamics of thought.

In order to develop the guiding thesis of Part I, it is our suspicion that we will be able to advance by way of a systematic rethinking of Hegel's claim that nature is the Idea in the form of otherness and carefully thinking through the consequences that follow from this starting point. Hegel explicitly states that nature is the Idea as the negative of itself, which means that nature is externality.⁴⁹ Externality is not to be thought of as external in relation to the Idea but that externality constitutes the very nature of nature *all the way down*. If nature is the register of the non-thought, then, this leaves us no other option but to understand it as an indeterminate materiality exhibiting at its base a lack of conceptual structure (but not an utter absence) in contradistinction to the Idea. In this sense the very ground of nature is permeated not with the stable plenum of early Modernism's Substance or the multiplicity of discrete atomic matter as proposed by positivist science, but something much more indeterminate, unstable and even chaotic. However, if this is the case then the problem that immediately presents itself is this: how can minimal forms of a self-referential structuration and activity (ideality) emerge from within the coordinates of pure externality? The entire problem that Kant's third *Critique* established in terms of the emergence of teleological activity out of the realm of natural necessity, the same problem Schelling grappled with throughout the entirety of his prolific philosophical output, presents itself with striking force and intensity. We take this to establish the paradoxical quality of Hegelian nature's lack: it is only through nature's own immanent external movements that it will come to generate the unexpected structures of complexity demarcating living ideality. Our suspicion is that nature's inwardness, therefore, must be a fight for achievement, not a guarantee in advance, because the emergent inwardization of materiality that Hegel's philosophy of nature charts cannot unfold in strict accordance with the pre-established

⁴⁹ PN§247.

determinations of the domain of thought (logic) as the domain of nature in a sense lacks some of the necessity of strict conceptual determinacy. Our move, here, consequently, brings us into direct confrontation with interpretations of Hegel's logic, for example Houlgate, but also, obviously, Stone, that see a strict correlation between the movement of thought (logic), on one hand, and material being (nature), on the other. Our interpretation, conversely, suggests that the unruliness of nature indicates that it must at first fail; it fights for its stability through fits, starts and ultimately abortions, all of which result from nature's reticence to inwardness and in this sense we might describe nature, in some qualified sense, as *anti-nomothetic*. What this would mean is that, as a complimentary counterpoint to Burbidge's argument for the necessity of contingency in Hegel's system more generally,⁵⁰ what Hegel's *Naturphilosophie* shows us is the radical contingency of all necessity in this domain. Nature perpetually holds out the possibility of its own violation, the implication that things could, and can, always be different.

Indeed, a prefatory introduction to our methodological approach to the question of nature insists upon what we might call a "weak" *a priori*ism (in contradistinction to Stone's "strong" interpretation). Such a move corresponds to our thesis concerning nature's constitutive lack. We will contend, in line with Burbidge, that the philosophy of nature is a logical construction informing us about the nature of nature. At the outset, therefore, thought must ask: what is radically other than thought? What, Burbidge asks, are, "...its most general and basic characteristics"?⁵¹ Thought responds with: externality. Thought is then forced into considering what corresponds to externality *in nature*, and it finds space. In attempting to discern the negation of space, thought then discovers the point etc. etc. However, it is crucial to note that at each of these transitions thought is forced to consider what corresponds to its thought in the natural register. Such a reading reinforces our claims to the importance of the findings of the empirical sciences in such a methodology. Thought is constantly refining its conceptual framework in light of the findings of experience. Such a method, however, contrasts with a strong *a priori* methodology because there is nothing immanent in the analysis of the first conceptual schema itself (strictly the domain of thought) which *necessitates* the emergence of the subsequent category. Instead, thought must look to experience in order to discern what, in fact, happens to corresponds to that description. Unlike in the domain of logic, then, where an analysis of the starting point immanently necessitates the subsequent category, the

⁵⁰ For our detailed account of contingency in the register, see Chapter 2 below.

⁵¹ Burbidge's "New Directions in Hegel's Philosophy of Nature," pp.181-82.

philosophy of nature must generate subsequent categories by synthetically incorporating what it finds in the register of experience with its initial conceptual schema. While there is a certain *a priori* feature to such a methodology it is not, on our view, a strong *a priori*, as in the case of Stone. It is constantly held in dialogue with the findings of experience in a way that is completely at odds with the type of *a priori* method we find deployed in the domain of logic. That thought generates a conceptual scheme of externality (*a priori*) and discovers that space corresponds to it does not enforce the necessity of the correspondence (hence weak *a priori*). It is in this way that the world constantly has the ability to frustrate and surprise the conceptual schemas generated by thought itself. Indeed, because of the otherness of nature to thought, there is a way in which the former lacks the self-generating necessity characteristic of conceptual thought more generally. Ultimately, it is this non-necessitated correspondence that allows us to maintain the radical contingency of the natural register. In other words, there is a correspondence between the two but it could have always been otherwise. This lack of conceptual necessity permeates the natural register all the way down and is what allows us to maintain our thesis concerning its ability to generate novelty (non-necessitated). Nevertheless, this indeterminacy poses problems to conceptual thought, perpetually and simultaneously.

Nature's lack is why Hegel connects it with unreason: its immediacy and contingency perpetually elide coherent and systematic conceptual determinations implicating at its zero-level some opaque realm of abyssal disorder.⁵² Nature's unruly externality then is why even the most complex forms of organic life, which exhibit real subjective structuration, which anticipate the self-referentiality of the movement of the concept, are perpetually threatened by a beyond which pronounces their negation, the flat-line of death. This unruly externality perpetually announces itself to the organism in a range of disturbing and traumatic phenomena. What this shows us is the overall indeterminacy constituting nature as a 'whole' and the specific way natural organisms (ideality and subjectivity) display an irretrievable *entanglement*⁵³ with the materials of their factual environment. Our reading forces us to suggest that, contra Stone et al., the natural register is, in some fundamental sense, *inadequate* to the self-referentiality constituting conceptuality. Animal life is insufficient to conceptuality insofar as it is immediate and overly material. The second aspect of the thesis that we will advance in this chapter claims that the animal phenomena of

⁵² See, for example, *PN*§248 Remark, *PN*§250, *PN*§250 Remark.

⁵³ See *PN*§248 Remark, *PN*§373, *PN*§374—all of which, in varying degrees, describe this indeterminate interpenetration.

digestion, excretion, sex and violence, sickness, and, ultimately, death function as precise expressions of Hegelian nature's radical extimacy, its constitutive lack.⁵⁴ Taken together they reveal in no uncertain terms, the radical instability and insufficiency of material nature to completely realize conceptual, subjective, structuration. When both aspects of our opening thesis are taken together they reveal the ambivalence operating at the quivering centre of Hegelian nature: nature's externality generates an inwardness that is nevertheless perpetually threatened by the externality which was crucial to its genesis; this entanglement ultimately must lead to sickness and natural death. In this sense, the very conditions that ground the emergence of life also function as those for its annihilation.

Chapter two is a reconstruction of the opening section on "Mechanics" and it attempts to think the volatile indeterminacy constituting the zero-level of nature as instantiated in the categories of space and time. By way of contrast with Stone's interpretation of these same sections, we will attempt to emphasize the ways in which this base level of Hegelian nature is lacking the stability and internal coherence characteristic of conceptuality. They are radically indeterminate, prone to external determinations that are antithetical to the interiority of the concept. In recounting the development of these categories the subsection attempts to develop a detailed sense of the ways in which the instabilities immanent within space-time are nevertheless crucial to the genesis of materiality. In this sense it attempts a strong materialist reading of Hegel's position with the aim of showing how the dynamics situated *within* the matrices of material mechanics must be the conditions that establish the terms of their own overcoming but in a non-reductive way.⁵⁵ The section concludes in an attempt to substantiate this reading by claiming that what the transition from "Mechanics" to "Physics" offers us is a precise expression of the contingency permeating Hegelian nature insofar as any necessity in that transition only arises *after the fact* as it is not reducible to its precedent conditions. Therefore, we claim that such necessity is utterly

⁵⁴ We use Lacan's neologism *extimaté* and its cognates in order to signify a paradoxical state which consists in an external-intimacy and intimate-externality such that it problematizes binary distinctions of internality and externality. This problematic, then, works perfectly well in the context of Hegel's philosophy of nature which repeatedly reveals nature's lack of an adequately stable structure, especially as in that of subjectivity proper. Even, as we shall see, in materiality's inchoate internality there is a fundamental way in which it collapses outward. In this sense, nature's inwardness is still an externality. Lacan's neologism reinforces this paradoxical problematic permeating the domain of nature all the way down.

⁵⁵ For an argument concerning the lasting merits of Hegel's anti-reductionism in his philosophy of nature, see Thomas Posch's "Hegel's Anti-Reductionism: Remarks on what is Living of his Philosophy of Nature," in *Journal of the Theoretical Humanities* vol. 10, no.1 (April 2005), pp. 61-76.

contingent. Such a form of contingency expresses, we believe, the utter lack constituting Hegelian nature, its indeterminacy and externality.

Chapter four, in attempting to amplify chapter three's thesis concerning nature's constitutive lack, attempts a reconstruction of Hegel's analysis of the animal organism. Contra Stone's reading of the animal organism as the *complete* triumph of the concept in nature, we attempt to show the precise ways in which the organism remains, in several fundamental ways, an insufficient materialization of the concept, in as much as it is perpetually vulnerable to a host of threatening complications by way of nature's externality. The section attempts to develop this reading by focusing on the processes of assimilation (digestion, excretion) and the generic relation (sex, violence, sickness and death) which reveal the animal as perpetually destabilized and prone to trauma by way of nature's externality that perpetually threatens it. *All* of these phenomena are systematically elided in Stone's analysis. Here we will claim that these phenomena function as precise expressions of Hegelian nature's constitutive lack, its radical indeterminacy and contingency. The disparity between the animal organism's self-referential structure and its entanglement with material externality is a fragmentary discrepancy that Hegel goes so far as to characterize as the organism's "germ of death" [*Keim des Todes*], its "original sickness" [*ursprüngliche Krankheit*].⁵⁶ Our central thesis concerning nature's impotence, its generative lack, is reinforced by this claim which we read to be indicative of the incomplete structure of animal subjectivity which functions as a precise expression of the radical externality that characterizes Hegelian nature through and through. In other words, the thesis that we pursue in this opening chapter is nothing other than a sustained attempt to think through Hegel's provocative claims concerning what he calls nature's impotence [*Ohnmacht*],⁵⁷ its monstrosity [*Monstrositäten*].⁵⁸

Part I, then, not only ventures a unique thesis concerning Hegelian nature, in terms of a lack that is both generative and problematic for the entire natural register, it also operates as a propaedeutic for the subsequent partitions of this study grounding an entire conceptual constellation which the remainder of our investigation will seek to genetically map. Our overarching objective is to reconstruct the precise ways in which the natural register disrupts, destabilizes and traumatizes spirit's hyper-reconstructive activity in terms of a second nature. In order to access the traumatic dynamics that exist between these

⁵⁶ PN§375; W9§375. Translation modified.

⁵⁷ PN§250, PN§250 Remark; W9 §250.

⁵⁸ PN§250 Remark; PN§370 Remark (§368 in 3rd ed. of *Encyclopedia*).

two register our first objective, therefore, must be to develop a sustained and systematic interpretation of what nature means within the lexicon of Hegel's speculative system. Part I is designed with that objective as its immanent, guiding force.

2 The Instability of Space-Time, the Genesis of Materiality, and the Contingency of Necessity

In this chapter we intend to concentrate on Hegel's writings on mechanics and the section's conceptual rendering of the genesis of material extimacy. In so doing, we look to substantiate our thesis concerning the very lack of conceptual structuration, and internal coherence, constitutive of Hegelian nature, which is strikingly apparent at this zero-level of the natural register. This is not, however, to suggest that the register is entirely devoid of conceptuality. After all, to *think* about nature is conceptual. Nevertheless, our thesis insists that the natural register, especially at this level, is informed by the most minimal conceptuality and that it is this skeletal determination that constitutes its instability and its lack of the sophisticated modes of conceptual mediation that we find, for instance, in the register of spirit proper.

Nature begins at the extreme of indeterminate externality which Hegel captures through the category of *space*. He writes: "The primary or immediate determination of nature is the abstract *universality of its self-externality*, its unmediated indifference, i.e. space."⁵⁹ Hegel further characterizes the externality of space as, juxtaposition, collaterality [*Nebeneinander*]⁶⁰ and this means it is fundamentally extimate, outside and beyond itself, and therefore indicative of asunderness. Spatiality's minimal connection (*Beziehung*) with otherness is why the *Zusatz* to §254 describes it as a series of 'heres' constituting an unlimited horizontal register, a multiplicity, wherein every 'here' connects to another beyond itself, deferring to the next in a nauseating open-ended series, *ad infinitum*. This multiplicity, without real limit or interruption, is the very nature of what we believe is spatiality's chaotic and uncontained extimate juxtaposition; it is, in a precisely Hegelian sense, a spurious infinite.⁶¹ This minimal connection can be directly, and significantly, contrasted with the relationships (*Verhältnis*) that we find in more sophisticated levels of mediated conceptuality as in, for instance, the realm of the organic.⁶² The barrenness of spatiality becomes more apparent when we recognize that in its immediacy it

⁵⁹ *PN*§254.

⁶⁰ *PN*§254, *W9* §254.

⁶¹ See Hegel's discussion of finitude in his Hegel's *Science of Logic* trans. A.V. Miller (New York: Humanity Books, 1969), pp.116-36.

⁶² For a discussion of the distinction between connection (*Beziehung*) and relationship (*Verhältnis*), see George Di Giovanni's "Translator's note," in *The Science of Logic* ed. and trans. George Di Giovanni (New York: Cambridge University Press, 2010), especially p.lxviii. Connection (*Beziehung*) denotes a minimal form of external affectation between terms, usually in the context of the more immediate categories of being. Relationship (*Verhältnis*), by way of contrast, denotes more mediated, dialectical relations where one term is reflected in the other internally, and vice versa; it is also usually deployed in the context of the "concept" and the "Idea." While these are logical distinctions, our deployment of "connection" here is meant to reflect this difference. Our emphasis on connection is informed by our thesis concerning nature's lack.

“lacks difference,” it is “...not the actual *positedness* of juxtaposition...”⁶³ We take this qualification as highly significant insofar as it suggests that spatial multiplicity is an externality that is not even established as (i.e. put forth) an actuality. Recall that for Hegel: “Actuality is the unity, become immediate, of essence with existence, or inward with outward.”⁶⁴ However, here, at the base level of nature, we are at the extreme of *exteriority*, that which is deprived of any real sense of interiority and therefore in no way functioning as an actuality. Instead, it is only the series of abortive indications of actual juxtaposition (collaterality, base connection). Therefore, in its most rudimentary constitution, space is not even established structuration (actuality).⁶⁵ It disintegrates in the non-actuality of a minimally connected horizontal multiplicity, i.e. radical externality. This indicates that in a very important way the primal nature of spatiality is a chaotic impotence if by this term we are to understand spatiality’s *lack* of structuration, its inability to generate actual unity that would establish its juxtaposition as a concrete actuality.⁶⁶ In this sense, Hegelian nature, quite literally, begins in absence, in that which, in a crucial sense, is not an actuality. It is incapable of establishing the sort of differentiating relationships necessary to actual juxtaposition and therefore can be described as an infinite series of failures at auto-articulation, insofar, of course, as we consider it in light of the demands of conceptuality proper—the advantage offered by the vantage point of spirit.

Our interpretation of spatiality contrasts significantly with Stone’s reading of these passages. This is not just an exercise in empty semantics because the consequences that follow from the two interpretations have the potential to generate completely different meanings not only for the philosophy of nature but, as per our wager, Hegel’s speculative system more generally. Stone draws a strict,

⁶³ *PN*§254 Remark.

⁶⁴ Encyclopedia Logic, §142.

⁶⁵ The lack of determinate structuration with which nature begins involves a radical indeterminacy which might be read to anticipate developments in twentieth century physics. See, for example, the “Copenhagen Interpretation” of quantum theory and Heisenberg’s principle of uncertainty. The indeterminacy of the activity of quantum matter is *not* just a problem with the observer but with the Real itself. See Werner Heisenberg’s *Physics and Philosophy* (New York: Penguin, 2000), Ch.2 and Ch.3.

⁶⁶ See Richard Dien Winfield’s “Space, Time and Matter: Conceiving Nature Without Foundations,” in *Hegel and the Philosophy of Nature*, ed. Stephen Houlgate (Albany: SUNY Press, 1998), pp.51-70, here p.54. While we think Winfield gives a careful reading of the connections of the categories of space-time-place-motion we largely disagree with his apparent endorsement of a reading complimentary to Stone’s, i.e. a strong *a priori*ism, therefore his title “conceiving nature without foundations.” In a sense, we seek a nature without foundations but not in the sense that Winfield assigns this locution. We seek a nature that lacks determinate foundation, one that, in this sense, originates in utter absence, lack but that is not therefore a result of pure *a priori* determinations. These are, in line with our endorsement of Burbidge, insights gleaned as a result of thought operating in light of the findings of the empirical sciences.

necessitating, correlation between the development of spatiality and consciousness, as the latter unfolds by way of “sense consciousness” in both the *Phenomenology* and *Philosophy of Mind*, which is a highly problematic move that downplays the radical differences that separate the realm of nature from spirit, i.e. the former as radically lacking the interiorized actuality of the latter.⁶⁷

As Hegel himself explicitly indicates from the very outset of the analysis, nature is the non-Idea, and not *in relation* to the Idea, but that which is external to the Idea.⁶⁸ Therefore, grounding the strong *a priori* argument for the rationality of nature by way of strict correspondence between the two registers is instantly problematic. Stone appears somewhat aware of this problem. She acknowledges Hegel’s statement in the Introduction to the philosophy of nature which explicitly states that the realm of “mechanics,” in its most general determination, is *non-conceptual*, at least, not in any coherent sense. Stone writes: “In the introduction, Hegel defines the mechanical sphere as the province of what he calls “singular individual” beings, material beings that are *not structured by any conceptual unity*.”⁶⁹ Citing the “unclear” quality of the body of the text as a reason why it is open to interpretations that contradict the “clear” statement of the Introduction, she then disregards the Introduction’s explicit qualification regarding the non-identity of the two registers and asserts: “...I shall use a perhaps surprising strategy: an extended comparison between the *Philosophy of Nature* and the theory of consciousness outlined in the *Philosophy of Mind*...the initial opposition within consciousness has the very same structure as the initial opposition that Hegel detects between conceptual and material elements in nature. Consequently, the entire development of consciousness closely parallels that within nature.”⁷⁰ While such a strict correspondence has real traction in terms of early Schellingian identity philosophy, and more recent

⁶⁷ See Stone’s section “Consciousness/Nature” (pp.32-37) for a general sense of the “strong” correspondence between the developments of thought, on the one hand, and nature, on the other. Our competing interpretation can also be contrasted with Edward Halper’s reading in this context. See his “The Logic of Hegel’s Philosophy of Nature: Nature, Space and Time,” in *Hegel and the Philosophy of Nature*, ed. Stephen Houlgate (Albany: SUNY Press, 1998), pp.29-50. Halper, for instance, writes: “The first category of nature is space. This is...the absolute idea *determined as a determinate being*” (p.41. Emphasis ours). Halper bases this move on his fundamental claim that: “Nature...is just the absolute idea in its immediacy, that is, absolute idea determined as a being” (p.36). However, it is not clear how this move links with Hegel’s claim that nature is not the non-Idea *in relation* to the Idea but that it is externality, through and through, i.e. in some significant sense, non-relational, i.e. exteriority. Moreover, our claim as to the upshot of Hegel’s analysis concerning space is just the opposite: it is *not* a determinate being. Instead, space is radically indeterminate, lacking actuality, lacking discreteness, i.e. lacking unity. Our suspicion here is that like Houlgate and Stone, Halper’s argument depends on a strong correspondence between thought and being, concept and nature. The philosophy of nature, its analysis of the category of spatiality specifically, does not readily lend itself to such a strong correlation.

⁶⁸ *PN*§247.

⁶⁹ Stone, p.30. Emphasis ours.

⁷⁰ Stone, p.31.

Schellingian interpretations of Hegel's logic, as in for example, Houlgate's work (a direct relative of Stone's position),⁷¹ where a strict correlation is supposed to hold between thought and being, it is not evident that such a reading can readily be applied to the argumentation of Hegel's writings on nature.

We believe that part of the problem here is that Hegel's thought in this context, whether consciously or not, is being read in terms of Schelling's early writings on nature instead of by way of the nuanced arguments he unfolds in *his* mature system. Schelling's work, remember, operates in terms of the self-unfolding of the potencies. For Schelling, consequently, there is a strict correlation between the various levels of that unfolding, whether they are conceived in terms of nature or thought. While such an interpretive move makes sense given the priority history has assigned to Schelling on the subject of *Naturphilosophie*, and the intrinsic merits of Schelling's thought more generally, we still maintain that these factors do not justify reading Hegel's writings on nature in terms of Schellingian thought. For Hegel, it is the coherence *internal* to specific levels of development (internal coherence of mechanics contra that of organics, for example) that receives greater emphasis more so than strict interrelated identities across various levels (those of, say, nature versus those of consciousness). With this concern in mind, consider what we find in the *Zusatz* to PN§252, the paragraph Stone references in Hegel's Introduction. There we find that: "In mechanics, being-for-self *is still not an individual stable unity having the power to subordinate plurality to itself. Weighted matter does not yet possess the individuality which preserves its determinations...* difference is indifferent or merely quantitative, not qualitative, and matter as simple mass *has no form. It is in physics that the individual bodies acquire form...*"⁷² The significance of this passage is explicit: mechanics, in some important sense, is *not* "an individual stable unity," it is that which lacks the subordinating and self-differentiating form constitutive of conceptual unity proper. And, it is not until the realm of physics, i.e. the conclusion of mechanics, that "bodies acquire form", gain interiority, internal unity and, therefore, some substantial sense of conceptuality. It is

⁷¹ Arguing for the thesis that Hegel's *Logic* needs to be read as an ontology Houlgate writes: "...the *Logic* takes us from the categories of being...through the determinations of essence...to the determinations of concept, it does not suddenly shift from being an account of what there is to being an account of our own mental activity but remains throughout an account of the basic categories of thought *and* of the basic forms of being." See Stephen Houlgate's *The Opening of Hegel's Logic: from Being to Infinity* (Indiana: Purdue University Press, 2006), p.116. While Houlgate acknowledges how the *Logic* abstracts from the categories of space and time and therefore differentiates itself from the domain of nature it nevertheless remains the case that Houlgate maintains a strict identity between thought and being. Our complimentary concern is to highlight the multifarious ways in which thought and being appear as antagonistic and heterogeneous in such a way that problematizes strict analogies between logic and nature.

⁷² PN§252, *Zusatz*, p.219. Emphases ours.

this crucial lack, most importantly, at the zero-level of Hegelian nature, which constitutes its barrenness, its chaotic contingency, its interzonal dimension as that which is deprived of the unitary relationships reserved for more mediated forms of individuation. However, simultaneously, it is not to be characterized as absolutely nothing insofar as it obtains the most minimal form of structure, i.e. external connections. It is, ultimately, we believe, this chaotic barrenness, this fundamental lack, which constitutes one of the most unique features of a distinctly *Hegelian* philosophy of nature in contrast to the stable dynamism that we often find associated with early Schellingian philosophies of nature.

If we are permitted our starting point concerning what we might call the indeterminacy of nature's zero-level of spatiality⁷³ then we can say that each spatial 'here' defers to another—*ad nauseam*. This constant deferral is indicative of the chaotic openness and impotence of spatiality. This is what we might call the *underdetermined* nature of nature's zero-level. Unlike the closed mechanism of necessity informing early Modernism's conception of substance, or the causally closed micro-interactions of atomic units ventured by positivistic science, the zero-level of Hegelian nature is indeterminate, chaotic and unpredictable in fundamental ways, therefore its status as under-determined. Simultaneously, what this unstable deferral ultimately shows us is that there is no real sense in which any spatial 'here' is different from another. One might look to such determinations as "here", "there," "anywhere," "nowhere" or paradoxically, "everywhere" to illuminate the lack at hand in this minimal mode of determinacy. Such distinctions lose all significations insofar as we pursue the natural register strictly under the category of spatiality. In other words, the radical openness of such minimal determination has the potential to completely disintegrate the very possibility of such determination as meaningful. This is why spatiality, as a horizontal register of a multiplicity of quasi-units, is *not*, in any meaningful sense, relationally differentiated. Because there is no real difference involved in spatiality its externality results,

⁷³ Consideration of Petry's very useful section "Terminology" (pp.141-178) in his Introduction to Hegel's *Philosophy of Nature* proves productive in this context. Concerning "determinate being" he writes:

Determinate being: Dasein. Hegel defines the category in §§89-95 of the 'Encyclopedia,' where he quotes Spinoza's 'omnis determination est negatio'...in support of the proposition that the foundation of all determinateness is negation, an exclusion of other characteristics. He takes it to be quite distinct from existence...mainly on account of the latter's presupposing a *ground* and not mere being (p.152).

Consider also Petry's remarks on: "*Determinateness: Bestimmtheit.* The quality of being determinate, definiteness, distinctness, preciseness" (p.153). While the *concept* of spatiality has a certain distinctness (i.e. externality etc.) the *reality* which it articulates is that which is imprecise, indistinct, and therefore, on our reading, indeterminate.

paradoxically, in pure continuous identity. Spatiality's externality, therefore, is continuous [*kontinuierlich*]⁷⁴ and this continuity which does not have actual difference within it is what Hegel describes as spatiality's abstract difference, its abstract universality.⁷⁵ At the base level then, nature, as spatiality, is a barren chasm of extimate indeterminacy.

The analysis of the category of spatiality, therefore, reveals an unstable tension in which we see its abstract difference mutate into continuous indifference. It is, consequently, on the reading we are attempting to generate, spatiality's lack [*Mangel*]⁷⁶ of conceptual unity and structuration, its inability to reconcile the instability immanent within it, which perpetuates it further into externality and indifferent subsistence. This unstable lack of structuration, ultimately, irretrievably reveals the limitations of the category of spatiality [*Der Raum ist dieser Widerspruch, Negation an ihm zu haben...*].⁷⁷ It is this immanent limitation which leads speculative thought to consider what experience offers up as the negation of spatiality. However, on our reading, the crucial caveat is that the analysis does not unfold in terms of pure negativity (as in the parameters of logic) but, instead, is forced to consider what experience might have to offer as the specific negation of spatiality (a specific type of externality) that would exist on its own terms, as it were. We agree with Burbidge on this point: "To this question, philosophy finds in experience that the corresponding answer is *time*."⁷⁸ In this sense, it is the category of spatiality's immanent contradiction which reveals its immanent lack which, simultaneously, propels the speculative analysis onwards in its search for those phenomena which might overcome the category's inherent limitations, prompting a reconfiguration of the conceptual schema with which the speculative analysis began. Insofar as the analysis incorporates such phenomena within the specific parameters of each and every synthetic activity, seeking to overcome its precedent contradiction, it advances its conceptual investigation into the significance of nature.

What Hegel's analysis in his nature philosophy shows us, then, is that at its ground-level nature is fundamentally mired in abortive indeterminacies lacking coherent structuration. This is what Hegel means when he speaks of nature's impotence, its inability to auto-activation, its deferral to external determinations. On our reading, then, it is crucial to see that nature at a primordial level is not simply a

⁷⁴ PN§254, W9 §254.

⁷⁵ PN§254.

⁷⁶ PN§257 Zusatz, W9 §257 Zusatz. Translation modified.

⁷⁷ W9 §257 Zusatz.

⁷⁸ "New Directions in Hegel's Philosophy of Nature," p.182.

(re-)articulation of the smooth *a priori* determinations of a pre-established conceptual field that presupposes triumph from the outset as Stone's reading of Hegelian nature, mirroring Harper's reading of the writings on nature, and Houlgate's analysis of the logic, suggests. Nor is there a transcendent field that comes down and activates nature in the spirit of *deus ex machina*. Nor does this need to be spoken of strictly in terms of a latent potentiality, in the spirit of Aristotle, which is resident from the outset in the configuration of the actual. Instead, what we witness from the beginning (and throughout the course of Hegel's analysis) is the radical inadequacy of nature's most general categories, here space-time, and their inability to stabilize consistent self-articulating unities of structuration.

This lack of more robust self-relationality (i.e. conceptuality), however, is what establishes the entire field of nature, at its primitive level, as radically open-ended, underdetermined and therefore capable of generating radical novelty because there is *nothing*, in terms of conceptual form, that radically necessitates any other form. Certainly, thought discovers "solutions" to specific contradictions inherent in specific natural categories but there is nothing immanent in any original category which *necessitates* the precise form that thought comes to generate, after consulting the results of experience, as the overcoming of any given contradictory term. This lack of internal necessity is what thought is forced to acknowledge insofar as it has to deal with that which it discovers in the natural world (unlike in the pure self-referentiality of thought in the domain of logic). The reading we are generating here strikes affinities with the thesis Adrian Johnston has recently advanced, although he first articulates it against a Freudian-Lacanian theoretical backdrop, where material nature needs to be read as *weak*, underdetermined and, therefore, radically open-ended.⁷⁹ Similarly, the lack that we assign to the zero-level of Hegelian nature

⁷⁹ See Adrian Johnston's "The Weakness of Nature: Hegel, Freud, Lacan and Negativity Materialized," in *Hegel and the Infinite: Religion, Politics and Dialectic* eds. Slavoj Žižek, Clayton Crockett, and Creston Davis (New York: Columbia University Press, 2011), pp.159-179. See, for example, where Johnston states:

...combining the neglected aspect of *Beyond the Pleasure Principle* (i.e. the shift from a strong to a weak pleasure principle...) with its rejected aspect (i.e., Freud's anchoring of his hypothesis and speculations in bio-material nature itself) has the startling consequence of pointing to a somewhat counterintuitive notion: Nature itself is weak, vulnerable to breakdowns and failures in its functions. This challenges the intuitive notion of it as being an almighty monistic nexus of seamlessly connected elements controlled by inviolable laws of efficient causality...By contrast, a nature permitting and giving rise to, for example, beings guided by dysfunctional operating programs not up to the task of providing constant, steady guidance doesn't correspond to the fantasy of a quasidivine cosmic substance as a puppet master...a veritable avalanche of current research in genetics and the neurosciences reveals the brains and bodies of humans to be open qua massively underdetermined by preestablished codes" (p.162).

insists that it is fundamentally unstable and unpredictable: thought discovers specific fields of determination, here spatiality, which have certain inconsistencies which demand a higher order synthesis. It is thought's demand that drives the analysis forward, driving those very same determinations beyond themselves into unexpected possibilities of (re-)configuration. Unlike logic, however, there is *nothing* immanent in the category of spatiality itself that necessitates the emergence of the specific category of time. Instead, thought looks to experience for the negation of spatiality's externality and finds that temporality provides such a negation. However, thought must look to experience, the world, for such input—it is not immanent in the category of spatiality itself. On this reading, we can say that it is spatiality's lack which clearly marks the violence Hegelian thought commits against the plenum of early Modernism's Substance.⁸⁰ For Hegel there is a real absence of conceptual necessitation and therefore there is instability operating at the heart of nature through to its periphery—an absence that is unthinkable within the conceptual lexicon of Substance as developed in the works of Descartes,⁸¹ Leibniz,⁸² Spinoza⁸³

While Johnston's examples in this passage centre on humans, the upshot of the thesis is not, *underdetermination is an aspect of material nature itself*. He writes: "What if subjects operating in excess of the algorithms of evolution and genes *are outgrowths* of an inconsistent, fragmented materiality from which these same algorithms...also arise?" (p.167. Emphasis ours.).

⁸⁰ In this regard we believe, contra the standard narrative, that the absence with which Hegelian nature begins comes closer to Schelling's thoughts on nature around 1810, as developed in the *Freiheitsschrift* and the *Stuttgart Seminars*, and *not* the "Identity Philosophy" from ten years earlier. In *Philosophical Investigations into the Essence of Human Freedom*, trans. Jeff Love and Johannes Schmidt (New York: SUNY, 2006), Schelling connects this what he describes as a "relative non-being" to the issue of *ground*, stating that the absolute's existence must be reflexively self-grounding (p.27). He writes that: "This ground of his existence, which God has in himself, *is not God considered absolutely*, that is, insofar as he exists; for it is only the ground of his existence." (27. Emphasis ours). In the "Stuttgart Seminars," in *Idealism and The Endgame of Theory: Three Essays by F.W.J Schelling*, trans. and ed. Thomas Pfau (New York: SUNY, 1994), pp. 195-243, Schelling states, somewhat enigmatically, that this ground is: "a *relative non-being*" (7,437. Emphasis ours). This relative absence strikes affinities with the reading of the base level of Hegelian nature that we are attempting here.

⁸¹ See Rene Descartes' *Meteorology* in *Discourse on Method, Optics, Geometry, and Meteorology*, trans. Paul J. Olscamp (Indianapolis: Bobbs-Merrill, 1965). Descartes presents a thorough going mechanistic viewpoint concerning matter and physics. There is *no* indeterminacy in Cartesian materiality; instead all bodies are composed from one type of matter and it is infinitely divisible (6: 239), mechanism reigns. In this sense, Cartesian substance is a plenum which, when considered against the conceptual defectivity permeating Hegel's conception of spatiality (and his conception of matter), marks the two systems of nature as radically divergent.

⁸² For Leibniz, monads are simple substances (Pr.1) and they "...all go confusedly to infinity, to the whole" (Pr.60) and there is no way of "...explaining how a monad can be changed or altered internally by some other creature" (Pr.7). Nevertheless, Leibniz also states that "everything is a plenum, which makes all matter interconnected. In a plenum every motion has some effect on distant bodies..." (Pr.61). Despite this perplexing tension there does not appear to be a significant form of indeterminacy involved in the plenum which Leibniz asserts of *everything*. See G.W. Leibniz's "The Principles of Philosophy, or the Monadology (1714)" in *Modern Philosophy: An Anthology of Primary Sources* 2nd Edition, ed. Roger Ariew and Eric Watkins (Indianapolis: Hackett, 2009), pp. 275-84.

⁸³ Consider Spinoza's insistence that each attribute must be understood solely in terms of itself and not any other. Each attribute, therefore, is thoroughly independent of any other and rigidly determined in its own right. Consequently, there is not only no interaction between heterogeneous attributes, but there is also no indeterminacy, contingency. This absence constitutes one of the fundamental differences separating Spinoza and Hegel's

and even the “hypothetical” (subjectivist) mechanistic-teleology of Kant’s⁸⁴ critical project. It is this defect at the base level of the Hegelian conception of nature that leads it beyond the mechanistic viewpoint.⁸⁵ By infecting the mechanical realm with instability and a lack of determinacy, Hegel establishes a chaotic flux of volatility that generates the demand for a field of coordinates that function as its own overcoming.

In a precise sense, then, Hegel’s analysis frames spatiality in terms of a perpetual negation: any spatial ‘here’ is immediately negated in reference to another spatial ‘there.’⁸⁶ In this sense spatiality is bound up with what it is not (negation). Dieter Wandschneider frames this connection to negation in terms of spatial extension, he writes:

Space in the sense indicated is collected as a separateness of *points*, so the question immediately arises whether the points are then thought of as the *elements* of space. Can we say that things that are extended in space are *composed* of points? On the other hand: how should something extended, non-spatial, be able to constitute space, extension?...The problem was already known in Antiquity and was passed down as Zeno’s traditional

philosophical systems. Consider Baruch Spinoza’s *Ethics*, trans. Samuel Shirley (Indianapolis: Hackett Publishing, 1992), specifically Pr. 10, I and Sch., Pr. 10, I and also Pr. 6, II. Spinoza states: “Each attribute of one substance *must be conceived through itself*” (Pr. 10, I. Emphasis ours). He subsequently elaborates: “For it is in the nature of substance that each of its attributes be conceived through itself, since all the attributes it possesses have always been in it simultaneously, *and one could not have been produced by another*; but each expresses the reality or being of substance” (Sch., Pr. 10, I. Emphasis ours).

⁸⁴ Kant’s writings on teleology might be read as an intermediary between Spinozistic and Hegelian accounts of nature, substance and matter. Kant’s “Dialectic of the Teleological Power of Judgment” in his *Critique of the Power of Judgment*, ed. Paul Guyer, trans. Paul Guyer and Eric Matthews (New York: Cambridge, 2000) is especially important in this regard. The dialectic develops two contradictory viewpoints, Kant writes: “**Thesis:** All generation of material things is possible in accordance with mechanistic mechanical laws. **Antithesis:** Some generation of such things is not possible in accordance with merely mechanistic laws” (5: 387). Kant argues that it would be impossible for human thought, such as it is, to know about organized, living beings, if our empirical investigations were to operate along strictly mechanistic (causal) lines of inquiry. Therefore, he states it would be futile to hope that a Newton, operating under strictly mechanistic principles, might “...make comprehensible even the generation of a blade of grass...” (5: 400). In light of this seeming antinomy, Kant argues that we must presuppose a purposiveness in nature that is to ground our empirical inquiries (5: 379). However, Kant repeatedly states that this purposiveness only holds as a regulative principle for the reflecting power of judgment (i.e. subjectively). We have no way of affirming if it exists objectively in the world. Therefore, we operate “as-if” it does without knowing that it does (5: 379). In this sense, Kant claims that mechanistic causal explanation has objective purchase whereas teleology is purely regulative and subjective. But this caveat problematizes the ways in which the registers of teleology and causal mechanism are supposed to interact. This restriction of purposiveness to a regulative principle of reflective judgment is entirely at odds with Hegel’s project in the philosophy of nature that reads, in part, as an attempt to show the objective emergence of purposiveness (teleology) from within the mechanical matrix of materiality.

⁸⁵ See *PN*§271 *Zusatz* where Hegel’s comments on the deficiency of the mechanistic standpoint and how it leads to its own overcoming, i.e. the domain of physics.

⁸⁶ Here we only peripherally engage Hegel’s analysis of the point, plane, three-dimensionality etc. Instead, we focus on the ways in which temporality is in some crucial sense intimately bound to the limitations of spatiality. For secondary literature on these aspects of Hegel’s thought see, for example, Lawrence S. Stepelevich’s “Hegel’s Geometric Theory,” in *Hegel and the Philosophy of Nature*, ed. Stephen Houlgate (Albany: SUNY Press, 1998), pp.71-96; consider Halper too, pp.41-42; see also Dieter Wandschneider’s “Räumliche Extension und das Problem der Dreidimensionalität in Hegels Theorie des Raumes” in *Hegel-Studien* 10 (1975): pp.255-273.

*paradox of spatial extension: the extended cannot be composed of unextended elements...*⁸⁷

In this sense, the problem of spatiality, which Wandschneider articulates precisely, is that spatiality has shown itself to be, in some opaque sense, connected to that which it is not. While we bracket Wandschneider's extended discussion of point, line, three-dimensionality etc., we take his overarching concern regarding spatiality's connection to that which it is not as highly significant: it indicates the contradiction (paradox) which prompts the speculative analysis to search out a new category through which to continue its investigation of the natural register. Therefore, instead of pursuing these geometrical concerns, we will track what we might refer to as spatiality's *complete* negation. Every spatial 'here' is, in a sense, identical with the initial spatiality it negates ('there') and, consequently, it negates itself as radically different from the initial starting-point of the analysis. Hegel would seem to suggest that the solution to the problem of space, its 'truth,' then, is this spurious process of spatiality's negation which the speculative analysis denotes by way of the category of *time*. The *Zusatz* to §257 states: "It is precisely the existence of this perpetual self-transcendence which constitutes time" and this is also why Hegel characterizes temporality as the "negative unity of self-externality."⁸⁸ While these are difficult claims to unpack they would seem to suggest that insofar as spatiality perpetually reinforces the unstable contradiction where each 'here' (difference) merely reintroduces another spatiality (identical), time functions as an expression of an externality that is *completely* external to the externality of space. However, time itself is, in a sense, the category expressing space's perpetual inability to overcome its radical externality as such. In other words, time is the externality of externality (space); time is the complete negation, "the existence of this perpetual self-transcendence." From another angle, the *complete* negation of spatiality is *not* the point, line, plane etc. because each of these limitations only reintroduces further spatiality. Instead, the complete exteriority of spatiality's exteriority *is* time. This is why Winfield

⁸⁷ See Dieter WandSchneider's *Raum, Zeit, Relativität: Grundbestimmungen der Physik in der Perspektive der Hegelschen Naturphilosophie* (Vittorio Klostermann: Frankfurt am Main, 1982), p.46. The original reads:

ist der Raum in dem angegebenen Sinne als ein Aussereinandersein von *Punkten* gefasst, so stellt sich unmittelbar die Frage, ob die Punkte dann als *Elemente* des Raums zu denken seien. Kann man sagen, dass räumlich Ausgedehntes aus Punkten *zusammengesetzt* sei? Andererseits: Wie sollte ein Ausgedehntes, Unräumliches in der Lage sein, Raum, Ausdehnung zu konstituieren?...Das Problem ist bereits im Altertum bekannt und als Zenons *Paradoxie der räumlichen Extension* überliefert: Das Ausgedehnte kann nicht aus unausgedehnten Elementen zusammengesetzt sein...(Translation ours).

⁸⁸ PN§258.

writes: "...time follows from space in so far as time is what space becomes..."⁸⁹ and why Halper opaquely states that, "Time is the other side of the process of spatial determinations."⁹⁰

We might say that time is the existential process of spatiality's perpetual overcoming.⁹¹ Time, insofar as it is this perpetual process, "...is the being which, in that it *is*, is *not*, and in that it is *not*, *is*..."⁹² This unstable shifting between absence's presence, and vice versa, makes it possible, as Halper notes, "...to distinguish what has already been negated (past) from what remains (future)."⁹³ On the reading we are here developing, we could say that the structure of temporality is a perpetual capitulation of being and not-being, or, what Hegel describes as its becoming. Hegel writes: "But it is not *in* time that everything comes to be and passes and away, rather time itself is the *becoming*, this coming-to-be and passing away, the *actually existent abstraction*, *Chronos*, from whom everything is born and by whom its offspring is destroyed."⁹⁴ The radical transiency constituting time reveals an instant, the now, asserting itself as different from the other moments of temporality, the abyss of having been and the openness of not-yet. While the temporal coordinates of future, present, past seem to constitute differences within this Heraclitean fluctuation we notice that insofar as the 'now' asserts itself it immediately disintegrates into the 'no longer;' and, simultaneously, insofar as the 'now' is 'not-yet' it is in the process of moving into the 'now.' This vertiginous flickering of temporal coordinates is the precise sense in which we need to

⁸⁹ Winfield, "Space, Time and Matter: Conceiving Nature Without Foundations," p.57. Elaborating on this difficult transition, Winfield writes:

If space as a whole transcends itself, however, the negation in question cannot fall within space, as a merely spatial limit. In this sense time can count as the self-transcendence of space in its entirety, for the differentiation between space at one moment and at another is that whereby space as a whole is external to itself. That differentiation goes beyond any distinguishing between points and lines and planes that is internal to space. Instead, it comprises a negation of space in which space stands in relation to its other, where that other is defined in terms of nothing but the totality of space posited as external to itself. Since each differentiated space is subject to the same self-externalization by which each spatial now is immediately supplanted by another, time's negation of space is ongoing...*Time is...the self externality of immediate self-externality* (p.58. Emphasis ours.).

⁹⁰ Halper, "The Logic of Hegel's Philosophy of Nature: Nature, Space and Time," p.42.

⁹¹ It is important to note that the transition from space to time is not of a temporal nature. If that were the case then the emergence of time would then itself *presuppose* time. Hence the need to remember here that Hegel's analysis unfolds in terms of logical succession, not temporal. Winfield writes: "The move from point to line to plane is not temporal in character because it itself involves no continuous differentiation of spatial backdrops. A hopeless paradox would, of course, arise if the transition from space to time were temporal, rather than categorical, for then the very emergence of time would be preceded by a passage of time" (p.60).

⁹² PN§258.

⁹³ Halper, "The Logic of Hegel's Philosophy of Nature: Nature, Space and Time," p.43

⁹⁴ PN§258 *Remark*.

understand the circuit of temporality as the differentiated unity of not-being insofar as it is and, conversely, insofar as it is not, it is.

Too often in the literature, however, the radical indeterminacy and instability of this most rudimentary level of Hegelian nature is downplayed as less problematic or indeterminate than the analysis really suggests. Such readings appear to conflate the coherence and stability of the dialectical analysis with the indeterminate reality of the process under description. Doing so, we believe, downplays some of the most significant implications of Hegel's analysis, i.e. the radically indeterminate and unstable interpenetration of space and time. Stone goes so far to say that the negativity constituting time is: "...simultaneously entirely material (in that it is internally differentiated) and entirely conceptual (in that it is completely self-identical)."⁹⁵ However, on our reading, framing temporality as a contradiction between "complete materiality" and "complete ideality" is an abstraction that does violence to the nuances of the analysis at hand. We believe, by way of contrast, that the distinction between differentiation and identity, *and its failure* (time repeats, in a special sense, the problem of spatiality), needs to be understood as a real problem of temporality's indeterminacy at the base-level of Hegelian nature, its lack of distinction, what we might call temporality's *violence*—its "destruction of its offspring" as Hegel phrases it. What we see here is an utter lack of adequate differentiation and unification and that this is the very problem at this level of Hegelian nature that is all too often passed over in the literature as a rudimentary moment in nature's dialectical unfolding. Instead, temporality is permeated with an indeterminate series of loose connections that perpetually subsume this base level in an all pervading lack of distinctness. It is not enough, as per Stone's reading, to suggest that there is simply a contradiction here between complete materiality and complete ideality. To do so constitutes a hasty abstraction from the fundamental details comprising the unique significance of the analysis at hand.

The real problem with the radical instability of temporality is that it repeats the problem of spatiality's indeterminacy. Hegel writes: "Time is as *continuous* as space is, for it is abstract negativity *relating itself to itself*, and in this abstraction there is as yet no difference of a real nature."⁹⁶ In this precise sense, we can turn the problem of spatiality around and say with equal force that insofar as we consider the series of cancellations characteristic of temporality (future-present-past) in isolation, only in terms of time itself, and not in relation to spatiality, then time reveals itself as continuous indifference,

⁹⁵ Stone, p.40.

⁹⁶ *PN*§258 *Remark*.

there is no significant way, no *real* way, to differentiate between its coordinates. This is why Halper writes: "...in so far as time is continuously self-negating, all its moments are alike."⁹⁷ In Hegelian terms this lack of real difference is what constitutes the abstract, indeterminate and even chaotically violent nature of temporality. We might go so far as to suggest that time be read as spatiality's *revenge*: temporal coordinates *repeat* the problem of abstract identity first unfolded in the analysis of spatiality. We believe Wandschneider gets at spatiality's revenge by way of what he describes as "the problem of temporal extension" [*Das Problem zeitlicher Extension*].⁹⁸ He writes: "While here duration is taken as an *existence in change*, it appears, as it were, as a *temporal asunderness-being* and therefore as the specific manner of *temporal extension*."⁹⁹ To the extent therefore that there is a *being* of temporality it, in a sense, rearticulates the problem of spatial *extension* as radical externality (asunderness). Therefore, what we have called spatiality's revenge within the coordinates of temporality. In this precise sense, temporality is unable to solve the problem of externality first mapped in terms of spatial coordinates. There is, therefore, a structural homology holding between the two categories. What Hegel's analysis shows us then is the way in which space and time do not operate in isolation the one from the other. Instead, his analysis conceptualizes the way in which spatiality and temporality cannot be thought in isolation from each other but must be conceived as inextricably intertwined constituting a field that is permeated with an indeterminate disorder that repeatedly fails not only at any kind of real distinction but also manifest structuration.¹⁰⁰ Hegel's speculative analysis, therefore, reveals what we might call the zero-level of nature's impotence; it conceptually articulates the unstable lack operating at the base of Hegelian nature and its space-time coordinates. Nonetheless, in these instabilities, the analysis of the space-time interpenetration generates a novel determination: the category of *place*.

⁹⁷ Halper, "The Logic of Hegel's Philosophy of Nature: Nature, Space and Time," p.43.

⁹⁸ Wandschneider's *Raum, Zeit, Relativität: Grundbestimmungen der Physik in der Perspektive der Hegelschen Naturphilosophie*, p.87.

⁹⁹ Wandschneider's *Raum, Zeit, Relativität: Grundbestimmungen der Physik in der Perspektive der Hegelschen Naturphilosophie*, p.87. The original states: „Indem Dauer hier als ein *Bestehen in der Veränderung* gefasst ist, erscheint sie gleichsam als ein *zeitliches Aussereinander-Sein* und damit als die spezifische und damit als die spezifische Weise *zeitlicher Extension*“ (Translation ours).

¹⁰⁰ This, of course, can be directly contrasted with Kant's analysis of space-time in terms of their isolation one from the other and their status as the subjective forms of intuition. Kant eventually complicates the respective isolations of these forms in his "Refutation of Idealism." See Winfield on the necessity of a spatial point of reference for the internal unfolding of temporal succession, p.60. For the dialectical, interpenetrating, nature of space and time, the account's relevance to contemporary geometry and physics and the advance of the Hegelian position over Kant's see Lawrence S. Stepelvich "The Hegelian Conception of Space," in *Nature and System 1* (1979), pp.111-126; For literature concentrating on Kant and Hegel's differences in this context, see also Michael's "Kant and Hegel on Space and Time," in *Hegel's Critique of Kant* ed. Stephen Priest (Oxford: Oxford University Press, 1987), pp.49-64.

Place is what Hegel characterizes as a “spatial now”¹⁰¹, or, a temporal location. Place, however, also repeats, in a sense, the instabilities constituting space and time. This constitution of temporal location allows for the minimal differentiation between a multiplicity of both places and times. Winfield gets at the signification of place quite effectively, writing: “Without any connection to temporal moments, each point in space is indistinguishable from its counterparts, just as each moment in time is indistinguishable from its successors without any tie to a particular here. With the joining of place...time can have a determinate duration and space can have determinate locations that persist.”¹⁰² Place then is what establishes the possibility of what Winfield refers to as “reidentifiable spaces” that endure through the passage of time. This emergent domain of discernible coordinates makes movement possible. Hegel writes: “This *passing away* and *self-regeneration* of space in time and time in space, in which time posits itself spatially as place, while this indifferent spatiality is likewise posited immediately in a temporal manner, constitutes motion.”¹⁰³ The duplicitous interpenetration of spatiality and temporality, the perpetual vanishing and regeneration of both time and space, constitutes a nauseating instability. Winfield writes: “With identifiable spatio-temporal locations, the ideal self-transcendence of point into line and line into plane can be tied to the succession of temporal moments...where time transpires in terms of succession of different places and space extends itself in terms of the sequence of time.”¹⁰⁴ This series of interpenetrating determinations establishes the arc of flight that the analysis demarcates by way of the category of *motion*.

However, because motion lacks stability as a result of its grounding in place, time and space, it also rearticulates the problem first outlined by spatiality: it is an indifferent identity that undermines its primary distinctions (in this context, those between motion and rest). However, this problem, in terms of the speculative analysis, stabilizes in terms of the immediately identical, and existent, unity of the two.¹⁰⁵ This is a crucial moment in Hegel’s analysis as it precisely pinpoints the moment of the transition from the most indeterminate, abstract, and ultimately chaotic fluctuations constituting the indeterminacy of space and time into their *real* existential unity which Hegel demarcates under the category of *matter*.¹⁰⁶ Material bodies allow one to distinguish between bodies occupying space in both motion and at rest.

¹⁰¹ PN§261.

¹⁰² Winfield, “Space, Time and Matter: Conceiving Nature Without Foundations,” p.61.

¹⁰³ PN§261.

¹⁰⁴ Winfield, “Space, Time and Matter: Conceiving Nature Without Foundations,” p.61.

¹⁰⁵ PN§261.

¹⁰⁶ PN§261.

Materiality, then, proves itself to be the base-level stable unity, the reality, of the instabilities and chaotic indeterminacies immanent in the interplay of the space-time-place-motion matrix. In other words, there is no discernible motion without materiality. This is why Winfield writes: "...what moves is matter, as a unity of space and time where a determinate extension persists, brought along by time in its passage through space."¹⁰⁷ Notice here, however, in contradistinction to Stone's interpretation, how much conceptual terrain the speculative analysis *must* incorporate before it is justified in deploying the category of matter in a way that is sensitive to the topography of the analysis. Not only is this significant from a methodological standpoint but also, more importantly, establishing the indeterminate presuppositions of materiality, in our view, accentuates one of the most unique features of Hegel's analysis of the ground level of the natural register: again, the constitutive indeterminacy that makes materiality possible. In this sense, Hegelian nature is much *less* than materiality at its zero-level. It is a field of indeterminacy that repeatedly fails at structuration in order to establish, only eventually, the skeletal stability we find in temporal and spatial movement: porous materiality. In this sense, there is a "reverse ontological proof" at play in Hegel's position that at least partially conflicts with Stone's general claim that space is already "completely material" and "completely conceptual." By this reverse ontological move we mean to suggest that it is the extent to which something is *not* conceptual, that it has material existence, hence our claim that it is nature's lack that is fundamental to the genesis of its material depth. Žižek writes: "the existence of material reality bears witness to the fact that the Notion is not fully actualized. Things "materially exist" not when they meet certain notional requirements, but when they fail to meet them. Material reality is, as such, a sign of imperfection."¹⁰⁸ In this sense, on the reading we are attempting, space-time-place-motion and temporality are held to consistently *lack* the type of relationships, self-differentiating and relating, that are characteristic of conceptual activity proper. Therefore, when considered in light of the developments of thought and spirit, which is, in a precise sense, inevitable for philosophical inquiry, this level of nature must be deprived, in some fundamental sense, of a *complete* sense of conceptuality.

What Hegel's analysis offers us, then, is a sophisticated conceptual lexicon which allows us to clearly think the indeterminate volatility operating at the genetic level of the natural domain. Simultaneously, it shows us the real materialism operative in the natural sphere. What we witness here, at

¹⁰⁷ Winfield, "Space, Time and Matter: Conceiving Nature Without Foundations," p.63.

¹⁰⁸ See Žižek's "Hegel and Shitting" in *Hegel and the Infinite: Religion, Politics and Dialectic* eds. Slavoj Žižek, Clayton Crockett, and Creston Davis (New York: Columbia University Press, 2011), pp.221-32. Here p.227.

least in part, is Hegel's sustained rethinking of classical conceptions of space and time that view them as *empty* and indifferent to that which fills them, conceptions that insist upon space, time and matter being in isolation from each other.¹⁰⁹ Rather, for Hegel, the three are intertwined such that materiality is nothing other than the unstable unity, and disunity, first implicated within the matrices of the analysis of space-time coordinates. Concerning the instability inherent in materiality, Hegel writes: "Matter maintains itself against its self-identity and in a state of extrinsicality, through its moment of negativity, its abstract *singularization*, and it is this that constitutes the *repulsion* of matter."¹¹⁰ He continues: "As these different singularities are one and the same however, the negative unity of the juxtaposed being of this being-for-self is just as essential, and constitutes their *attraction*, or the continuity of matter."¹¹¹ In the Hegelian analysis matter does not arrive on the scene ready-made such that the forces of attraction and repulsion act on it from outside, as alien, esoteric forms of influence.¹¹² Materiality, instead, *is* the unstable diremption and unity of the forces of attraction and repulsion as *real*. In this sense, Hegel's analysis of nature provides a thorough going materialism constituted by way of movement and forces, one that insists on a decided lack of stability and minimal conceptuality; one established through a certain volatility, violence and indeterminacy. This material, nevertheless, constitutes the substance, as it were, of the mechanistic interactions that are ruled in terms of the laws and principles governing inertia, thrust etc. as they play out on a cosmic level.

Insofar as matter is the inseparability of repulsion and attraction Hegel characterizes it as a relative stability that he denotes by way of the category of *gravity*. Matter, however, reactivates the problematic instabilities the analysis first traced in spatiality such that gravity's unity falls outside it, is external to it. Materiality's gravity shows itself as a "tendency towards a centre"¹¹³, a Tantalusian centre which, paradoxically, always resides beyond it. This "tendency" is what we witness in planetary motion around a central body. The *Zusatz* to §262 states: "Matter searches for a place outside the many, and since there is no difference between the factors which do this, there is no reason for regarding one as nearer than the other."¹¹⁴ This is the contradiction immanent in mechanistic materiality and further accentuates the instabilities the analysis tracks in the categories of space, time, motion and place. In short, none of

¹⁰⁹ PN§261 Remark.

¹¹⁰ PN§262.

¹¹¹ PN§262.

¹¹² See Hegel's criticism's of Kant's analysis of these relations. N.B. PN§262 Remark.

¹¹³ PN§262 Remark.

¹¹⁴ PN§262 Zusatz, p.243.

these categories denote a 'structure' that is able to assert itself as an autarkic centre. Problematically, all materiality unfolds in terms of this problem repeated throughout the various categories constituting the mechanical register. One material body enacts it just as much as the next in a perpetual horizontal register of deferral. The defect of materiality is nothing but the failure to attain a centre, an inwardness, which, simultaneously, is immediately (re-)enacted by another material body in place *x*, time *y*. We get a sense of the spurious infinity of mechanical materiality in the *Zusatz* to 262: "Gravity is not the dead externality of matter, but a mode of its inwardness. At this juncture, this inwardness has *no place here* however, for matter, as the Notion of that which is Notionless, is still lacking in inwardness."¹¹⁵ Not only does this passage get at the barrenness of materiality, that which, contra Stone, is "*notionless*"; it also, most importantly, indicates the ultimate limit of the mechanical sphere which the analysis has repeatedly shown to be the case. At this point, then, on our reading, thought is forced to consider phenomenon, e.g. gravity, which radically overwhelm the very conditions which were crucial to its demand. The structure of gravity-centrality serves as a radical fissure within the very fabric of the mechanistic domain. The emergence of centrality implicates a retroactive restructuring of the mechanical matrix in terms wholly inadequate to the mechanical register; it, therefore, constitutes an irrevocable break from the purely mechanistic viewpoint which, paradoxically, was nevertheless generated by the mechanistic field's own limitations. It is, in this sense, a Cartesian-Spinozistic Substance that ruptures by way of its own internal limitations. How such a thought is possible within the coordinates of early Schellingian nature philosophy is not immediately evident.

However, on our reading, we contend that the speculative analysis' introduction of the category of gravity, which opens the way to the register of "Physics" (the second major division in Hegel's text), is, in many ways, a thoroughly contingent development of the analysis. As we have suggested, in accordance with Burbidge, materiality repeats the problems first outlined by the category of spatiality. Because of this repetition, the analysis demands a more comprehensive viewpoint from which to think the natural register. In so doing, thought looks to the findings of empirical science and discerns that gravity is that phenomena which meets the demand for centrality which thought first discovers in terms of the limits of materiality. However, again as we have stated previously, there is *nothing* in the signification of the concept of materiality itself which necessitates that the only category that might resolve such a tension is

¹¹⁵ PN§262 *Zusatz*, p.243. Emphasis ours.

gravity. Instead, thought finds, by way of empirical findings, that gravity is the term which offers a more comprehensive viewpoint from which to unfold the problems of the natural register further. But, in such a discovery it also has to recognize the contingency of such a development. Gravity is what it discovers but there is nothing that states that it could not have been otherwise.

This contingency is what Burbidge describes as “secondness,” or the way in which the philosophy of nature insists on a domain for the emergence of the novel, the unexpected, and the unpredictable. Burbidge writes: “Secondness or contingency is critical, then, at two stages. Initially it indicates the brute experiences that dialectically frustrate absolute claims to knowledge. But more critically, that frustration must be taken seriously as both conditioning that original claim and being conditioned by it.”¹¹⁶ However, we believe that this necessity of contingency only gets at one-side of the dialectical formulation of contingency as it unfolds in the natural register.¹¹⁷ The other, more radical, side maintains that it is only *after the fact* of the emergence of a new category, here of gravity and centre, the base level of physics, that Hegel’s dialectical analysis can *retro-posit*, project backward, and maintain the necessity of this emergence from the mechanical conditions which grounded that very possibility (space-time etc.) This new order, then, constitutes an ontological (re-)coordination that was impossible *solely* in terms of the structures that were in place prior to this retro-activity. An entirely different conceptual constellation is necessary for the inwardness of gravity and this phenomenon cannot be reduced to strictly mechanistic explanations. What the analysis shows is that prior to the new category’s retroactive auto-positing, there is no necessity involved in the genesis of that category. There is an utter contingency to the necessity that the speculative analysis traces in the philosophy of nature. Žižek attempts to substantiate a similar point when he writes: “...yes, the universal notional form imposes necessity upon the multitude of its content, but *it does so in a way that remains marked by an irreducible stain of contingency*...the frame itself is always also a part of the enframed content...the universal genus encounters itself among its particular-

¹¹⁶ See Burbidge’s *Hegel’s Systematic Contingency* (New York: Palgrave MacMillan, 2007), p.54. For the criticisms of “secondness” that Pierce raised against Hegel see, for example, Robert Stern’s “Pierce, Hegel and the Category of Secondness,” in *Inquiry* Vol. 50, No.2 (April 2007), pp.123-155. Here Stern argues that Hegel’s account of secondness is closer to Pierce’s than the latter may have admitted. In this sense, we read Stern’s position as complimentary to our own.

¹¹⁷ For a similar emphasis on the necessity of contingency and its close correspondence with the development of the categories of necessity and contingency as developed in the *Logic* see, for instance, Nicolas Février’s “La contingence dans la mécanique hégélienne,” in *Revue Philosophique de Louvain* Vo.95 (1997), pp.76-102. Février writes: “Selon Hegel la contingence est une détermination qui revient en propre à la nature : « la propre de la nature, c’est de donner accès à la contingence, et à la détermination extérieure ». Penser la nécessité de la contingence c’est penser la nécessité de la position de la nature par l’Idée absolue” (p.77).

contingent species.”¹¹⁸ Similarly, we endorse Raoni Padui’s argument suggesting that there are distinct deployments of the category of contingency in Hegel, one, as to how this category unfolds in the *Logic* (dependence, conditionality), two, in accordance with our reading, contingency in nature (irrationality and chance).¹¹⁹ What this means is that prior to the analysis’ retro-positing of necessary connections, nature at its zero-level, in some opaque sense, both affirms and negates the emergence of the novel category. The analysis indicates that unique category might just as well be gravity as not and this is the most radical form of contingency, the contingency of necessity, situated at the heart of Hegelian nature. Hegel’s standpoint allows us to think that it is not only the universal form that necessitates contingency but also, more strikingly, that there can be no form of necessity that is not already mired in the contingent. In this sense, contingency takes on a more comprehensive role within the coordinates of Hegel’s philosophy of nature.¹²⁰

However, this interpretation would function as an alternative to those that argue that Hegel consistently undermines the effective role contingency plays in the system insofar as it only has meaning in subordination to the universal. Quentin Meillassoux, for instance, writes: “...in Hegel, the necessity of contingency is not derived from contingency as such and contingency alone, but from a whole that is ontologically superior to the latter.”¹²¹ This allegation is one that, to a certain extent, is substantiated by some of the commentary that has remained dedicated to Hegel’s thought.¹²² Stone, while arguing for the

¹¹⁸ Žižek, p. 228. See also Malabou’s claim here: “The form needs to be the content of all that it forms...” (p.35).

¹¹⁹ See Padui’s “The Necessity of Contingency and the Powerlessness of Nature: Hegel’s Two Senses of Contingency,” in *Idealistic Studies: An Interdisciplinary Journal of Philosophy* 40, No.3 (2010), pp.243-55.

¹²⁰ For a sense of some of the literature on the category of contingency see also, for instance, Burbidge’s “The Necessity of Contingency,” in *Art and Logic in Hegel’s Philosophy*, eds. Warren E. Steinkraus and Kenneth I. Schmitz (New Jersey: Humanities Press, 1980), pp.201-217; See also Dieter Henrich, “Hegels Theorie über den Zufall,” *Kant-Studien* 50 (1958-59), pp.131-48; Stephen Houlgate, “Necessity and Contingency in Hegel’s Science of Logic,” *Owl of Minerva* 27: 1 (1995), pp.37-49; Jean-Marie Lardic “La Contingence chez Hegel,” in Hegel’s *Comment le sens commun comprend la philosophie* (Arles: Actes Sud, 1989), pp.61-108.

¹²¹ Meillassoux, p.80. This criticism has been raised by several thinkers. See, also, Adorno’s *Negative Dialectics* and its section on Hegel, the “Dynamics of the Universal and Particular” (pp.313-314), the latter functions as a precise instance of similar criticisms Adorno repeats throughout the text as a whole. He writes: “A true preponderance of the particular would not be attainable except by changing the universal. Installing it as purely and simply extant is a complimentary ideology. It hides how much of the particular has come to be a function of the universal—something which in its logical form it has always been” (p.313).

¹²² Charles Taylor, for example, reads Hegel’s *Naturphilosophie* in much the way outlined by Meillassoux, claiming that: “*Nature...issues from the Idea*. This is the starting point of the philosophy of nature and the entire set of *dependent*, interpretive dialectics which make up the philosophy of spirit” (p.351. Emphasis ours.). But what this move appears to elide is Hegel’s explicit qualification that nature is externality all the way down and *not* in relation to the Idea. See his succinct account of “The Idea in Nature” (pp.350-361). He gets at nature’s relative contingency in relation to the Idea writing: “Because nature is just inner necessity it has lots of contingency in it. Contingency is

thorough rationality of the natural register, also claims that: “The conceptual dimension of any form always acts with rational necessity, so its development, and any alternations it makes to its material side are necessary too. But, matter is inherently nonrational, hence its initially given characteristics must be merely contingent.”¹²³ How we are to understand this move is not immediately evident. Repeatedly, as outlined above, Stone maintains that materiality is *completely* rational whereas here, by contrast, it is not determined as such but as “inherently nonrational.” Nevertheless, in establishing this point, Stone also maintains that the sole function of empirical science is to “...provide information regarding contingent features of nature.”¹²⁴ What this would seem to suggest is that while nature is, *overall*, rational there is, nevertheless, a contingent residue. Now, if we bracket the question as to the origin of that contingency we believe we come to a much more radical insight into the Hegelian perspective. It is not, *pace* Stone, that nature has a contingent element which is sublated in terms of its overall rationality but, instead, much more radically, it is to maintain that nature is through and through contingency and that it is this contingency, the fact of always having the possibility of things being otherwise, that constitutes the very core of Hegelian nature, therefore its problematic status as that which destabilizes thought’s demand for conceptual necessity. We believe that not only does our analysis of space, time and materiality support such a thesis, but that the text’s transition from “mechanics” to “physics,” and the section on “organics” all support such a claim. In this sense, the speculative analysis of the empirical data reveals nature’s radical contingency, its unruliness, not as an aside to nature’s overwhelming rationality, but as *constitutive* in establishing the speculative analysis’s assertion regarding its chaotic status. If this is the case then we believe there is a slight, though not insignificant, way in which we can intensify the role contingency plays in the Hegelian analysis of nature that is not immediately reducible to dependence on the universal.

Taking this upshot as the result of our analysis so far, we are going to pursue the problem of nature’s lack, its indeterminate exteriority, i.e. its radical contingency, as it unfolds in the context of what is, for Hegel, nature’s most complex structuration, i.e. the animal organism. It is our suspicion that nature’s indeterminacy, contingency, and radical exteriority, which we have seen as permeating the mechanical field, will also traumatize the animal organism to a degree that is not readily acknowledged in

for Hegel the same as determination from outside. Particular concrete things are full of such contingency and determination from outside” (p.354) .

¹²³ Stone, p.79.

¹²⁴ Stone, 80.

the secondary literature, emptying the animal into a spurious infinity of life and death. More precisely, we believe that we can substantiate the thesis that sickness and death function as the most complete expressions of nature's radical externality, its volatile and indeterminate contingency. These phenomena, then, precisely instantiate what we maintain is the very problem of Hegelian nature: a lack of adequate conceptuality that permeates it all the way across.

3 Organics as Nature's First Fulfilled Ideality and the Register of Animal Life

The totality of the “Physics” sections genetically maps materiality’s intensifying “inwardness,” its intensifying structural stability and complexity, and concludes with an analysis of what Hegel characterizes as the “chemical process.”¹²⁵ More generally, “Physics” reveals that: “the centre of gravity is no longer a subjectivity sought by matter, but is immanent within it as the ideality of these form-determinations, which are initially immediate and conditioned, but which from now on are developed as moments, *out of the core* of the notion.”¹²⁶ While, in this sense, physical (and chemical) materiality displays a heightened interiority, an ‘ideality,’ it is, nevertheless, still completely given over to external determination and this exteriority is what separates the realm of “Physics” from that of “Organics.” If Hegel’s concept of life, as Annette Sell suggests, is “the movement characterized by division and reintegration into unity,” expressing the dynamic “relationship of individual and universal,”¹²⁷ i.e. a fundamental self-differentiating-referentiality, then, we are in a position to discern what separates the physical register from that of organics: physics lacks organic life’s self-differentiating *return* to unity, the complex *relationships* of self-differentiation and reunification constituting self-relational process. While there are *connections* among various material bodies involved in chemical reactions etc. they are still bound to externality, the process, as it were, comes to them, instead of being generated internally by them.¹²⁸ It is the externality that permeates the entire chemical process that prompts Hegel to state that the differentiation involved is still: “...generally *infected* with division” [*dass er mit der Trennung überhaupt behaftet ist*].¹²⁹ Cinzia Ferrini succinctly frames the problem with physical-chemical configurations of materiality, writing: “The necessary limit of all inorganic nature—whether mechanical or physical, connected through space or affinity, ruled by efficient causality or external finality...—*is...constituted by the structural absence of a bond that purposively realizes the existence of a whole, that is the absence of an essential (ideal) internal unity that unfolds by connecting its parts as the truly active, actual ground*

¹²⁵ PN§326-336.

¹²⁶ PN§308. Emphasis ours.

¹²⁷ See Annette Sell’s “Leben,” in *Hegel-Lexicon*, eds. Paul Cobben, Paul Cruysberghs, Peter Jonkers, and Luc De Vos (Darmstadt: Wissenschaftliche Buchgesellschaft, 2006), p.305 as referenced in Cinzia Ferrini, “The Transition to Organics: Hegel’s Idea of Life,” in *A Companion to Hegel* eds. Michael Baur and Stephen Houlgate (New York: Wiley-Blackwell, 2011), pp.203-224. Here p.211.

¹²⁸ For an extended analysis of the chemical process in Hegel’s system as it unfolds in both the *Logic* and the *Philosophy of Nature*, see Burbidge’s excellent monograph *Real Process: How Logic and Chemistry Combine in Hegel’s Philosophy of Nature* (Toronto: University of Toronto Press, 1996); see also Ulrich Ruschig’s “Chemische Einsichten Wider Willen: Hegels Theorie der Chemie” in *Hegel-Studien* 22 (1987), pp.173-179.

¹²⁹ PN§335; W9 §335. Emphasis ours. Translation modified.

that rules external necessity.”¹³⁰ In this sense, we again see nature’s fundamental lack permeating even more stabilized and complex structurations of materiality than those we outlined in the register of “Mechanics.” From the outset of our analysis of the section on “Organics,” then, we see exteriority and indeterminacy are still plaguing the permutations of Hegelian nature. The instabilities of the chemical process, then, from the standpoint of speculative analysis, suggests that a more adequate *materialization* of ideality, of form, is necessary in order to give that form a corresponding reality. This materialization is what we shall attempt to track and problematize in the remainder of Part I.

Hegel’s central thesis, at the outset of the analysis of organics, is that the self-referential unity-and-self-differentiation, characteristic of conceptuality more generally, which we will occasionally demarcate by way of “autopoiesis,” shows itself most forcefully in the variegated phenomena which Hegel captures through the category of *life*.¹³¹ Concerning this development, a development that the analysis only generates after repeatedly encountering the immanent instabilities of materiality, Hegel writes:

The real nature of the body’s totality constitutes the infinite process in which individuality determines itself as the particularity or finitude which it also negates, and returns into itself by reestablishing itself at the end of the process as the beginning. Consequently, this totality is an elevation into the first [*erste*] ideality of nature. It is however a *fulfilled* [*erfüllte*] and negative unity, which by relating itself to itself, has become essentially *self-centred* and

¹³⁰ Cinzia Ferrini, “The Transition to Organics: Hegel’s Idea of Life,” p.211-212. Emphasis ours.

¹³¹ For a sense of how Hegel’s strategy here functions, at least in part, as an appropriation, rethinking and redeployment of Kant’s approach to the problem of teleology and self-organizing organisms in the natural register, consider Kant’s *Critique of the Power of Judgment*. Kant writes: “In such a product of nature each part is conceived as if it exists only **through** all the others, thus as if existing **for the sake of the others** and **on account of** the whole, i.e., as an instrument (organ), which is, however, not sufficient (for it could also be an instrument of art, and thus represented as possible at all only as an end); rather it must be thought of a an organ that **produces** the other parts (consequently each produces the others reciprocally), which cannot be the case in any instrument of art, but only of nature, which provides all the matter for instruments (even those of art): only then and on that account can such a product, as an **organized** and **self-organized** being, be called a natural end” (5: 374). Kant, however, repeatedly appears to emphasize how this account of the teleological organism operates as a regulative principle for reflective judgment and therefore cannot be confirmed to hold objectively in the natural world (See, for instance, 5:383). Hegel’s entire project, in fundamental ways, is antithetical to this restrictive caveat. For the relation between Kant, Hegel and the issue of teleology in nature, see Daniel O. Dahlstrom’s “Hegel’s Appropriation of Kant’s Account of Teleology in Nature,” in *Hegel and the Philosophy of Nature*, ed. Stephen Houlgate (Albany: SUNY Press, 1998), pp.167-189; see Allen Hance’s “The Art of Nature: Hegel and the Critique of Judgment,” in *International Journal of Philosophical Studies*, Vol. 6 (1), pp. 37-65; similarly, see James Kreines’ “The Logic of Life: Hegel’s Philosophical Defense of Teleological Explanation of Living Beings,” in *The Cambridge Companion to Hegel and Nineteenth-Century Philosophy*, ed. Frederick C. Beiser (New York: Cambridge University Press, 2008), pp. 344-77; see too Francesca Michelini’s “Hegel’s Notion of Natural Purpose,” in *Studies in History and Philosophy of Biological and Biomedical Sciences* 43 (2012), pp.133-39. For a sense of the way in which Hegel’s teleology strikes affinities with Whitehead’s “process philosophy,” see George R. Lucas’ “A Re-Interpretation of Hegel’s Philosophy of Nature,” in *Journal of the History of Philosophy*, vol.22, no.1 (January 1984), pp.103-113; see also *Hegel and Whitehead: Contemporary Perspectives on Systematic Philosophy* ed. George R. Lucas (New York: SUNY Press, 1986).

*subjective. In this way, the Idea has come into existence, an initial immediacy, life [Die Idee ist hiermit zur Existenz gekommen, zunächst zur unmittelbaren, zum Leben].*¹³²

In organic life, then, we witness the “first ideality of nature” that is *fulfilled [erfüllte]*.¹³³ By this fulfillment we are to understand that the immediate origins of the relational process (contra external connection) and its mediated end are united and differentiated in an “infinite process”, which signifies a *self-referential* process of “self-production,”¹³⁴ literally auto (self), poiesis (creation/production), which, for Hegel, is the very structure of subjectivity. Strikingly, Hegel refers to this accomplishment as the “*Idea* having come into existence.”¹³⁵ At first glance, in organic phenomena we witness a qualitative leap beyond the externality and isolation that destabilized the moments of the chemical process where both beginning and end of the chemical process fell extimately outside each other and were, therefore, thoroughly bound within the confines of the inorganic.¹³⁶ What Hegel’s analysis shows us, then, is precisely how nature’s immanent limitations, resulting from nature’s constitutive lack of structuration, open the possibility of more complex structuration. Subsequently, the analysis then charts the developments of organic life as a more sophisticated material structure which is, at one and the same time, dependent on those preceding conditions and somehow freed from them in terms of its restructuring of those antecedents. This restructuring generates a field of terms with an entirely distinct constellation of possibilities, which are bound to those preceding conditions, yet utterly irreducible to them, i.e. the chemical level. What this achievement simultaneously indicates, however, is how this advance is won within, and alongside, the entire series of categories that have proven insufficient to such a self-relational configuration. Autopoietic self-relationality, then, is only made possible alongside, and within, the register of carnage constituting nature’s fitful extimacy, its lack of interiority, conceptuality. The realm of the dead provides the materials for the vital transformative reconstruction characteristic of the living. Or, the living are, in some significant sense, permeated with death.

¹³² PN§337; W9 §337. Translation modified. We find it problematic that Petry’s translation does not place adequate emphasis on “*Existenz gekommen*” as a literal “coming into existence.” We emphasize “coming into existence” in order to accentuate the pronounced difference between the register of chemistry and that of organics. Our translation, furthermore, is more literal and, we believe, more striking than Petry’s more cumbersome phrasing: “...the Idea has reached the initial immediacy of life.”

¹³³ PN§337; W9 §337.

¹³⁴ Ferrini, “The Transition to Organics: Hegel’s Idea of Life,” p.212.

¹³⁵ For a sense of how Hegel’s conception of the self-referential structure of natural life both connects to, and breaks with, Aristotle see, for instance, Murray Greene’s “Natural Life and Subjectivity,” in *Hegel’s Philosophy of Spirit* ed. Peter G. Stillman (New York: SUNY, 1987), pp.94-117.

¹³⁶ PN§335.

However, this triumph of the concept's materialization, "the immediate existence of the Idea," is only one dimension of a complex totality which, when considered in light of that totality, places several problematic caveats on the natural register's advance in terms of its "first fulfilled ideality." Too often in the literature the problematic and dire implications of Hegel's *complete* analysis of the organic register are overshadowed by what we view as a one-sided, and largely unwarranted, overemphasis on the concept's triumph in nature—constituting only a moment of the entire conceptual narrative.¹³⁷ In a text concentrating on the successes of the concept and rationality in nature, it is surprising to discover that Stone dedicates only *three* pages to the category of life as it unfolds in Hegel's philosophy of nature, i.e. the most complex expression of the concept's materialization in the natural register. Stone correctly notes, however, that "Within living organisms, matter finally manifests the conceptual dimension organizing it...the universals that unify organic matter becomes what Hegel calls "subjects.""¹³⁸ Returning to the analogy that has propelled her interpretation from the outset, Stone (re-)outlines a strong correlation between consciousness's first encounter with materiality, on the one hand, and nature's "overcoming of matter's antagonism to thought" in the organism, on the other, in order to maintain the triumph of conceptuality, and therefore rationality, in the natural register. Stone writes:

The subject has, at last, come to conceive of matter as intelligibly structured; this conception accords with the subject's tacit presupposition that matter is intelligible, ending the progression of consciousness. Nature has also overcome matter's antagonism to thought, since organic matter has become *thoroughly* conceptually permeated and can in no sense exist independently of this conceptual permeation. The developmental trajectories of both consciousness and nature reach their goals, and cease, with the emergence of organisms...*The Philosophy of Nature* concludes with bodies becoming organisms that thoroughly pervade and reveal themselves within their material parts or members. Matter no longer subsists in independent antagonism to the conceptual; instead, matter has become *completely structured and organized by thought*...These general lineaments of Hegel's basic theory of nature have emerged through comparison between nature and consciousness.¹³⁹

Acknowledging that Stone's objective of inquiring into the ethical implications for nature resulting from her reading of Hegel's *Naturphilosophie* does not require an exhaustive analysis of the animal organism, we still believe that her general argument does not adequately address what we take to be the most pressing, and problematic, implications of Hegel's analysis of the animal organism. To begin, Stone's

¹³⁷ See, for example, Kenneth R. Westphal's relative silence in this regard in his "Philosophizing about Nature: Hegel's Philosophical Project," in *The Cambridge Companion to Hegel and Nineteenth-Century Philosophy*, ed. Frederick C. Beiser (New York: Cambridge University Press, 2008), pp. 281-308.

¹³⁸ Stone, p.51.

¹³⁹ Stone, p.52. Emphases ours.

abstract claim that "...*The Philosophy of Nature* concludes with bodies becoming organisms that thoroughly pervade and reveal themselves within their material parts or members..." is, in an important sense, only partially accurate. We believe, by way of contrast, that it is more accurate to claim that it is the *final* organic structure, i.e. the animal organism (coming *after* the analysis of geological and vegetative organics), which *begins* with "organisms that thoroughly pervade" their material members.¹⁴⁰ However, the distinction between origins and results is crucial in Hegel's philosophy more generally, as the *Logic* shows us.¹⁴¹ Indeed, to conflate a conceptual result with its beginning, in the Hegelian analysis, is to violate one of the fundamental tenets of speculative method. As Hegel repeatedly states, the entire truth of a structure shows itself in its *conclusion*. In this sense, there is a way in which Stone's analysis of what the conclusion of the *Philosophy of Nature* reveals is only partially accurate.

More importantly, Stone's summarization of what transpires at the conclusion of the writings on nature systematically elides the concrete details of the concluding analyses of the realization of the concept, as animal organism, in nature. Considering the "Table of Contents" shows us that the analysis of animality *concludes* with "Assimilation" (PN§357-366) and "Generic Process" (PN§367-376). Revealingly, however, those processes chart, arguably, the most fascinating, bizarre, and problematic passages, of Hegel's entire analysis of the natural register: they expose the violence and fragility constituting the animal world, the radical *insufficiency* of nature's most complex structuration when considered against the backdrop of the logic and the sphere of spirit, i.e. the location from which the philosophy of nature takes place. The analyses address a constellation of subjects that Hegel views as essential to the very nature of animality, these include instinctual urge (aggression), the digestive process of eating (and excrement), *intraspecies* conflict (sex-relation), *interspecies* tension (violence), sickness and pathology, the vague possibility of restorative therapy, habituation and, most revealingly, the flat-line of death. These are the pressing conceptual dilemmas with which Hegel's analysis of the natural register, and the animal organism, properly speaking, *concludes*. Hegel, therefore, in some important sense, must, as per his speculative method, view these categories as articulating a fundamental conceptual insight into what, only in the beginning, shows itself as the unified self-referential organism, nature's triumphant

¹⁴⁰ See, for instance, PN§350 where Hegel writes: "The organic individuality exists as *subjectivity* in so far as the externality proper to shape is *idealized* into members, and the organism in its process outwards preserves inwardly the unity of the self."

¹⁴¹ See the *Logic* "With What Must the Science Begin?" (pp.67-78); For secondary literature on the issue of origins and other areas of the system see, for instance, Simon Lumsden's "'The Problem of Beginning Hegel's Phenomenology and Science of Logic,'" in *International Studies in Philosophy* 35, no. 4 (2003), pp. 83-103.

“first ideality.” It is our objective, consequently, to systematically explore these passages in order to generate a precise sense of what actually unfolds at the conclusion of Hegel’s analysis of the animal organism in order to attempt to articulate what this must mean for Hegelian nature more generally. By way of introduction, we venture the suspicion that these problematic phenomena are nothing other than expressions of Hegelian nature’s lack of stabilized conceptual interiority, i.e. its radical exteriority and indeterminacy. In other words, nature is permeated, in the end, with a rather modest conceptual structuration that is inadequate to the demands of conceptuality that we encounter from within the contours of thought and spiritual culture. Nature’s exteriority, paradoxically, is crucial to the genesis of organic life and yet, simultaneously, perpetually threatens the latter with violence, and utter annihilation. We can only intimate, at this point in our analysis, what problems this unruly exteriority must pose when considered in terms of the restructive project constituting spirit.

Our research into these problematically opaque regions of the natural register, as they unfold in German Idealism, is not without precedent. David Gunkel’s “Scary Monsters: Hegel and the Nature of the Monstrous”¹⁴² (1997), which traces Hegel’s dialectical method and develops it by way of reference to what it calls “exhorbitance” and “wasting” in Hegel’s thought, functions as one of the first, to our knowledge, English investigations into the problem of monstrosity in Hegel’s writings on nature. David Farrell Krell’s *Contagion: Sexuality, Disease and Death in German Idealism and Romanticism* (1998)¹⁴³ serves as one of the first sustained attempts in English scholarship to pursue the problematic dimensions of nature as they are treated in German Idealism more generally. Krell’s study concentrates on the “dire” features of nature, with which German Idealism and Romanticism perpetually engaged, through a detailed study of specific *early* works of Novalis, Schelling and Hegel. Krell’s research, at least in part, therefore, has opened up a whole constellation of further lines of inquiry concerning what we might call the destructive aspects of nature. Krell’s analysis of Hegel’s thought in this context, for instance, concentrates on the *Realphilosophie* from 1805-06 in order to explore the themes of “Genitalia” and the “Dialectic of Death.”¹⁴⁴ What this leaves open, consequently, is the *entirety* of Hegel’s final system as developed in the

¹⁴² See David Gunkel’s “Scary Monsters: Hegel and the Nature of the Monstrous,” in *International Studies in Philosophy* 29.2 (1997), pp.23-46.

¹⁴³ See his *Contagion: Sexuality, Disease and Death in German Idealism and Romanticism* (Indianapolis: Indiana University Press, 1998) see also his article “Contagium: Dire Forces of Nature in Novalis, Schelling, and Hegel,” in *Interrogating the Tradition: Hermeneutics and the History of Philosophy* eds. Charles E. Scott and John Sallis (Albany: SUNY Press, 2000), pp. 275-295.

¹⁴⁴ It is worth noting Krell’s reasoning behind pursuing excerpts from the *Realphilosophie*. Krell writes:

Encyclopedias. Moreover, our method of advance is somewhat different as we intend to concentrate only peripherally on the sexual relation in order to explore the significance Hegel assigns to the process of assimilation and the related phenomena of violence, disease and death as it seems to us that these phenomena precisely instantiate not only the dilemmas facing animality but also the problem of nature more generally. In this sense, while our project is indebted to Krell, it does not simply revisit territory already covered, but, instead, looks to explore related themes in entirely distinct contexts.

Concentrating on the processes of assimilation and the phenomena of sex, violence, disease and death, we will attempt to develop a precise sense of what we might call the organism's entanglement with its factual environment, i.e. *the* problem facing ideality in the natural setting. We believe that Hegel's conceptual treatment of these phenomena make explicit the ways in which nature's most sophisticated subjectivity is perpetually traumatized by externality and the contingent indeterminacy that not only destabilized the mechanical register but, we believe, characterize Hegelian nature more generally. The central thesis advanced here will claim that sickness and, ultimately, death, operate as the logical consequence of nature's material extimacy. Nature, as material externality, comes to generate the inwardness of animal subjectivity yet that very inwardness is perpetually threatened with annihilation by the very conditions which were crucial to that genesis (the material inorganic). Sickness and death, therefore, operate as precise and sophisticated expression of the problem operative in Hegelian nature. Nature's externality (materialism) is crucial to the genesis of internality (idealism); however, this externality threatens the very modalities of internality it supports (problems of adaptation, hostility etc). Sickness and death function as a precise example of nature's radically generative lack and express the

The materials that Hegel presents in his 1805/06 course at Jena, his inaugural course as Adjunct Professor of Philosophy, do not survive in presentations of his mature system. True, the *Zusätze* or addenda of the *Encyclopedia of Philosophical Sciences*—first published in 1817, reissued with substantial changes in 1827, then revised and released a third time in 1830—offer versions of some of this material, prepared and polished by Hegel's editors. Yet the rougher versions of 1805/06, with their elliptical phrases and half-meanings, with the marginal emendation and never-complete thoughts, have considerably more value than those later versions from the hands of Hegel's students and disciples. The fact that these materials are for the most part excluded from the mature system as we have it from Hegel's own hand does not diminish their importance but enhances it (*Contagion: Sexuality, Disease and Death in German Idealism and Romanticism*, p.117).

We think there is something fundamentally correct in Krell's thought that what is excluded from the final system has the potential to be extremely revealing of the very internal dynamics of that selfsame system.

unquestionable merit and danger of that extimacy: it is crucial to life while, simultaneously, because of its very nature, threatens any and every form of life with the oblivion of express negation.

In contrast to the determinations which animality presupposes (chemistry, geological nature, vegetable organics etc.) its uniqueness resides in what Hegel characterizes as the negative unity permeating all its actually differentiated parts. Of this actually differentiated negative unity, Hegel writes: “Organic individuality exists as *subjectivity* in so far as the externality proper to shape is idealized into members, and in its process outwards, the organism preserves within itself the unity of selfhood.”¹⁴⁵ In the animal, then, we find quite literally an existent *subjectivity* and this achievement actualizes what we might refer to as nature’s most pronounced *inwardization* [*Erinnerung*].¹⁴⁶ The animal displays key features of self-organization and projection and these features are characteristic of ideality’s emergent degrees of freedom and spontaneity from *within* the ruling determinations of externality that continue to permeate the natural registers more generally. The animal displays, for instance, “limited *self-movement*” [*zufällige Selbstbewegung*]; it has a voice which expresses “its autonomous movement as a free vibration *within itself*”; it generates heat which indicates the “...the independent subsistence of parts in the permanent preservation of its shape”; it also has interrupted “intussusception” to an individual, non-organic nature (unlike plant-life).¹⁴⁷ The most important feature of animality’s subjectivity, however, is what Hegel calls its immediate universality, the “immediately *universal* in determinateness,” in that it has *feeling*—“the existent ideality of determinate being.”¹⁴⁸ As sentient, then, animality is not poured out in its material environment; rather, it carves out a negative unity distancing it from that context and into which those external determinations are drawn and experienced in sensations of joy, pain etc. The uniqueness of sensibility and feeling is phrased succinctly by Findlay who writes: “...though one speaks as if, in sense-perception, the environment imprinted itself on the animal, the case is rather that *the animal assimilates the environment to itself, transforms the latter into an inner, qualitative affection of its own.*”¹⁴⁹

¹⁴⁵ PN§350.

¹⁴⁶ PN§338; W9§338. Translation modified. Taking seriously the animal organism as subjective has opened up debate concerning the ethical status Hegel’s analysis assigns to animality. See, for instance, Michael J. Thompson’s “Enlarging the Sphere of Recognition: a Hegelian Approach to Animal Rights,” in *Journal of Value Inquiry* 45 (2011), pp.319-35.

¹⁴⁷ PN§351; W9§351. Translation slightly modified.

¹⁴⁸ PN§351.

¹⁴⁹ See John N. Findlay’s “Hegelian Treatment of Biology and Life,” in *Hegel and the Sciences* eds. R.S. Cohen and M.W. Wartofsky (Boston: D. Reidel Publishing, 1984), pp.87-100. Here, p.98.

Subjectivity's negative unitary distance that permeates all the parts yet is reducible to none Hegel captures through the category of soul [*Seele*]¹⁵⁰ whose *differentia specifica* are sensation [*Empfindung*] and feeling [*Gefühl*].¹⁵¹ It is in the sensual soul of animality then that the centre strived for by the extimate defectivity of the materiality of the mechanical realm is truly overcome insofar as animal subjectivity here serves as the centre of the organism which is filled with determinations of external origins and yet the subjectivity *holds to itself* through those determinations. This allows us to say that the negative unity characteristic of animal subjectivity restructures the external coordinates of spatiality such that that externality has no truth for subjectivity. Subjective unity permeates the manifold of bodily systems and parts and yet is reducible to none of them and therefore indicates the minimal surplus that the body's material systems carry immanently within them.

Animality as a self-organizing project is a perpetual process of self-generation and self-duplication and this duplicity Hegel refers to as “living universality” which he strikingly calls the concept [*der Begriff*].¹⁵² In this sense there is a fundamental way in which Hegel views the animal world as *the* concept made material, its literal hypostatization, and yet, simultaneously, as not the fully developed concept but only an implicit one, and therefore incomplete. Nevertheless, as existent conceptuality, the analysis shows that the animal organism passes through a triadic structure of syllogistic determinations. Each determination is in itself the totality of the substantial animal organism yet, simultaneously, as a result of its syllogistic form, each determination transitions into the others so that “The existent totality of the animal is therefore the *result* of this process.”¹⁵³ This is why animality is duplicitous: it is a process of self-duplication and (re-)production where every immediate beginning can also be read as a mediated result and this vertiginous *return* to self, at both beginning and end, is the qualitative difference distinguishing the living from the house of the dead. It is not poured out in a pure plenum of being but rather is only insofar as it makes itself what it is and preserves itself in that making. It is the “...pre-existent end, and is itself merely result.”¹⁵⁴ The moments of the animal life process are “Formation (Shape)” (§353-56), “Assimilation” (§357-66), and “Generic Process” (§367-76)—each moment of which undergoes its own internal dynamical process therefore reinforcing the mediation that permeates

¹⁵⁰ PN§351; W9§351.

¹⁵¹ PN§351, *Zusatz*, p.104; W9§351, *Zusatz*, p.432.

¹⁵² PN§352; W§352.

¹⁵³ PN§352.

¹⁵⁴ PN§352.

animality through and through. “Shape” analyzes the complex set of systems constituting animality *in itself*, its corporeity that gears it onto the world and its factual environment. Pursuing developments in 18th and 19th century theories in medicine, physiology, and referencing works from figures as diverse as Johann Heinrich Ferdinand von Autenrieth, Goethe and Marie François Xavier Bichat, Hegel offers a dialectical reconstruction of each system essential to the corporeal whole (sensibility, irritability and reproduction). While these interior developments are of interest in their own right, we intend to advance directly to “Assimilation” before continuing into the details of the “Generic Process” as it is in these locations that we get the clearest articulation of the ways in which the radical exteriority of the natural register comes to perpetually confront the animal organism in a myriad of necessary and problematic modalities. In this, sense, we pass directly to the concrete details of the living actuality of the animal organism in order to develop a real sense of the problems with which it is perpetually beset.

4 Assimilation and the Problems of Sex, Violence, and Sickness unto Death

The immediate feeling of self resulting from the structural processes of animal corporeity contains what Hegel explicitly characterizes as a negation¹⁵⁵ within it which establishes the individual organism as finite set against the materiality of its environmental context. Hegel writes: “The sentience of *individuality* is to the same extent immediately *exclusive* however, and maintains a state of tension with an inorganic nature to which it is opposed as to its external condition and material.”¹⁵⁶ This precise tension between internality and externality becomes most acute in what Hegel calls the “practical relationship”¹⁵⁷ which reveals the animal as dirempted within itself: on the one hand, it has the feeling of externality as its negation; on the other hand, the animal, as a self-relating structure, feels itself as certain of itself in the face of the material world (its negation). Hegel demarcates the organism’s duplicitous feeling of negation and self-certainly under the category of *lack* [*Gefühl des Mangels*].¹⁵⁸ Lack, in the precise sense that Hegel here employs it, holds an important position in the economy of animality: it shows the animal as the concept existing in nature insofar as it is those shifting states which nevertheless manifest, maintain, and endure such contradictory tension, therefore revealing the “infinitude of its self-relation.”¹⁵⁹ Indeed, it is what Francesca Micheli, in her provoking and illuminating essay, “Thinking Life: Hegel’s Conceptualization of Living Being as an Autopoietic Theory of Organized Systems,” has characterized as a precise expression of the “active deficiency” [*Thätigkeit des Mangels*]¹⁶⁰ of life, what we might call the activity of lack. Elaborating on this provocative articulation, Micheli states:

This means that deficiency is a constitutive part of life itself. Therefore it is in negativeness and scission that life unfolds in its fullness and unity. Note, however, that in this movement deficiency and identity constitute an indivisible whole, a single thing. One should not think that there is a first fixed identity to which one returns: life is inextricably bound up with what it lacks. Hence one can only speak of ‘completion’ on the basis of deficiency and of deficiency only on the basis of completion.¹⁶¹

¹⁵⁵ PN§359.

¹⁵⁶ PN§357.

¹⁵⁷ PN§359.

¹⁵⁸ PN§359. Translation modified.

¹⁵⁹ PN§359 *Remark*.

¹⁶⁰ See Francesca Micheli’s “Thinking Life: Hegel’s Conceptualization of Living Being as an Autopoietic Theory of Organized Systems,” in *Purposiveness: Teleology between Nature and Mind* eds. Luca Illetterati and Francesca Micheli (New Jersey: Transaction books, 2008), pp.75-96. Here p.88. See also her “Hegel’s Notion of Natural purpose,” in *Studies in History and Philosophy of Biological and Biomedical Sciences* 43 (2012), pp.133-39. See especially section “4. Hegel’s Appropriation of Aristotle and the ‘bio-philosophy’: life is activity of deficiency,” p.137ff.

¹⁶¹ Micheli, “Thinking Life: Hegel’s Conceptualization of Living Being as an Autopoietic Theory of Organized Systems,” p.88.

Hegelian lack expresses, then, the animal's subjectivity, its infinite self-relationality, which is to say that even in its most radical relation to an external other it is always only in relation to itself.¹⁶² This reveals the significant status Hegel's analysis assigns to configurations that express not the stable plenum of a specific structure (identity) but those that show the organism in perpetual tensional distress and trauma, ones that demarcate the perpetual transmogrification and resuscitation of the very structure under consideration. Concomitant with the animal's subjective sense of lack, however, is the instinct to do away with lack, to negate it. Therefore, we might say that the inverted lining of lack is what Hegel denotes by way of the concept of *drive*—the instinctual aggression to overcome lack in an attempt to free itself of such negation.¹⁶³ The Hegelian animal, then, confronts the world essentially ravenous and hungry; that very hunger is what constitutes its life, its status as a materialization of the concept, insofar as it is perpetually in the process of satiating its endless cravings.

Lack, consequently, presupposes the condition of an external material stimulation that serves as the negation of the animal—an object against which the organism braces itself. And what this means is that the negation constitutive of lack is only a moment of the assimilative process: the animal has its overcoming as “immanent...within.”¹⁶⁴ Lack activates the living organism, propels it into the world in search of a respite and this activity, generated by way of absence, is what Michelini means when speaking of “active deficiency.” The animal does not stand for itself in isolation, then, as in the case of inert matter, the cold mechanism of substance, or the isolated identity of the Cartesian *cogito*. Rather, because of the internal dynamical relationship it establishes with its material other, and its instinct to act out against its own negation, it is constituted by a compulsion to devour the otherness of its environment, to make it its own, in a constant effort to overcome this lack. This perpetual project of defective action establishes the totality of the animal, paradoxically, only insofar as it is internally lacking. This move, at least in part,

¹⁶² PN§359 *Remark*. Consequently, there are concrete ways in which the rudimentary outline of the instincts Hegel develops here might be read to anticipate features of Freud's theory of the instincts as developed in his *Beyond the Pleasure Principle*, trans. and ed. James Strachey (New York: Norton and Co, 1961). See especially Ch. V where Freud introduces the hypothesis that instinct is an “*inherent urge to restore an earlier state of things* which the living entity has been obliged to abandon under the pressure of external disturbing forces...” (43). This can be read to connect to Hegel's notion of instinct as an objective expression of the organism's desire to negate the negation inherent in the phenomena of lack. Freud radicalizes instinctual urge, however, and in so doing breaks with Michelini's interpretation, by reading it as a compulsion of the organic to return to the inorganic, to negate life—the death drive (to return to a “first fixed identity” in Michelini's phrasing).

¹⁶³ PN§359.

¹⁶⁴ PN§359 *Remark*.

constitutes Hegel's innovative synthesis of Aristotle and Kant on the issue of natural teleology: there is an *internal* drive to *end* lack (Aristotle's internal purposiveness) which is realized within coordinates of the natural register (contra Kant's argument for teleology as a subjective regulative ideal of thought). Hegel, simultaneously, in modifying both Aristotle and Kant, voids the move that would suggest that the animal's internal purposiveness needs to be framed in terms of conscious deliberation or some mode of explicit intentionality.¹⁶⁵ Hegel's caveat is unambiguous: the analysis clearly states that in attempting to satiate hunger, the animal organism takes its subjective lack into action, the objective expression of lack, which Hegel denotes by way of the category of *instinct* [*Trieb*].¹⁶⁶ The 'primordial' dimension of such end oriented activity is why Hegel writes: "Instinct is purposive activity operating in an unconscious manner."¹⁶⁷ The animal, then, hurls itself into the world quite blindly, driven instinctually to perpetually undo, and therefore reactivate, the negative fissure it harbors within. We will return momentarily to the subject of the organism's perpetual reactivation of lack, its perpetual reconstitution of hunger, in order to consider the ultimate significance of such perpetual resuscitation.

Despite the articulate and apposite reading Michelini offers, with which we largely agree, we, nevertheless, believe that the analysis tends to overplay the *stability* of the animal organism as a precise expression of the concept in nature, its self-reflexive (re-)production of its own structures, its autopoiesis. Michelini writes:

It is the circularity of a living system's organization which makes it a unit of interactions, and it must maintain this circularity in order to remain a living system and to preserve its *identity through different interactions*. *The living organism has completeness at every instant of time*. In Hegel's view this completeness also derives from a network of relations among processes that always generate the same unity, *which nevertheless is always new*, because it is the outcome of incessant transformations.¹⁶⁸

While we acknowledge Michelini's emphasis on the constant renewal of this process, the difference it perpetually engages, we still maintain that it overplays the animal's stability, its *identical* completeness at all times, as an expression of the *concept*. Hegel is explicit from the very outset of his analysis of the

¹⁶⁵ See PN§360. *Remark* for the relations between Aristotle, Kant and Hegel in this context. See also Michelini's "Thinking Life: Hegel's Conceptualization of Living Being as an Autopoietic Theory of Organized Systems," p.84ff; see also her "Hegel's Notion of Natural Purpose," pp.134ff.

¹⁶⁶ PN§360. For a consideration of the multifarious uses of the concept of *Trieb* in nineteenth century thought from Herder to Fichte, Hölderlin to Hegel, and others see, for example, "Trieb: tendance, instinct, pulsion," in *Revue germanique internationale*, 18, 2002.

¹⁶⁷ PN§360. *Remark*.

¹⁶⁸ Michelini, "Thinking Life: Hegel's Conceptualization of Living Being as an Autopoietic Theory of Organized Systems," p.93. First emphasis ours.

animal organism that it is the concept in its immediacy.¹⁶⁹ Moreover, he also argues, as we will see, that the death of nature, at least in part, expresses the *insufficiency* of natural life to the life of the concept proper, self-relational *universality*, and it is our suspicion that such an insufficiency must, in some sense, be at play in the structures of animality currently under consideration.¹⁷⁰ To be clear it is not Michelini's objective to differentiate the life of the concept in nature and its actualization in terms of spirit, that is, culture. Nonetheless, in overemphasizing the stability, *identity* and completeness of the natural organism, not only are the qualitative differences between the life of spirit and nature at risk of obliteration, but the real threats that nature's radical exteriority and contingency perpetually unfold against the animal organism are also obscured, or altogether elided.¹⁷¹

We wish to destabilize this sense of sufficiency by focusing on the ways in which the contextual milieu of the environment, the express negation of the organism, perpetually engages it, overwhelms it, forcing it into an open ended series of transformative activities that are, nevertheless, in some important sense, perpetually submerging the animal in an entire host of conditions that are antithetical to the freedom of the concept that we find in the register of spirit. Consequently, on the reading we are venturing, it expresses the utter insufficiency of natural life as a *complete* expression of the self-reflexive processes constitutive of the concept proper. Therefore, our reading highlights the danger the factual environment presents to the organism. In a sense, it is the condition necessary to animal life as such; however, simultaneously, the material environment offers it the most skeletal form of conceptuality and, ultimately, it is that which serves up the possibility of extinction, annihilation. This unresolved tension, ultimately, is a precise expression of nature's unending externality, its antithetical status to the self-referentiality of not only the animal organism, but conceptuality more generally, i.e. ideality.

Given that lack can be activated in a myriad of particular modalities, stimulated by environmental influences, the organism displays a diverse range of instinctual activities which range from what Hegel describes as "formal" to "real" assimilative processes.¹⁷² Under the former we can cite the marking of territory, for instance, and the construction of nests and places of dwelling etc. where the animal makes a place its own. Under the latter are those activities where the animal organism asserts itself as a *power*

¹⁶⁹ PN§350.

¹⁷⁰ PN§376.

¹⁷¹ For a discussion of the differences between the category of life as it unfolds in the *Logic* in comparison to its existence in the *Naturphilosophie* and the insufficiency of the latter in relation to the concept, see Vesa Oittinen's "Negation, Leben und Subjektivität," in *Hegel-Jahrbuch* 2007 (Berlin: Akademie Verlag, 2007), pp.362-68.

¹⁷² PN§362.

over the determinant object it engages by way of its constitutive lack and instinctual urges. This, then, is the real practicality of assimilation, the digestive transformation of externality in terms of its own projective horizon, its literal “destruction” of their characteristic qualities.¹⁷³ In other words, emergent ideality finds itself perpetually entangled by the materiality which it is *not* but which it nonetheless must incorporate as its *own*. This is what we see in digestion. Of this process, Hegel writes: “...in so far as it [the animal] individualizes inorganic things, or relates itself to those already individualized, and assimilates them by consuming them and destroying their characteristic qualities—through *air* entering into the process of respiration and of the skin, *water* into the process of thirst, and the particular formations of individualized *earth* in to the process of hunger.”¹⁷⁴ In this sense, every fiber of the animal is transformative, breaking down externality to its own ends. This perpetual interface of assimilation is a point of strife and acute tensionality characterizing the very life of the animal organism in constantly seeking to overcome the otherness of its environment. Hegel, in what appears as some form of bewilderment and/or amazement, lingers on this meeting of two worlds, the organic and the inorganic (in the process of digestion), as evidenced in the *Zusatz* to §365—running almost ten pages. The animal, then, is confronted, we might say, not only with its own “infinite self-relation,” as Michelini emphasizes, but also with the inexhaustibility of the world in the process of that self-relation. Succinctly stating the implications of the situation, Mark C.E. Peterson writes: “The animal is an immediate singularity and therefore treats all things it encounters as singular things. In fact, the animal can sublimate its confronting singularity only through singularities. It must deal with external nature one thing at a time. As an individual it relates itself to these singular things...by destroying their characteristic qualities. It does this by eating them.”¹⁷⁵ In this sense, eating, the transmutation of the inorganic in terms of the self-organizing (re-)structuration of the organic, is one of the fundamental expressions of material conceptuality’s, life’s, *work*. The consequence of this activity is duplicitous, as Jay Lampert writes: “The animal is simultaneously an assimilation of outsides and an expulsion of insides.”¹⁷⁶

¹⁷³ PN§362.

¹⁷⁴ PN§362.

¹⁷⁵ Mark C.E. Peterson’s “Animals Eating Empiricists: Assimilation and Subjectivity in Hegel’s *Philosophy of Nature*,” in *The Owl of Minerva*, 23, 1 (Fall 1991), pp.49-62. Here p.55-6.

¹⁷⁶ See Jay Lampert’s “Speed, Impact and Fluidity at the Barrier Between Life and Death: Hegel’s *Philosophy of Nature*,” in *Journal of the Theoretical Humanities* Vol. 10, No.3 (2005), pp.145-156. Here p.148. Elaborating further on this tension, Lampert writes: “on this model, the animal survives external threats by dirempting itself, tearing itself apart, granting the intruder admittance not only quantitatively but also by qualitatively changing itself in the process” (p.148).

Return to our above point concerning the perpetual reactivation of lack. Part of the problem with Žižek's¹⁷⁷ interpretations of these passages is that he does not consider the larger totality in which the animal organism perpetually finds itself, *in medias res*, upon the 'completion' of the assimilative process more generally considered. Moreover, this process operates, as Peterson correctly notices, by way of radical particularity. Peterson writes: "The organism can assimilate only singular instances of the externality to which it stands in opposition—one thing at a time, stick by stick, bite by bite. Therefore, even though it temporarily overcomes its confronting externality, it fails to overcome its continued need. It eats to satisfy its hunger, but its hunger is never overcome."¹⁷⁸ If this is the case, however, it shows us quite distinctly the ways in which the animal's perpetual process of assimilation of its environment, bite after bite, is a bewildering instantiation of a spurious infinite where the end and the beginning of the process, eating and ultimately eating more, fall outside one another without being adequately incorporated in terms of a new field of integrated coordinates that advances beyond such a domain of mechanical, particular, repetition.

Again, this is what we meant above when we spoke of the animal organism's spurious infinite, its perpetual reactivation of lack. An animal hunger that is "never overcome" can, in a sense, express the relentless activity of the concept and, in this regard, Michelini is therefore correct. However, insofar as this appetitive repetition of lack in assimilating food, destroying the material environment, there is a sense in which such a perpetual task is utterly inadequate to the proper stability and self-referentiality constitutive not only of conceptuality proper but also spirit's autopoietic activity. Such a piecemeal appropriation can be characterized as the life of the concept, one, therefore of freedom, only partially. To the extent that it is relentlessly mired in the blunt material of the natural world and raw consumption there is, on our view, something utterly inadequate to such a process when framed in terms of life proper. Even in the domain of spirit, the consumption of food takes on an entirely distinct meaning insofar as it is imbued with ritual. This imbuelement, as it were, is nothing other than an expression of the freedom of spirit proper. An expression of freedom, however, that in this context, must appear quite alien. In other words, the animal organism's lack and hunger are only the most rudimentary material instances of the concept's transformative activity and they need to be recognized and emphasized as such. The perpetual falling apart of animal from its environment in a vicious cycle of eating, we ultimately believe, is a

¹⁷⁷ Žižek's "Hegel and Shitting," p.223

¹⁷⁸ Peterson, "Animals Eating Empiricists: Assimilation and Subjectivity in Hegel's *Philosophy of Nature*," p.56.

precise expression of the externality and contingency that permeate the natural register. The excess of the environmental context, the perpetual exchange between animal and environment where sustained integration disintegrates at the most basic level of sustenance, digestion and excretion, then, expresses the chaotic externality that besets animal life all the way down, the way in which any meaningful understanding of this process as properly free conceptuality, in the strict Hegelian sense, is nothing if not chimerical. The ubiquity of externality, contingency and particularity that Hegel's analysis implicates makes us surprised to see Peterson realign the surplus of content that "Assimilation" addresses under distinct headings of his own invention in terms of the three-step of the concept.¹⁷⁹ We believe that the lack of coherence among the section headings provided by Petry and Michelet, and their relations to the content covered, needs to be taken as significant. What this *mess* of animal phenomena reveals, in terms of particular phenomena investigated and their organization through more general determinations of the concept, is the chaotic instability that pervades not only the animal organism's perpetual engagement with its environment but, more importantly, the radical externality, indeterminacy and contingency that permeate the entire natural register more generally, the way it perpetually reenacts the problems that we first outlined in terms of space-time-materiality.

What the analysis shows, then, is nature's ability to go haywire; the perpetual problem it presents conceptual thought to stabilize it, shape it, make sense of it, in terms of the precise auto-determinations of conceptuality. However, this is only the beginning of the story concerning the concept's reality in the natural world. Concentrating on what Hegel has to say about the "Generic Process," that process which is introduced amid the tumultuous perpetuity of lack and instinctual aggression, allows us to further intensify the problem of Hegelian nature by way of a careful analysis of the animal phenomena of sex, violence, sickness, and death.

Under this set of processes the organism faces itself in terms of its universality, the genus, and it faces another who is also an individual living entity. The genus displays a dynamical relationship with the individual organism. On one hand, it manifests as an implicit unity with the individual organism whose "concrete substance" it is.¹⁸⁰ Yet, on the other hand, the universal is characterized as a disjunction, or judgement (*Urteil*), and distinguishes itself as somehow beyond the singular individual organism in order

¹⁷⁹ See Peterson, "Animals Eating Empiricists: Assimilation and Subjectivity in Hegel's *Philosophy of Nature*," pp.58-9.

¹⁸⁰ *PN*§367.

to return from its diremption, as a single individual, as a mediated unity with itself. In this return to itself the genus accomplishes two interconnected points: first, it loses its merely subjective universal quality to the degree that it goes over, as it were, to an existence in the objective, individual organism; second, it also negates the individual organism and thereby liberates the genus from the inadequacy of individuality. Therefore, the genus process operates as a duplicitous set of negations of both the subjective formality of the genus and the objective singularity of the individual organism. These negations are ultimately highly destructive and generative. It is in the sense of this second negation that we can say that the genus undergoes the death of the natural insofar as this open-ended life of the individual is utterly inadequate to the universality of the genus (concept).

This is significant in that it shows us the inevitable end that awaits each and every organism as a result of the discrepancy between its particular existence and its implicit universality. In this concluding section, contra Michelini and Stone's insistence on the stability of the concept in terms of its material instantiation as the animal organism, we will seek to highlight the repeated insufficiencies for conceptuality that animal life manifests. Doing so, we believe, shows us not only the radical externality, contingency and indeterminacy that permeates animal life; it, simultaneously, firmly reinforces the central thesis that we have advanced in Part I: Hegelian nature is lacking in coherent conceptual completeness and therefore, in an important sense, is radically insufficient to the life of the concept. However, that very incompleteness is the material ground by which the genesis of life, the inchoate flickering of spirit itself unfolds (in this sense it is a necessary yet *insufficient* condition for the actuality of the concept proper, i.e. spirit).¹⁸¹ In order to pursue this point further, we intend to develop a precise sense of how the moments constituting the generic process reveal fundamental modalities of animality's entanglement with externality: the animal's internal relation with those of its own species (sex), other species (violence), and,

¹⁸¹ Concerning the concept of incompleteness as it relates to the natural register and the formation of the human body in the neonate, framed primarily in terms of Lacanian psychoanalytic theory, which has real parallels with the thesis we are advancing here see, for example, Adrian Johnston's "Reflections of a Rotten Nature: Hegel, Lacan, and Material Negativity," in *Filosofski vestnik* Vol. XXXIII, No.2 (2012), pp.23-52. Johnston writes: "in terms of anatomy, physiology, and neurology...the biology of the newborn human "organism"...this... "primordial" foundation of bio-material facticity... "prior to social determination"...entails prematuration helplessness, among other conditions...[there is]...a lack of anatomical, physiological, and neurological maturation sufficient for it to survive without the sustained, substantial assistance of significantly older conspecifics" (p.28). While we are well aware of the significant differences between animal life and the neonate, our point here is to indicate how Johnston's position signifies a lack of determinacy in the "biomaterials" which compose the neonate in its infancy. We believe this lack is directly connected to Hegel's account of nature and the problems we see perpetually confronting the life of animality, its inherent lack of stability.

ultimately, the inadequacies of its ontological structure (sickness and natural death). This over-immersion, as it were, gives us a precise sense of the problem radical externality poses to the self-relationality that is intrinsic to the life of the concept.

One of the contradictions the process of the genus establishes is the acute tension within the individual organism where it is both the universal actualized, and, conversely, singularly individual and therefore distinct from the universal genus. It is this tension between the universal self-relating structure of the animal's subjective centre and its existence as a singularized individuality amongst many which manifests in the organism as a gnawing feeling of this discrepancy, what Hegel characterizes as a *lack* [*Gefühl dieses Mangels*].¹⁸² This lack, resembling the drive to negate the external world in the phenomenon of hunger, activates an instinctual drive to overcome this defect by way of a finding of self, self-feeling, through the mediation of another individual *of the same genus*. Again, this finding of self through otherness can be linked to Hegel's account of the assimilative process, with the caveat that here the other which animality engages is not the domain of the inorganic sphere but its very genus itself in the form of another living animal. This intensification of the animal's process of self (re-)production, Michelini's "activity of deficiency," means a move from the particular piecemeal process of digestion towards a more comprehensive form of that autopoietic process and its universal self-relation. The intensification of this self-relationality in terms of the sexual relation is why Lampert writes: "...the individual life of the living being has to be replaced by its generic life; it has to die not only in parts (in its bones), not only in redistributions (in its excrement), but in its *entire* individuality."¹⁸³ The complete overcoming of the self-(re-)productivity of individuality, the introduction of the life of the genus, is the process Hegel demarcates under the category of *copulation*. What is important to note here is that it is the singular organism's lack, i.e. the insufficiency of its life of radical particularity as realized in consumption and digestion, which activates its compulsion to fornication and the process of the genus. The sexual relation is the union of the genus with itself through its bifurcation into two distinct sexes. Again, it is not only the stability of self-identity that activates the animal organism in this context. In several important ways, it is the animal's lack, its insufficiency as such, which activates the process of copulation which, in

¹⁸² *PN*§368; *W*§369. Translation modified.

¹⁸³ Lampert, "Speed, Impact and Fluidity at the Barrier Between Life and Death: Hegel's Philosophy of Nature," p.149. Emphasis ours.

turn, functions as the genus' vanishing mediator: it sublates the division of the genus into the two sexes and actualizes the unity of the genus with itself.

The result of the sexual relation is the emergence of the negative unity of the differentiated individuals that entered into the relationship, i.e. the offspring. This product can only arise through the *negation* of the genus' sexualized differences. By implication, then, Hegel asserts that the genus exists in-and-for-itself only in the nauseating genetic series of individual organisms that negate and restore sexual differences. Therefore, the offspring's sublation of the genus' internal bifurcation is always the reactualization of these tensions afresh. Insofar as the individual completes its self-(re-)construction by way of the generation of the offspring there is a sense in which the life of that conspecific becomes what we might describe as a surplus of the genus' reactualization. As Lampert writes: "...higher animals produce "superfluity" or "overflow"...a useless surplus generated by the life-act."¹⁸⁴ In the individual's replacement of itself they become superfluous, overflow, surplus. In this sense, we can therefore say that death is the surplus result of sexual reproduction. In sexual reproduction and death, the genus is freed from individual singularity, cut loose, as it were, to be (re-)instantiated in another time *x*, place *y*. Lack, the instinct to annihilate it, fornication, genesis of new life and inevitable death, then, is what Hegel describes as the "progress of the spurious infinite"¹⁸⁵ constituting the precarious and exhausting trajectory of animal life. However, insofar as Hegel explicitly connects this reproductive process to the spurious infinite, we have an unambiguous statement of the insufficiency of such a structural process in terms of self-referential conceptuality proper. This spurious process, therefore, not only indicates the perpetual juxtaposition of unresolved finitude in the animal register, it also vividly instantiates the way in which the natural register more generally is permeated by the externality, exteriority and therefore contingency that perpetually enforces this spurious finitude.

Elaborating on the nature of the genus Hegel claims that it auto-differentiates from the most universal distinction, that of animal, into more specific determinations, those of speciation. The consequence of speciation is that organisms distinguish themselves against not only their constitutive environment (assimilation), nor *intraspecies* (sex-relation), but also *interspecies*—against other species. Part of the problem here is that the specific species *cannot* activate their genus relation by way of

¹⁸⁴ Lampert, "Speed, Impact and Fluidity at the Barrier Between Life and Death: Hegel's Philosophy of Nature," p.149.

¹⁸⁵ *PN*§369.

sexuality with other species. Therefore, in such cases of interaction, the species can only express its transformative activity by way of aggression. Hegel states: “In this hostile relation to others, in which they are reduced to inorganic nature, violent death constitutes the natural fate of individuals.”¹⁸⁶ Speciation shows specific animal types closed in on all sides by the cacophony of earth’s other life forms. In order to assert itself within the violence of this milieu, Hegel states: “For the determination of the species...the distinguishing characteristics have, by a happy intuition, been selected from the animal’s weapons, i.e. its teeth and claws etc. This is valuable, because it is by its weapons that the animal, in distinguishing itself from others, establishes and preserves itself as a being-for-itself.”¹⁸⁷ By way of aggression and “distinguishing characteristics,” then, the individual animal aims to “reduce other species to a relative inorganicity,”¹⁸⁸ decompose them in terms of its own project, annihilate them. We might say that if Kant’s kingdom of ends suggests the possibility of a perpetual peace in Hegel’s *Naturphilosophie* we witness the nauseating reenactment of perpetual conflict—articulations of claws, teeth in the animal’s attempts to assert itself through the annihilation of others. The bizarre implication here is that otherness which perpetually maintains the precise contours of one’s own death. Lampert writes: “For the other animal is our inorganic other. It remains outside of us, but *its* inorganic nature is *our* death.”¹⁸⁹

It is the looming contingency of its environment and the myriad of other speciations that continuously haunt the animal’s existence that leads Hegel to state that these conditions: “...continually [subject]... animal sensibility to violence and the threat of dangers, the animal cannot escape a feeling of *insecurity, anxiety, and misery.*”¹⁹⁰ This perpetual violence highlights perhaps the most important feature of animal life and Hegelian nature more generally: the looming threat of externality as utter annihilation of life at each and every level. One is tempted to say that what we witness in the animal’s misery is a ‘pre-conceptual’ insight into the heart of natural things: their existential fragility, their finitude, their perpetual collapse into exteriority and external pressures. We believe that the organism’s constant self-deferral to externality illuminates, ultimately, what Hegel sees as the chaos of nature: an opaque source of

¹⁸⁶ PN§370.

¹⁸⁷ PN§370 Remark.

¹⁸⁸ Lampert, “Speed, Impact and Fluidity at the Barrier Between Life and Death: Hegel’s Philosophy of Nature,” p.150.

¹⁸⁹ Lampert, “Speed, Impact and Fluidity at the Barrier Between Life and Death: Hegel’s Philosophy of Nature,” p.150.

¹⁹⁰ PN§370 Remark.

the unimaginable which is closed to the possibility of complete systematization.¹⁹¹ The natural domain perpetually forecloses on the possibility of the proper existence of the concept; externality continuously undermines its smooth autopoietic self-articulation. Hegel revealingly writes:

The *immediacy* of the Idea of life consists of the Notion as such failing to *exist in life*, submitting itself therefore to the manifold conditions and circumstances of external nature, and being able to appear in the most stunted of forms; the *fruitfulness* of the earth allows life to break forth *everywhere*, and in all kinds of ways. The animal world is perhaps even less able than the other sphere of nature to present an immanently independent and rational system of organization, to keep the *forms* which would be determined by the Notion, and to proof them in the face of the imperfection and mixing of conditions, against mingling, stuntedness and intermediaries. The weakness of the concept in nature [*Diese Schwäche des Begriffs in der Natur*] in general, not only subjects the formation of individuals to external accidents, which in the developed animal, and particularly in man, give rise to monstrosities, but also makes the genera themselves completely subservient to the chance of the external universal life of Nature. The life of the animal shares in the vicissitudes of this universal life...and consequently, it merely alternates between health and disease.¹⁹²

This passage gives us perhaps the clearest indication of what Hegel, as Reid entertainingly recounts, described to the poet Heinrich Heine as nature's *leprosy*.¹⁹³ It is difficult to understand how Stone's thoroughly *a priori* rationalist reading of Hegelian nature is able to coherently relate itself to not only such passages as the one above but also Hegel's insistent refusal to romanticize, idealize nature as evinced in the remark above where Hegel explicitly frames nature in terms of leprosy, which, implicitly connects it to the lexicon of disease, breakdown, and, ultimately, chaos.¹⁹⁴

¹⁹¹ See, for instance, *PN*§250 *Remark*, where Hegel writes: "This impotence on the part of nature sets limits to philosophy, and it is the height of pointlessness to demand of the Notion that it should explain...or deduce these contingent products of nature..."

¹⁹² *PN*§370. *Remark*; *W9* §368. Translation modified.

¹⁹³ See Reid, p.41.

¹⁹⁴ Lampert gets at the chaos explicit in Hegel's analysis *and the very reality of the subject matter involved, its radical indeterminacy*, when he writes:

In any given being there is a gap between its individual characteristics and the species it exemplifies. This means that there will always be more than one species which a given individual could be a member of. And this means that an individual can never know exactly which species it is reproducing. The violence across species is carried on within each given individual, a battle within the organism to decide which species it will shape. Each animal life is therefore in various ways stunted, mingled, and intermediate, giving rise to "monstrosities" and alien contingencies...Hegel spends several pages charting the various classifications of animals, but such classifications can never be complete, due to the superficialities of form implicit in the gap between individuals and the underdetermined species. And the unclassifiable superfluity constitutes the monster within the individual that tries to kill not only members of other species but also its own ("Speed, Impact and Fluidity at the Barrier Between Life and Death: Hegel's Philosophy of Nature," p.150).

The very first clause of this block quote makes explicit that, for Hegel, there is a distinct sense in which the concept “*fails to exist in life.*” In other words, this would be to say that the natural register in its entirety lacks a complete articulation of the concept, the thesis we have been arguing for since the outset of our current investigation. Moreover, it is the contingency and exteriority of the natural register which is crucial to that failure and prohibits, or at least impedes, a “rational system of organization.” Immediacy, contingency and exteriority not only traumatize the individual organisms to such an extent that their lives are nothing more than the feeble alterations of health and sickness permeated by an acute sense of fear; more revealingly, the entire sphere of the genus is traumatized by the contingencies of geological materiality, and the teeth of animality—tearing it open. One might go so far as to suggest that this perpetual alteration of sickness and health of animal life analogically anticipates the entire process of spirit’s historical unfolding in terms of the implications following from the “slaughterhouse” of history. While there is a sense in which this perpetual conflict is the actualization of the concept in nature there is another sense in which it is entirely insufficient to what we might call a complete actualization of the concept in the natural world. Instead, we view this naturalness as the barest form of conceptuality and therefore its inherent status as unstable, lacking and, ultimately, mired in instabilities that perpetually bring it into the parameters of disintegration.

The passage needs to be read in two mutually reinforcing senses: first, it indicates the impotence of nature in its inability to hold fast to conceptual determinacy; second, and perhaps more importantly, it needs to be read to indicate the surplus of the natural domain, its unbridled contingency, the indeterminate intermediaries of interzonal configurations constituting the macabre and monstrous. In a sense, however, this monstrosity is in part the consequence of the *system’s* reflections on what it discovers in the natural register. In terms of the conceptual rendering of nature, i.e. a philosophy of nature, nature is monstrous in that it lacks the conceptual precision that ontologically is quite absent from that domain. In other words, the analysis shows that nature lacks the ability to adequately realize determinate distinctions of conceptuality because of its ruling black flag of externality which perpetually realize “intermediary states.” What Hegel’s analysis of the animal organism and the genus relation indicates at this point is crucial to generating a more precise sense of the macro-implications of Hegel’s speculations concerning the entire register of nature. Here in the very heart of life, animality, the most pronounced expression of the concept having entered into existence and achieved a sophisticated inwardization and

self-referential structure, the ideality constituting the animal organism is continually and perpetually traumatized by the complex array of contingent factors that compose its factual environment. Again, we see how the lack that permeated nature from its most rudimentary determinations (space-time-materiality et al.) continues to permeate the living organism with dire consequences: it is perpetually given over to an extimate other that constantly threatens it with definitive annihilation. In this second sense we say that it is the fragmentary life of nature in its monstrous contingency that shows us *the weakness of the concept in nature* [*diese Schwäche des Begriffs in der Natur*].¹⁹⁵ While we are in agreement, on the whole, with recent interpretations such as Johnston's where Hegelian nature is framed in terms of weakness, under-determination, and therefore unpredictability, we also believe that his position has a tendency to downplay the threat that nature's externality perpetually poses to life more generally and conceptuality and systematicity, more specifically. Material nature, for Johnston, is the weakness, the "contingent material conditions" that provide the possibility of spirit's emergence.¹⁹⁶ Johnston, however, tends to remain silent on the simultaneous threat that exteriority must render against life and conceptual thought. As per our reading, which looks to emphasize this unruly dimension of Hegelian nature, we might say that if conceptuality articulates the impotence of nature then it is nature's monstrosity, violence and the silence of death that pronounce the perpetual problem facing conceptuality when materialized within the instabilities of nature's contingencies. What this shows us is that even insofar as the animal organism in distinct way anticipates the emergent freedom of spirit the natural realm of radical exteriority still poses a problem for it. In a Freudian sense of repression, in attempting to restructure the natural register the latter takes on, in relation to the free organism, a significance it never had before. The problem of exteriority intensifies because the consequences of what is at stake increases in due proportion, i.e. what is beginning to show itself at stake here *is* freedom itself. In this sense, nature becomes all the more important as a problem because it has the ability to undermine, even annihilate, the inchoate project of freedom. Indeed, we believe that we can show that the traumatic situation the animal finds itself in is nothing but a direct consequence of nature's radical extimacy and that the problematic implications of material externality only become more intense and precise in the phenomena of sickness and death.

¹⁹⁵ PN§370; W9§368. Translation modified.

¹⁹⁶ See Adrian Johnston's "The Voiding of Weak Nature: The Transcendental materialist Kernels of Hegel's *Naturphilosophie*," in *Graduate Faculty Philosophy Journal* 33, No.1 (2012), pp.103-57.

Because of the pressing externalities and contingencies that literally *deform* the precise distinctions of conceptuality, generating monstrosities and intermediary positions, then, there is a way in which there is an ambiguous indeterminate gap between the genus and individual. In other words there is not, *stricto sensu*, a precise correspondence between the two—this discordance is what perpetually problematizes actuality, in the strict sense in which Hegel employs it, in the natural register. We take this to indicate not only nature’s lack, its “weakness” for Johnston, but also the way in which this under-determination activates a series of specifically dire structural problems for the life of the animal organism. More precisely, what this discrepancy indicates are the ways in which the organism is perpetually caught up in the materials of the inorganic externality insofar as it is in the process of assimilating them, making them its own. The organism has two possibilities, then, it can either: (a) overcome externality and transform it into itself and therefore return to itself or; (b) it can fail at such transmogrification and in so doing radically diverge from the relative specificities of its genus which constitute the epicenter of its life. The significance of this divergence will be crucial to our reading of Hegel’s philosophy of nature. Of this diremption, Hegel states: “The organism is in a *diseased* state when one of its systems or organs is *stimulated* into conflict with the inorganic potency of the organism. Through this conflict, the system or organ establishes itself in isolation, and by persisting in its particular activity in opposition to the activity of the whole, obstructs the fluidity of this activity, as well as the process by which it pervades all the moments of the whole.”¹⁹⁷ The role that externality, in the modes of materiality and organicity (vegetative), performs in the establishment of sickness, disease and pathological states in the organism is significant insofar as it is that which “stimulates” the organism. The organism can only find itself in sickness to the extent that it goes over, as in the opening process of assimilation, to its negation, to its other in an attempt to reformulate that otherness within the coordinates of its own living project, transform that otherness into its own. This would appear to suggest, then, that sickness and disease is a structural activity immanent within the organism that is, nevertheless, brought about through this perpetual project of tarrying with the multiplicity of powers constituting externality. Sickness, therefore, is an ambiguous disproportionate relationality between externality and internality situated *within* the very

¹⁹⁷ PN§371.

matrices of the individual.¹⁹⁸ It accentuates a distinct form of hyperactivity within a particular organ which proves detrimental to the activity of the whole.

Our claim here then will be that externality is crucial in the genesis of sickness to the precise degree that the organism is not able to assimilate that otherness within its own project with the consequence that one of the organism's systems starts operating in isolation from the organic whole establishing an external relationship such that the one falls outside the other (fixated diremption). Real sickness is only established to the extent that external isolation on the part of the subsystem is maintained within the very structure of the organism itself and it is this second sense of externality, where not only the totality becomes isolated from subsystems but also subsystems themselves dirempt from each other, that we seek to emphasize in our analysis in order to accentuate the ways in which sickness precisely articulates the problematic dimension of externality as it unfolds within the organism itself. Now, to be certain, internal differentiation, and hence to a degree isolation and externality, is a crucial *moment* in the overall structural processes of the healthy organism and this means that, in a certain sense, an organism's systems do operate in isolation and external relation the one to the other. However, the unique problematic of illness is that this moment of difference and isolation on the part of the organ or system *persists* to the detriment of the negative unity (ideality) crucial to the very possibility of the organism's ontological structure. This signifies that in acute sickness the structure of the organism turns out to be its inverse: the subjective totality collapses and fragments in such a way that that very structure of the organism becomes precisely that through which its negative asserts itself. This would allow us to assert that the negative of the organism, the non-organism, paradoxically, attains the status as the dominating polarity *within* the organism's very structure. As the *Zusatz* to §371 indicate, the problematic established

¹⁹⁸ Lampert gets at the complexity and ambiguity of the *relativity* involved in the constitution of diseases and illnesses. He writes:

[it is] ...difficult to line up the dualisms of life and death, movement and rest, internality and externality, organic and inorganic, health and disease. Insofar as life is internal fluid movement, we could say, apparently naturally, that health is life, movement, internal and organic. But since the individual's life is the inorganic relative to the genus, then health is life and movement, but external and inorganic. But again, since life is the surplus of movement after the death of the procreative individual, then health is internal movement, but inorganic and dead. Or again, since life is a movement of inter-species violence expressed within a single body, death is a cessation of movement, an inorganic and dead internality...The point is that each of the pairs of terms varies independently, and the animal has to be able to act out every variant if it is going to restore itself from all the disproportioning isolations of its own life-relations and death relations ("Speed, Impact and Fluidity at the Barrier Between Life and Death: Hegel's Philosophy of Nature," p.151).

by sickness is that the structure of the self turns out to be a fixated disproportion between what it ought to be and what it *is* (existence). The organism begins to disintegrate irrecoverably.

Less abstractly, this means that the organism is unable to overcome the externality of the isolated sub-system and this forces the two into a seemingly irreconcilable diremption. This can be spoken of in terms of the lack constituting appetite where the entire project consists in sublating the other's negative presence by way of digestion or even the lack of sexual instinct and violence. In sickness, however, this other is not just an external inorganic entity, another member of one's species, or a threatening other species; *instead the very negativity to be overcome is the self's existent structural constitution*. Disease shows the organism at odds with itself, potentially devouring itself, which, paradoxically, is a result of its necessary interactions, its entanglement, with the materiality-organicity of its environmental context that it is forced to assimilate, breakdown, in terms of its own project. The consequence of this diremption is that the organism finds its economy of response to external stimuli limited or reconstituted in such a way that its register of possible responses becomes restricted. We might characterize this restriction as the establishment of a pathological norm for the organism, one which it itself establishes by way of its engagement with its factual milieu.¹⁹⁹

Sickness operates as an ambivalent concept in Hegel's lexicon concerning nature. It is clear that it is meant to apply to the phenomena of organic life and the precise series of problems that beset the organism in its gearing onto its factual environment. In coming into persistent contact with the materials and creatures of that environment it is given the Sisyphean task of perpetually converting the inorganic otherness of its context into the matrices of its own existential horizon. What sickness shows us, in this sense, is the ways in which externality proves subversive to the animal's negative, assimilative process, potentially undermining its project. Yet, this is not to assert that externality is strictly pejorative. As our analysis of the animal organism has repeatedly shown the very life of the organism is in some sense an expression of externality (lack, assimilation, sex etc.). Our consistent point of emphasis, contra Stone Micheli and even to a certain extent Johnston, has been to systematically illustrate the ways in which the contingency and indeterminacy of nature's externality perpetually problematize not only adequate

¹⁹⁹ Although Hegel does not use the term "pathological norm" his thought is clearly compatible with this concept. Pathological states are a function of the relationship between the organism and its environment *but are internally generated by the organism itself*. A pathological norm establishes a reduction in the organism's register of possible responses to external stimuli. In this sense Hegel can be read as anticipating Georges Canguilhem's writings on pathology as developed in the latter's *The Normal and the Pathological*, trans. Carolyn R. Fawcett (New York: Zone Books, 1989). See p. 143ff.

conceptuality but the stability of life more generally. Material externality is crucial to the genesis of life yet perpetually serves to undermine it, negate it, and commit it to oblivion. Sickness emphatically declares that when the non-I of the environment consistently remains unincorporated the animal is in illness and non-health: the impotent (does not hold to conceptual self-referentiality) unruliness (annihilates subjective structures of interiority) of natural externality threatens the subjective dynamism of interiorized self-relationality. However, this characterization does not exhaust the significance of the concept of sickness. We want to simultaneously maintain that sickness operates as a precise expression of Hegelian nature's constitutive lack, its radical externality and indeterminacy, which continues to plague the materialization of the concept in life.

An unavoidable implication of Hegel's analysis of the structure of animality is what we have characterized as its constitutive lack. Even in overcoming the trauma of illness and disease the organism is threatened by what Hegel calls its immediacy, which is to say that despite its fact of being the "living concept" the animal organism still finds itself bound *within* the sphere of nature, within the radical contingency and indeterminacy of externality. Hegel writes: "The individual is subject to this universal inadequacy...because as an animal it stands *within* nature..."²⁰⁰ This means it is continually haunted by the facticity of its naturalness, its extimate and unruly materiality which throws it out beyond the universal self-referential structure that is its centre. Animal life, therefore, activates the discrepancy between the organism's inner implicit universality and its facticity as grounded within the confines of nature as an individual singularity. This 'ontological gap' constitutes the animal organism's very life and is, consequently, inescapable. Indeed, this lack permeating the animal structure is what Hegel strikingly calls the "germ of death" [*Keim des Todes*], the organism's "original sickness" [*ursprüngliche Krankheit*].²⁰¹ Each and every organism's primal sickness, on our reading, is nothing other than an accentuation of our thesis that sickness and, ultimately, death are the irretrievable consequences that follow from nature's radical externality. In this sense, the natural sphere operates as a primal sickness grounding the inalienable structural destiny of every natural creature: in living it manifests the oblivion of its own negation (death).²⁰² It is the *disparity*, the *instability*, the indeterminate non-correspondence between the singular existence of the individual organism and the universality of the concept, which

²⁰⁰ PN§374.

²⁰¹ PN§375; W9§375. Translation modified.

²⁰² We take this to be why Lampert writes: "Natural life is by definition killing itself..." ("Speed, Impact and Fluidity at the Barrier Between Life and Death: Hegel's Philosophy of Nature," p.153).

marks the former as finite and constitutes *the* natural contradiction that the concluding paragraphs of Hegel's *Naturphilosophie* addresses. Our emphasis on disparity, instability, and non-correspondence here functions as an expression of what we view as a fundamental dimension of Hegelian nature that goes utterly unexplored in Stone's strong *a priori* rationalist reading. However, we believe that these fundamental features of the animal organism with which Hegel's entire analysis of the natural register concludes tell us something of the utmost importance concerning the very meaning of a distinctly Hegelian philosophy of nature. This is why we maintain their utmost importance in developing a comprehensive sense of Hegel's thought in this context.

In living this contradiction the organism is ultimately forced into giving up its singular existence. In living its body, in perpetually repeating the abstract theoretical processes, the animal comes to give up its ghost. Conversely, the ghost gives up the animal. In repeating the process constituting its corporeity the animal slowly loses vitality, it becomes, in this precise sense, a victim of what Hegel revealingly calls *habit*.²⁰³ The ossified processes of life, their abstract universality, then, bring the organism into the house of the dead. Natural death functions as the self-effacing mediator which opens up the possibility of the concept's proper element of self-referentiality: universal self-relation. Natural death marks the last, "...self-externality of nature [that] is sublated so that the Notion, which in nature merely has implicit being, has become *for itself*."²⁰⁴ Consequently, natural death carves out a space for the life of subjectivity proper, a space where the concept's objectivity is *not* immediate singularity, as in the case of the animal organism, but instead, a concrete self-relating *universal* (i.e. what will show itself as thought proper, I=I). What this means is that the emergence of spirit announced by way of natural death is not only a slow-degeneration, an ossification of the natural sphere, as the category of habit outlined above might seem to indicate. Instead, it simultaneously expresses the ways in which *spirit* fluidizes all the calcified fixations of the natural register, its fragmented externality. In this more important sense, natural death implicates the intensifying transmogrifying potency of spirit, spirit's hyperactivity resuscitates the body of nature, breathing new life into it, reshaping it in terms of the self-referentiality of the concept.²⁰⁵ But it is in spirit proper, which Hegel above makes explicit, that the concept has an actuality that corresponds to it; it is

²⁰³ PN§375.

²⁰⁴ PN§376.

²⁰⁵ For commentary stressing spirit's revitalization of nature's externality see, for example, Lampert, "Speed, Impact and Fluidity at the Barrier Between Life and Death: Hegel's Philosophy of Nature," p.153; consider also Gilles Marmasse's "Geist, Natur und Natürlichkeit," in *Hegel-Jahrbuch* (2011), pp. 154-58; see too Marmasse's "Spirit as Carrying Out the Sublation of Nature," in *Bulletin of the Hegel Society of Great Britain*, No.59/60 (2009), pp.19-31.

spirit that wins the ability to surpass the spurious cycle of individuality constituting the genetic series of animal life. The proper existence of the concept, therefore, pace Micheleni and Stone, is only articulated by way of emphasis on the triumphs of *spirit* over the tendency to externality, calcification and fragmentation characteristic of the register of nature strictly speaking. Nevertheless, it is the very impotence of nature that is crucial, the material, for that very restructuring activity that radically outstrips the inabilities of the natural register. In this precise sense, we suggest that in the Hegelian system nature is a necessary yet insufficient condition for the life of the concept proper. This self-relating ability which is common to all, yet beyond each, is the actuality of the concept and opens up what Hegel demarcates as the domain of spirit. This development, then, marks the realm of spirit as an outgrowth of nature. Simultaneously, it establishes it as a radical beyond of the natural domain, restructuring the latter in terms of coordinates which spirit itself has produced and aligned. This autogenesis, therefore, marks the distinctness of spirit while also noting its indebtedness to its natural origins. This retroactivity marks a lasting fissure between the realm of nature and that of the domain of spirit that in no uncertain terms marks the chasm separating yet connecting the two.

Hegel's speculative analysis of nature develops the latter's impotence [*der Ohnmacht der Natur*],²⁰⁶ revealing its constitutive lack, its inability to hold firm to conceptual determinations. Simultaneously, however, we have repeatedly witnessed how nature's monstrousness, its contingency, perpetually inhibits the possibility of stabilized conceptuality in the natural register. Therefore, what we have witnessed is not only nature's impotence, but, conversely, its unruliness, its perpetual discordance in terms of the precise auto-determinations of the concept that the system charts elsewhere, in terms of the *Logic* or more concrete forms of spirit as culture, its nauseating profusion of intermediary (surplus) forms, its monstrosity. In examining the generation of materiality and its odysseal voyage towards the aseitic self-referential structure of animality we have repeatedly witnessed the instability immanent within these structures that collapses them and propels them beyond their constitutive limits. In essence, we began with the simple starting point of nature's lack, its under-determination. From the radical contingency and externality of that point of departure we systematically charted the way in which it proved crucial to the genesis of the base coordinates of the mechanical register insisting on a strong materialist dimension to Hegelian nature. Outlining the ways in which that base-level proves crucial to the generation of not only

²⁰⁶ PN§250; W9§250.

the bodies of physics and chemistry, without the latter being reducible to the former, we advanced the thesis that from the vantage point of the speculative analysis the animal's dire entanglement with its material environment, as activated in the phenomena of digestion, sex, violence, sickness and disease, is the consequence that must follow from nature's externality and contingency, its constitutive lack.

Overall, we might say that we have attempted to reflexively push Hegel's speculative lexicon concerning the process of Assimilation and Genus back on themselves in order to immanently illuminate the general determination of nature as lack, as under-determination. In doing so we have advanced to discover that through specific examples of the trauma undergone by the animal organism the very conditions that were crucial in its emergence perpetually haunt it with the threat of annihilation. Hegelian nature, a thorough-going externality, through its own movement, comes to generate sophisticated configurations of internality and yet those developments, as instantiated in the animal organism, remain acutely exposed to various modalities of breakdown and, ultimately, death. Hegelian nature, its constitutive lack, can therefore be viewed as radically unstable to the exact extent that it is unable to establish itself, for itself, as a unified totality.²⁰⁷ In line with this reading we are allowed to suggest, contra Modernism's Substance, and against the isolated atomic units ventured by positivist science, that Hegelian nature is radically *not a hen kai pan*—its incompleteness in terms of conceptuality goes all the way down such that it is impossible to accurately speak of it as a totality. To describe nature as traumatically underdetermined then is to forward an alternative articulation of what Hegel refers to as nature's impotent monstrousness. Such a reading, simultaneously, marks itself as a distinct counterpoint to Stone's interpretation of Hegelian nature as thoroughly rational, stable, and operating in terms of the strict transitions of dialectical necessity.

With these general remarks in mind we can now see that we have made an advance concerning our overarching objective of precisely tracking how nature unfolds from *within* the coordinates of the system of spirit. We have read nature as a radical material extimacy which nevertheless gradually generates a *retroactivity* which reconfigures the preceding conditions in terms heterogeneous with those that preceded it—an activity of ideality. Here then we have the first dull stirring of spirit's spontaneous upsurge *in a most rudimentary form*. Simultaneously, in tracking the unruliness of material nature, we

²⁰⁷ In regards to the fragmentation of nature Hegel appears to suggest that it finds unity through the activity of thought thinking nature. In this sense, spirit gives a unity to nature that it did not have in itself. If this is the case, it is only through spirit that a sense of totality might appear for itself. See *PN*§246 *Zusatz* for this ambivalent aspect of Hegel's nature-philosophy.

have come to see that its generative power is Janus-faced in that this externality is also wildly destructive as most clearly articulated in the structures of sickness and death. We have, consequently, established nature and sickness as internally related concepts through the former's grounding determination as pure externality, as lacking conceptual interiority. Our objective in Part II will consist in charting the ways in which the realm of spirit must emerge from the unruly pulsations of natural extimacy—*in media res*—and restructure that fragmentary materiality into a horizon of possibilities which spirit itself will establish as an autopoietic self-(re-)production. This restructive activity is the hyperactivity that immanently accompanies the death of nature. Our subsequent concern, therefore, will be to systematically map the developments that spirit's hyperactive reconstruction activates. This objective, therefore, introduces Hegel's "Anthropology" and its analysis of spirit's fitful birth from nature; we will be paying careful attention to how nature's unruly extimate materiality functions in that process, and the threats of pathology, which, we believe, inevitably must accompany any and every birth. Not only will we attempt to reconstruct Hegel's bizarre yet fascinating analysis of the *in utero* relation but we will also pay careful attention to the unique significance we find in the phenomena of psychopathological states, what Hegel calls 'madness,' or, the 'night' of spirit's emergent world in order to develop an acute sense of the problem nature poses from *within* the coordinates of spirit's activity.

II

Spirit's Birth from the Lack of the World

Down over there, far, lies the world—sunken in a deep vault—its place wasted and lonely.
~Novalis

5 The Other Hegel: the Anthropology²⁰⁸ and Spirit's Birth from the Lack of the World

Granted Hegelian nature's fundamental lack that we systematically charted in Part I, our subsequent objective poses a constellation of questions that might be framed as this: what must such a reading of Hegelian nature mean for the rest of the system? More precisely, what would a monstrous natural register mean in terms of spirit's autogenetic upsurge, its construction of a second nature? It is these questions, presupposing the reading of nature that we developed in Part I, which we will now seek to engage in a systematic and sustained effort. Therefore, we move to a consideration of the first appearance of spirit in Hegel's final system, his writings on subjective spirit, more specifically his Anthropology. This is a much maligned aspect of Hegel's system, one that has, for various reasons, remained relatively unexplored in the scholarly literature until only recently receiving a modest resurgence of interest. We believe that the insights that we discover in this section of the system are striking, unique, and provocative and, in some key sense, heterogeneous to some of the more generally accepted portraits of Hegel's thought as a strictly rationalist, theological, pathologically systematic thinker etc. We would like to destabilize these generally accepted views throughout the remainder of our analysis of the Anthropology and begin to do so by tracing the historical genesis of this dimension of the system as we believe it will contribute to such a destabilizing effort. Such a move, we believe, reveals a Hegel very much immersed in concerns of materialism, empiricism and even irrationality—features that we believe are often underemphasized when accentuation is placed on the theological dimension of Hegel's thought.

A Hegel that one encounters in the scholarly literature is perhaps best exemplified in Alan M. Olsen's *Hegel and the Spirit: Philosophy as Pneumatology* (1992).²⁰⁹ Olsen argues that Hegel's speculative philosophy cannot be fully appreciated unless one situates it within the Lutheran tradition's understanding of spirit. In doing so, Olsen asserts, along with J.N. Findlay, that Hegel was "first and

²⁰⁸ Hegel citations are from *Hegel's Philosophy of Subjective Spirit*, ed. and trans. M.J. Petry (Dordrecht: Reidel Publishing, 1978), unless otherwise noted; hereafter *PSS* followed by paragraph (§), *Zusatz* and page number for references where necessary (*Zusatz*, p.##); volume numbers are clearly indicated where specificity requires. Alternate citations are from *Hegel's Philosophy of Mind*, trans. William Wallace and A.V. Miller (Oxford: Clarendon Press, 1988), hereafter *PM* followed by paragraph (§). Original German terms are from *Werke [in 20 Bänden auf der Grundlage der Werke von 1832-45]*, eds. E. Moldenhauer and K.M. Michel (Frankfurt am Main: Suhrkamp, 1970), hereafter *W* followed by volume number (#) and paragraph (§). Original German terms indicated with square brackets.

²⁰⁹ Alan M. Olsen, *Hegel and the Spirit: Philosophy as Pneumatology* (New Jersey: Princeton University Press, 1992).

foremost a theologian.”²¹⁰ It is not that we fundamentally reject this historical thesis nor Hegel’s indebtedness to, and concern with, theological and religious themes and concepts. Our point, however, is that emphasis on the religio-theological dimension of Hegel’s character and philosophy too often obscures other prominent topics and thematics that interested him and which also permeate the entirety of his philosophical writings. Our concern is that often as a result of such emphasis, either intentionally or not, a complete image of Hegel and his thought is formed on the basis of what, in actuality, is only an aspect residing within a larger complex whole. One of our objectives is to develop a portrait of Hegel that looks to place emphasis on features and themes that are often overlooked and obscured by those aspects that have, for better or worse, been emphasized frequently in the literature and which therefore tend to dominate many aspects of the generally accepted significance assigned to Hegel’s thought. In this sense, we look to develop what we might call the *other* Hegel. To be clear, we do not seek to replace one aspect with another and call it the ‘true.’ We seek to develop a sense of the multidimensionality of Hegel’s philosophical system, its diversity, its scope, and its almost schizophrenic character through a very precise examination of a less well known aspect of that very same system. Such an attempt shows just how much might be rethought, reconsidered, and restructured to unexpected uses within Hegel’s philosophy.

One theme that dominated Hegel’s thought persistently throughout his philosophical activity is what we might call the emergence of consciousness and free self-referential activity, the protean activity of spirit, from the field of extimate-material nature, viz. themes Hegel addresses in his anthropological writings. During his time in Heidelberg and Berlin Hegel lectured on the subject-matter of anthropology thirty-five times—much more than on phenomenology and psychology.²¹¹ Not only did he lecture on this subject-matter often but we also know that Hegel’s concern with it was so intense that he continued revising his position throughout the 1817, 1827 and 1830 versions of the *Anthropology*. In fact, as Petry’s scholarship shows us, much of Hegel’s introduction to the subject-matter of the philosophy of subjective spirit, including anthropological concerns, dates as far back as 1786-87 and the Tübingen seminary where, in 1790, he attended a class given by J.F. Flatt introducing the young Hegel to the relationship

²¹⁰ Olsen, p.9.

²¹¹ See *PSS*, Volume One, p.lii. See also Mario Wenning’s “Awakening from madness: The Relationship between Spirit and Nature in Light of Hegel’s Account of madness” in *Essays on Hegel’s Philosophy of Subjective Spirit* ed. David S. Stern (New York: SUNY, 2013), p.108.

between Kantianism and empirical psychology.²¹² The extensive notes that Hegel wrote out on these themes in 1794 are in large part based on that class and form the basis of much of what was eventually to become the subject matter of his writings on psychology as outlined in the Berlin edition of the *Encyclopedia*. However, themes that had originally been addressed in these notes as concerns of psychology, e.g. sensation and feeling, dreaming, somnambulism and derangement, were eventually to be covered as part of the mature system's anthropology. What these historical details tell us, then, is that consistently, over a period spanning more than thirty-five years until his untimely death, Hegel was acutely interested in the emergence of mind from nature and the ways in which seemingly disparate scientific disciplines could be interconnected and therefore read to inform this process.

Hegel's Anthropology functions as a mutational moment within the architecture of the *Encyclopedia*. Brooding over the possibility of sentience, reconfiguring the mind-body problem, speculating on the internal dynamics of normal and pathological states of both body and mind, all these features of the anthropological writings, when considered in unison, contribute to the odysseal upheaval they purport to chart and also establish their mutational quality. Approaching it from a more historical perspective, the Anthropology functions as a precise expression of a constellation of intellectual efforts that were flourishing in continental Europe at the outbreak of the nineteenth century. Accentuating the break with Cartesian groundings of the mind-body distinction and its insistence on the irreducibility of the ego, Hegel's work in this area simultaneously functions as a response to, and divergence from, Kant's groundbreaking *Anthropology from a Pragmatic Point of View* (1798),²¹³ as an expression of the explosion of anthropological literature in the German speaking world,²¹⁴ especially as a critical engagement with the emergent fields of psychology and psychiatry in their inchoate forms, and,

²¹² See *PSS*, Volume One, p.l-li. The following remarks concerning the development of Hegel's thought in this context are expressions of Petry's research.

²¹³ Immanuel Kant, *Anthropology from a Pragmatic Point of View* ed. and trans. Robert B. Louden (New York: Cambridge University Press, 2006). See p.3 where Kant states: "A doctrine of knowledge of the human being, systematically formulated (anthropology), can exist either in a physiological or in a pragmatic point of view.—Physiological knowledge of the human being concerns the investigation of what *nature* makes of the human being; pragmatic, the investigation of what *he* as a free-acting being makes of himself, or can and should make of himself." Kant then dismisses the first possibility as a consequence of our ignorance concerning what "nature makes of the human" and how to put it to our use. Consequently, anthropology, for Kant, can only be pursued along practical lines, where one: "...uses perceptions concerning what has been found to hinder or stimulate memory in order to enlarge it or make it agile, and if he requires knowledge of the human being for this, then this would be a part of anthropology with a *pragmatic* purpose, and this is precisely what concerns us here" (p.3-4). By way of contrast Hegel's anthropological writings can be read as pursuing the physiological (*theoretical*) perspective and attempting to trace out the necessary systematic connections within the context of anthropological study itself.

²¹⁴ For a list of contemporary (19th century) German works on anthropology, see *PSS*, Volume One, pp.lxiii-lxvi.

ultimately, as a project of anticipation—a careful reading of the *Anthropology* displays a sensitivity to the types of critiques which were eventually raised against Hegel and Hegelianism later in the century, notably in the figure of the young Hegelian Feuerbach and his claim that it is the “real that is material and the material that is real.” The importance of reading the *Anthropology* as an expression of the late enlightenment cannot be underestimated, especially when we consider the growing emphasis the period placed on the finitude of the human situation (contra the infinitude of the absolute) alongside its belief in autonomy through self-understanding and practical agency (in distinction to divine providence). In light of this shift in perspective contemporary developments in the empirical sciences as they relate to the natural origins of the body and ultimately consciousness become a central concern of philosophical inquiry and therefore speculative thought and it is this problem set that Hegel devotes himself to quite specifically in the span of the *Anthropology*.

While marking its own unique space within this complex constellation of intellectual activity, Hegel’s anthropology shows a sophisticated sensitivity to a wide range of empirical discourses concerning the nature of mind in its complex totality. It can be read as a radicalization of the relationship between the givenness of natural objects in Kant, on the one hand, and the Fichtean subject’s self-positing activity, on the other, and the upsurge of spontaneous activity from the externality of natural necessity. Its analysis posits a range of fascinating phenomena which the ego, retroactively, shows itself to presuppose in the course of its spectral emergence. What the *Anthropology* shows us, then, is not only the significant role assigned to the results of empirical inquiry operative throughout the entirety of the opening section of Hegel’s philosophy of spirit but, more importantly, it shows us what we will call the thorough going materialist-realist component that is crucial to the genesis of finite subjectivity. There is no subjectivity without the material conditions that make its emergence possible, which is to say, in accordance with Petry, that subjectivity is “anything but presuppositionless.”²¹⁵ Indeed, the unruliness of those material presuppositions is what we have tracked in Part I of our current investigation and we intend, in what follows, to relentlessly track the ways in which those materials continue to inform spirit’s retroactivity and actualization.

English scholarship concentrating on Hegel’s *Philosophy of Subjective Spirit* is still in a phase of relatively infancy as it was not until 1975 that John Findlay “...brought out a new edition of the 19th-

²¹⁵ See *PSS*, Volume One, p.xxxix.

century translation...” into English. Three years later, Michael Petry published a three-volume edition of the *Philosophy of Subjective Spirit*. Even more recently, two *complete* manuscripts that students had taken during Hegel’s lectures on this subject matter, but lost during World War II, were rediscovered in Polish libraries in 1994. These manuscripts, by Franz Hespe and Burkhard Tuschling, provided a major source of insight for Hegel’s writings on subjective spirit and have now been translated into English by Robert Williams as *Lectures on the Philosophy of Spirit 1827-28* (2007).²¹⁶ Indeed, *Essays on Hegel’s Philosophy of Subjective Spirit* (2013)²¹⁷ is the first collection of English essays devoted entirely to Hegel’s writings on subjective spirit. It is against the backdrop of these developments that scholarship on Hegel philosophy of subjective spirit, in both German and English, has advanced.

Acknowledging that Hegel’s *Philosophy of Subjective Spirit* has been taken in various disparate interpretive directions, our objective of tracking the problem of nature in the final system forces us to consider Hegel’s approach to the classic philosophical problem of the mind-body interface, the relationship between materiality and ideality. While Murray Greene’s *Hegel on the Soul: A Speculative Anthropology* (1972)²¹⁸ operates as a strictly exegetical introduction to Hegel’s thought in this context, and Willem deVries’ study of Hegel’s holistic approach to the problem of finite mind in his *Hegel’s Theory of Mental Activity: an Introduction to Theoretical Spirit* (1987)²¹⁹ marks an advance in this context, the groundbreaking critical study in this area is Michael Wolff’s *Das Körper-Seele-Problem* (1992) which proposes a systematic analysis of §389 and proposes the provocative and controversial thesis that, for Hegel, the mind-body problem is nothing other than a *Scheinproblem*.²²⁰ More recent studies on this problematic tension include Richard Dien Winfield’s *Hegel and Mind: Rethinking Philosophical Psychology* (2010)²²¹ and Michael J. Inwood’s *A Commentary on Hegel’s Philosophy of Mind* (2007),²²² and even John Russon’s *The Self and its Body in Hegel’s Phenomenology of Spirit*

²¹⁶ G.W.F. Hegel’s *Lectures on the Philosophy of Spirit* trans. Robert R. Williams (New York: Oxford University Press, 2007).

²¹⁷ *Essays on Hegel’s Philosophy of Subjective Spirit* ed. David S. Stern (New York: SUNY, 2013).

²¹⁸ Murray Greene’s *Hegel on the Soul: A Speculative Anthropology* (The Hague: Martinus Nijhoff, 1972).

²¹⁹ See William A. DeVries, *Hegel’s Theory of Mental Activity: An Introduction to Theoretical Spirit* (London: Cornell University Press, 1988).

²²⁰ Michael Wolff’s *Das Körper-Seele-Problem: Kommentar zu Hegel, Enzyklopädie (1830), §389* (Frankfurt am Main: Klostermann, 1992), p.192. See also Murray Greene’s review and criticisms of Wolff in his review in *The Owl of Minerva*, 27, 1 (Fall 1995), pp.67-77.

²²¹ Richard Dien Winfield’s *Hegel and Mind: Rethinking Philosophical Psychology* (New York: Palgrave Macmillan, 2010).

²²² Consider Michael J. Inwood’s *A Commentary on Hegel’s Philosophy of Mind* (Oxford: Clarendon Press, 2007).

(1997),²²³ concentrating on the construction of “second nature” and the institutional embodiment of subjectivity, has informed this debate.

Similarly, yet distinctly, several studies have concentrated exclusively on a *dimension* of Hegel’s writings on subjective spirit while bracketing several other aspects of the larger whole. Several efforts in this direction, therefore, have attempted to unfold Hegel’s fascinating yet bizarre analysis of psychopathological states as presented in the *Anthropology* to discern not only its intrinsic significance but also its relevance for the odyssey of spirit more generally. For instance, Daniel Berthold-Bond’s groundbreaking monograph, *Hegel’s Theory of Madness* (1995),²²⁴ systematically reconstructs Hegel’s theory of psychopathology, illuminating the sophistication and complexity of Hegel’s theory in relation to both Romantic figures and trends in the empirical sciences from the period, and; more recently, John Mills’ *The Unconscious Abyss: Hegel’s Anticipation of Psychoanalysis* (2002)²²⁵ develops the ways in which Hegel’s analysis of the complex array of non-conscious material conditions that finite subjectivity presupposes anticipates Freud’s theory of the unconscious. Similarly, while not devoting entire monographs to Hegel’s theory of psychopathology, there are several condensed research efforts, by such thinkers as Malabou,²²⁶ Reid,²²⁷ and Žižek²²⁸ to name only a few, which give sustained analyses of Hegel’s conception of mental illness while situating it within the context of their distinct investigative objectives.

Simultaneously, concentrating less exclusively on the general dynamics of the mind-body interface at the individual level, or specific dimension within the writings on subjective spirit, there have been several broader research efforts that have sought to problematize the ‘naturalness’ of the human subject as it relates to cultural and democratic institutions (McDowell²²⁹ et al.) and so, in some capacity,

²²³ John Russon’s *The Self and its Body in Hegel’s Phenomenology of Spirit* (Toronto: University of Toronto Press, 1997).

²²⁴ See Daniel Berthold-Bond, *Hegel’s Theory of madness* (New York: SUNY Press, 1995).

²²⁵ Jon Mills, *The Unconscious Abyss: Hegel’s Anticipation of Psychoanalysis* (New York: SUNY, 2002).

²²⁶ See Malabou’s *The Future of Hegel: Plasticity, Temporality and Dialectic*, trans. Lisabeth During (New York: Routledge, 2005).

²²⁷ see Reid’s *L’anti-romantique: Hegel contre le romantisme ironique* (Laval: Les Presses de l’Université Laval, 2007); see also his « Hegel et la maladie psychique—le cas Novalis, » in *Science et Esprit*, Vol. 56/2 (2004), pp.189-20.

²²⁸ Consider Žižek’s “Discipline Between Two Freedoms—madness and Habit in German Idealism” in *Mythology madness and Laughter*, pp.95-121; consider too his *The Ticklish Subject: The Absent Centre of Political Ontology* (New York: Verso, 2008), especially Part I ‘The Night of the World’ pp.3-141.

²²⁹ Concerning this strand of ‘naturalism’ see, for instance, Italo Testa “Hegel’s Naturalism or Soul and Body in the Encyclopedia,” in *Essays on Hegel’s Philosophy of Subjective Spirit* ed. David S. Stern (New York: SUNY, 2013),

have had to focus on both Hegel's writings on nature and subjective spirit. As Cinzia Ferrini's recent "Hegel on Nature and Spirit: Some Systematic Remarks" indicates, it is only in the last ten to twenty years of Hegel scholarship: "...that we find a more intensive focus on the... transition between the two 'real' spheres of the system: from philosophy of nature to philosophy of spirit."²³⁰ Similarly, Robert Pippin's *Hegel's Practical Philosophy: Rational Agency as Ethical Life* (2008)²³¹ and Terry Pinkard's *Hegel's Naturalism: Mind, Nature, and the Final Ends of Life* (2012)²³² attempt to give a general sense of Hegel's naturalism, as developed in his philosophy of nature, in order to contrast it with the auto-reflexive normativity differentiating the realm of the socio-political (spirit) from the biological-natural.

Considered at the macro-level, these studies ground the possibility of our current research effort and therefore the impossibility of the latter without the former. Nevertheless, the position that we will venture in Part II, in several important ways, attempts to realign these previous research efforts within the coordinates of what we take to be a distinct and comprehensive problem within the final system: the problem of nature.²³³ We will attempt to think through a problematic gap residing between these disparate research efforts requiring overcoming if we are to unlock the most provocative insights that Hegel's thought in this context provides. First, studies concentrating on the mind-body (nature-spirit) dynamic as it unfolds within the philosophy of subjective spirit, as in Winfield's *Hegel and Mind* for instance, think through that dynamic without developing a comprehensive sense of what Hegelian nature must mean and, in this sense, leave an important dimension of their study underdeveloped insofar as mind necessarily maintains a natural dimension. Second, resembling studies concentrating more broadly on the mind-body relation, research which systematically maps Hegel's theory of mental illness, as in, for instance, Berthold-Bond, elides a systematic analysis of Hegel's philosophy of nature. However, the problem of nature is crucial to the very architectonics of Hegel's speculative analysis of psychopathology and in this way a fundamental component of Hegel's position is underdeveloped. In other words, 'madness,' in some

pp. 19-35; see also his "Criticism from within Nature. The Dialectic from First to Second Nature between McDowell and Adorno," in *Philosophy and Social Criticism* 33, no.3 (2007), pp.473-97.

²³⁰ See Cinzia Ferrini's "Hegel on Nature and Spirit: Some Systematic Remarks," in *Hegel-Studien* 46 (2011), pp.117-150. Here p.121-22.

²³¹ Robert B. Pippin's *Hegel's Practical Philosophy: Rational Agency as Ethical Life* (New York: Cambridge University Press, 2008).

²³² Terry Pinkard's *Hegel's Naturalism: Mind, Nature and the Final Ends of Life* (New York: Oxford University Press, 2012).

²³³ For a concise sense of the line we believe needs to be pursued, see Heikki Ikaheimo's "Nature in Spirit: A New Direction for Hegel-studies and Hegelian Philosophy," in *Critical Horizons* 13.2 (2012), pp. 149-53.

key sense, is the problem of nature unlocked within the coordinates of spirit. Third, research tracing the dialectical leap from the realm of nature to that of spirit, as in the work of Pinkard and Pippin, fails to problematize this transition as is evidenced in its *complete* silence regarding the repeated references to pathological phenomena littering Hegel's writings in this context. Our research effort, therefore, can be viewed as a sustained effort to overcome the lacunas of these respective projects in order to present not only a complete and systematic interpretation of Hegelian nature (contra Berthold-Bond, Winfield et al.) but also to systematically problematize the register of spirit in terms of not only a systematic reading of Hegelian nature but also by way of a distinct interpretation of the significance of dependence, pathology and madness as they inform this transitional moment in the system (pace Pinkard and Pippin). In this sense, our objective here is to pursue the problematic transition from nature to spirit, having already developed a distinct interpretation of Hegelian nature in Part I, by way of what Ferrini sees as the crucial progressive move in this context, i.e. "...a critical reappraisal of the anthropological standpoint in relation to the nature-spirit...issue."²³⁴ Our distinct move, however, will be to develop our reading of Hegelian nature by unfolding what it must mean in the context of the Anthropology, i.e. spirit's fitful emergence from the natural register. Our wager is that a systematic reconstruction of Hegel's speculative account of psychopathology will give us direct insight into the ways in which Hegelian nature thoroughly problematizes spirit's reconstruction of its material origins. We believe this constitutes a distinct and unique contribution to not only Hegel studies in this context but also Hegelian philosophy as it unfolds in the early twenty-first century.

The following study develops in terms of three distinct movements, of which, here, we will only offer a 'preliminary conception' in order to leave the immanent conceptual developments to the body of the argument. We first contextualize the Anthropology in order to explore (a) the general conceptual trajectory covered therein, i.e. the genesis of finite subjectivity out of material nature, and; (b) the general problematic that must follow from spirit's primary ontological determination as a *being rendered by nature*.

Given those prefatory remarks, Chapter Six then moves into a consideration of Hegel's conceptual rendering of the corporeal body in order to expand upon spirit's origins as being externally determined. Subsequently, it diverges with a significant portion of secondary literature on the

²³⁴ Ferrini's "Hegel on Nature and Spirit: Some Systematic Remarks," p.122.

anthropological writings that focus exclusively on Hegel's analysis of psychopathology; instead, the chapter offers a systematic reconstruction of Hegel's fascinating analysis of the *in utero* relation. In so doing, it attempts to substantiate two central claims: first, spirit, as instantiated in the neonate, begins as a dependent, maternally and materially determined by externality; second, this dependence expresses the ways in which spirit is, at its birth, mired in the problem of nature. It then suggests that far from being rid of the problem of nature, spirit's very origins are nothing other than an intense confrontation with the problematic unruliness characteristic of Hegelian nature.

Chapter Seven then moves into a protracted reconstruction of Hegel's writings on psychopathology with the express objective of further intensifying the ways in which nature poses a perpetual problem for spirit's reconstructive activity. In so doing it attempts to substantiate one central thesis: Hegel's speculative analysis of madness shows us, in no uncertain terms, the ways in which subjectivity might be dominated and determined by its opaque material-instinctual dimension as it unfolds within the opacity of the unconscious. The consequence, however, if that thesis is correct, is that the problem of nature is never fully bypassed for spirit such that nature retains the ability to undermine spirit's autarkic actuality. Lastly, Chapter Eight outlines how the unruliness of psychopathology is meant to be resolved in terms of the category of habit (*Gewohnheit*). It is only by way of the habitual transformation of the natural body, the establishment of a "second nature," that the unruliness of spirit's natural dimension has the possibility of being integrated within the self-referential totality of the whole. It concludes, however, with the explicit assertion that there are no guarantees that the subject's natural dimension will not, at any given moment, assert itself to the detriment of the whole.

Our analysis of the Anthropology concludes with several remarks concerning the dynamical relation that the system establishes between the shifting domains of nature and spirit and the ways in which this tension is often undervalued in assessments of Hegelian thought. We save the upshot of those remarks for their appropriate place.

We believe that Philip T. Grier rightly suggests that there are two ways to read the relation between nature and spirit as they unfold in Hegel's philosophical system. He contends that ultimately, they are mutually reinforcing, they constitute the circularity of the system. Grier writes:

...the first attempts to explain how mind can be understood to have arisen in the context of the natural world, while the second attempts to show how *that world* can be comprehended as such *by* the mind depicted in the first branch of the argument...The first branch of argument is accomplished...if one commences reading his system at the *Philosophy of Nature* and follows it through at least as far as the emergence of subjective spirit in the first part of the *Philosophy of Mind*...The second branch of the argument...proceeds through the *Logic*, and culminates in the *Philosophy of Nature*...The circular nature of this system ultimately guarantees the strongest possible coherence between the outcomes of the first branch of the argument and the second: namely a subject-object identity of mind and nature.²³⁵

We believe that one of the most provocative series of insights that Hegel's system has to offer concerns the sophisticated set of conceptual tools which it offers us to think the emergence of mind from within the matrices of material externality. It is our firm belief in the critical merits of this dimension of the system that forces us towards the first reading Grier outlines. In line with our objective of reading the system in that direction, we have already developed a comprehensive interpretation of the significance of Hegelian nature, functioning as the material precondition of spirit's emergence. Consequently, our objective in the remainder of this section is to reconstruct the system's conceptual narrative concerning finite mind's emergence from the register of nature's constitutive lack, its unruly underdeterminacy, conceptual imprecision.

Given this objective, we take the most general feature of Hegel's anthropological writings to revolve around one fundamental thought: the process by which universal substantiality is transformed into finite subjectivity. In contradistinction to the extimacy of nature, its perpetual externality, resulting from its constitutive lack, the domain of spirit opens with a fundamental interconnection, a hyper-intensive unity, what Lampert convincingly characterizes as spirit's hyperactivity by way of the death of nature,²³⁶ which pervades the entirety of the natural domain.²³⁷ This most rudimentary interconnective totality, in the tradition of a Spinozistic substantiality, is, yet simultaneously unlike Spinoza, the most basic

²³⁵ See "The Relation of Mind to Nature: Two Paradigms" in *Essays on Hegel's Philosophy of Subjective Spirit* ed. David S. Stern (New York: SUNY, 2013), pp. 223-246 (p.225-6 cited).

²³⁶ Jay Lampert's "Speed, Impact and Fluidity at the Barrier Between Life and Death: Hegel's Philosophy of Nature," in *Journal of the Theoretical Humanities* Vol. 10, No.3 (2005), pp.145-156, here p.153; see too Marmasse's "Spirit as Carrying Out the Sublation of Nature," in *Bulletin of the Hegel Society of Great Britain*, No.59/60 (2009), pp.19-31.

²³⁷ For a sense of Hegel's discussion of spirit's emergence from the natural in relation to his criticisms of phrenology and the way in which this connects to trends in contemporary science, see Eric von der Luft's "The Birth of Spirit for Hegel out of the Travesty of Medicine," in *Hegel's Philosophy of Spirit* ed. Peter G. Stillman (New York: SUNY, 1987), pp.25-42; similarly, for a discussion of Hegel's criticisms of both physiognomy and phrenology and those criticisms relations to contemporary science, see Alasdair MacIntyre's "Hegel on Faces and Skulls," in *Hegel: A Collection of Critical Essays* ed. Alasdair MacIntyre (New York: Anchor Books, 1972), pp.219-236.

structuration of spirit which Hegel demarcates by way of the concept of *soul*. Soul, unlike developed forms of spirit such as consciousness proper, has not yet differentiated itself from nature, has not yet established a complex series of relationships constituting an organic, mediated, self-differentiating totality. Addressing the initial starting point, Hegel writes: “we are concerned initially with what is still the entirely universal, immediate substance of spirit, with the simple pulsation, the mere inner stirring of the soul. In this primary spiritual life there is still no positing of difference, no individuality as opposed to what is natural.”²³⁸ While still immersed in nature, the indeterminate unity of soul marks a distinct qualitative difference with the externality that characterized the entirety of the field of nature in that here extimate determination is not treated “as being external.” Instead, soul, as spirit’s hyperactive revitalization of the material corpse of nature, must in some significant way take up those material determinations and restructure them, retroactively posit them as unified through its own activity. This retroactive positing results in a universal and unified substantiality distinguishing the register of spirit from the skeletally externally connected lack that we have shown to characterize the natural domain. It minimally relates them as fluctuations, “pulsations”, which pertain to it as “natural qualities.” The radical externalities of distinct spheres in the natural setting which, as Greene notes, “remain behind as particular existences,”²³⁹ become, in the context of the universality of soul, qualities of *its* universal substance. They lose their isolated independence by way of the transformative activity of the emergent universal soul, or rather, behind the back of their independent existence they come to be compressed within the unitary whole of the universal soul and, in so doing, are *its* qualities. In this sense the universal life of nature becomes the life of the soul. The fact of this retroactive relationality is what demarcates the distinct qualitative difference between the register of nature and spirit. Simultaneously, what this means is that this immediate level-state is the most primitive level of spiritual life, existing in what we might call a Freudian oceanic state of oneness. This most universal substantiality is what Hegel refers to as the “*world soul*”²⁴⁰ and the ways in which spirit “...*has come into being* as the truth of Nature.”²⁴¹

Hegel revealingly states that despite the fact of this qualitative shift towards unification within the unruly externality of nature, spirit, at the outset, still shows itself, in its most basic determinations, as a

²³⁸ PSS§390, *Zusatz*, p.21.

²³⁹ Greene, p.42.

²⁴⁰ PSS§391.

²⁴¹ PSS§388.

“being rendered by nature”²⁴², it is spirit which “is as yet not with itself, *not free but still involved in nature.*”²⁴³ If this is the case then it means that the entire origins of spirit are not to be understood as some transcendent other wildly beyond the natural register. Rather, spirit as soul, must be understood, in some fundamental way, as still external to itself, estranged from itself, *alien* to itself as the autogenetic upsurge of free autopoietic activity. We believe that three significant consequences follow from spirit’s origins as immersion in nature: (1) If spirit proper is understood in terms of its radically subjective structuration, its ability to autogenetically constitute itself and its own actuality in terms of its freedom, then there is a sense in which its basal immersion in the lack constitutive of Hegelian nature, its material extimacy, is a condition that is necessary yet antithetical to its very project; (2) insofar as spirit is immersed in material conditions that are necessary yet antithetical to its reconstructive activity there is a sense in which it is threatened with annihilation by those basal conditions, and this threat perpetually haunts spirit insofar as it is always connected to those grounding conditions;²⁴⁴ (3) To the extent that spirit is at first “*rendered by nature*” then there is a distinct sense in which it must struggle to emerge from those conditions and this will involve both failure and collapse en route to successful (re-)structuration of those basal conditions; (4) various forms of pathology and trauma precisely express the problem that nature poses to spirit auto-actualization insofar as they exhibit spirit lose itself, become determined largely in terms of exteriority, and immediacy (naturalty). Throughout the course of our analysis of the Anthropology it will be our objective to systematically outline and reinforce these consequences that follow from spirit’s origins in the material lack of nature.

²⁴² PSS§387, *Zusatz*, p.85. Emphasis ours.

²⁴³ PSS§387, *Zusatz*, p.85. Emphasis ours.

²⁴⁴ While not concerned with the pathological features of the transition from nature to spirit, Angelica Nuzzo’s “Anthropology, *Geist*, and the Soul-Body Relation,” in *Essays on Hegel’s Philosophy of Subjective Spirit* ed. David S. Stern (New York: SUNY, 2013), pp.1-18, concentrates on the opaque relation between the soul-body (spirit and nature) maintaining that this dynamic operates as the ground of Hegel’s entire philosophy of spirit and indicates one of the ways in which nature is never fully abandoned by the domain of spirit. Our reading is complimentary to this approach while seeking to systematically develop the role pathology plays in that dynamic. Nuzzo writes: “Spirit’s presence within nature (initially, its being immersed in it) or the soul’s immanence in corporeality (as its immanent purpose) is the point of departure of freedom’s realization. By turning the connection between nature and spirit into the basis on which the Anthropology institutes the soul/body relation, Hegel fundamentally transforms the alternative between “idealism” and “materialism,” setting his own philosophy of spirit on a thoroughly different terrain” (p.12). She later states: “...the ideality that spirit itself is because it arises from nature and takes place within nature is also the new meaning of the soul’s “immateriality”...This is the starting point of the “Anthropology.” But it is also the permanent basis of the entire philosophy of spirit. Even in its highest and most developed forms Hegelian *Geist* remains fundamentally connected to the body and corporeality” (p.14). In this sense we share a common interpretation of these two registers in the Anthropology, their thorough-going interpenetration, though we seek to further pursue the nature-spirit dynamic in terms of the problematic pathologies and traumas that unfold as a precise expression of the unstable transformative transition from the one to the other.

The category of soul operates as an unstable connective hinge between the fields of exteriorized nature and the self-referential activity of spirit: it is the indeterminate expression of the interpenetrating entanglement of these two spheres. Hegel writes: “In its substance, which is the natural soul, spirit lives with the universal planetary life, differences of climates, the change of the seasons, the various times of day etc. This natural life is only partly realized within it, as vague moods.”²⁴⁵ The fact that soul, in its first determination as natural, is largely a fluid expression of the fluctuations of the environment we take to reveal the ways in which soul is heterogeneously determined as an expression of nature’s exteriority (passivity) and spirit’s internality (activity). This interpenetrating tension activated in the soul between liberated self-referential subjectivity and extimate substantial origins will permeate the entirety of the Anthropology in the sense that subjectivity is, at these stages, in the *process* of emerging from its overdetermination by the externality of nature.²⁴⁶

The anthropological writings as a whole, therefore, chart the developments of spirit as it mutates from universal substantiality towards finite subjectivities. Overall, the text conceptually traces this developmental process in three different sections: “natural soul”, “feeling soul”, and “actual soul.” Each charting in its own way the progressive and intensifying power of spirit as it internally transforms the plenum of its substantial being, refining it within the contours of various self-referential structures that ultimately open the way to the simple ideal structure of the abstract ego. DeVries’s analysis of Hegel’s

²⁴⁵ PSS§392.

²⁴⁶If this interpretation is correct then there is some sense in which it must maintain the non-identity of thought and nature while maintaining that there is also some fundamental sense in which nature is crucial to the genesis of subjectivity and spirit’s autopoietic activity. In this way, our interpretation seeks to develop a position that explores the possibilities regarding that which is non-thought (material nature) as being crucial to the genesis of thought (ideality). In other words, neither would be completely inaccessible to the other. However, this reading simultaneously problematizes William Maker’s claim that nature and spirit are radically heterodox. See Maker’s “The Very Idea of the Idea of Nature, or Why Hegel Is Not an Idealist,” in *Hegel and the Philosophy of Nature* ed. Stephen Houlgate (New York: SUNY, 1998), pp.1-28. Consider Maker’s claim: “...Hegel originates the *Philosophy of Nature* with the notion of the radical *nonidentity* of thought and nature, holding that thought and nature do not even resemble one another, that they quite literally have nothing in common...” (p.4). While we accept the starting point (radical difference of the two), we also think there must be some obscure sense in which nature, through its own immanent movements, generates structures that come to have an affinity with thought. Without this possibility the question becomes: how do these two registers come into contact in order to avoid the pain of dualism? We will look to temper Maker’s position with a more moderate route that seeks to maintain the tension inherent in soul that indeterminately connects the unruliness of nature with that of the self-referentiality of spirit. Our point, then, is to think through the radical entanglement situated at the heart of the Anthropology in such a way that shows spirit and nature reciprocally intertwined and mutually at the other’s throat. For a clear statement of our concern regarding Maker’s conclusion, see Philip T. Grier’s “The Relation of Mind to Nature: Two Paradigms” in *Essays on Hegel’s Philosophy of Subjective Spirit* ed. David S. Stern (New York: SUNY, 2013), pp. 223-246. Grier writes: “The more usual conception typically found in various versions...of the mind-body problem...is that the physical and mental are entirely distinct, which renders the gradual or phased emergence of the one from the other either inconceivable or thoroughly mysterious...” (p.228).

account of mental activity begins by way of an analysis of sensation as in unfolds in finite individuals. In this sense, he presupposes the individual and proceeds accordingly.²⁴⁷ Similarly, Berthold-Bond's account of Hegel's theory of madness begins by giving only peripheral mention of the state of the soul prior to the emergence of the problem of madness, i.e. prior to individuation.²⁴⁸ While both moves make sense given the objectives of their respective projects neither, as a result, explore this 'primary' transition from nature to spirit in terms of spirit *in its pre-individuated state* which we take to be indicative of a bizarre interzone not only in Hegel's analysis but between the natural-cultural worlds that it ultimately implicates. While such a concept seems bizarre and even suspicious from our contemporary perspective it is important to note that the substantial unity of the world soul constitutes the basal level of Hegel's philosophy of spirit. It implicates an opaque realm of what Mills has argued functions as precursor of the Freudian unconscious.²⁴⁹ We believe it is important to focus on this opaque starting point because it operates as the generative ground of the entirety of the domain of spirit and therefore proves crucial to the entirety of the philosophy of spirit as a whole. Without this grounding concept, i.e. soul, the rest of the superstructure of the philosophy of spirit would be suspended over a void. Most importantly, insofar as it is spirit that is "rendered" by nature we need to understand that in some fundamental sense it remains unruly, shifting, determined largely by the externality of material nature. However, if this is the case, then it works to substantiate our suspicion that this opaque dimension of spirit is still traumatized by nature's instability: it is nothing other than an expression of Hegelian nature's lack *within* the matrices of spirit and the perpetual problems that the former poses to the latter. We believe, moreover, that this natural dimension of spirit has the potential to be perpetually disruptive to the exact degree that it retains the possibility of collapsing into externality, exteriority, and fragmentation, all of which are determinations that are problematic for the interiority of spirit's autopoietic self-construction.

Other commentators have noted the connection that the world soul as a minimal ideational unity forges with Aristotle's passive *nous* (For example, Ferrarin,²⁵⁰ Malabou,²⁵¹ and Williams²⁵²); indeed,

²⁴⁷ See DeVries, Ch. 3, "Nature and Spirit," and Ch.4, "Sensation: Mind's Material" (pp.33-70).

²⁴⁸ See Berthold-Bond, Ch.3, "madness as the Decentering of Reason," and Ch.4, "madness and the Second Face of Desire" (pp.37-94). In these chapters Berthold-Bond develops his interpretation of Hegel's writings on madness but has almost no reference to the pre-individuated materiality that makes the individual possible for Hegel. See also the subsection of Ch.4, "The Lure of a Primordial Unity" (p.77-79).

²⁴⁹ See, for instance, his "Introduction," (pp.1-20).

²⁵⁰ Ferrarin, p. 252.

²⁵¹ See Malabou, p.29.

Ferrarin, in connecting and differentiating the Anthropology to Aristotle notes how the entire process these writings map revolves around nature's "lack...[of] the dialectic of inner and outer. Spirit is the inwardization of externality...and the externalization of interiority."²⁵³ This internalization of exteriority and vice versa finds its most primitive expression in Hegel's concept of world soul. Moreover, the idealizing activity of spirit is also why Ferrarin is able to speak of the connection of inner and outer that spirit makes possible in terms of the Aristotelian conception of *energia*, here understood in the sense of active transformation.²⁵⁴ While the connection with Aristotle is well documented in this regard, it is also important to note that less often has Hegel's concept of world soul been connected to the writings of Kant and Schelling (McGrath²⁵⁵). It is our suspicion that Hegel's redeployment of this concept in this context, therefore, not only shows his reworking of Aristotle's *animus mundi* (Malabou) but that it also indicates one of the ways in which he marks a break with his Idealist contemporaries. Whether it be Kant's claim in the third *Critique* that nature must be thought of as a self-organizing teleological organism, i.e. world soul, or Schelling's early writings, as influenced by the work of Fichte, which hold nature being conceived in terms of subjectivity, i.e. as a world soul, Hegel does not abandon this concept, but as is characteristic of much of his thought in the context of the Anthropology, he reconfigures the sense of the category by deploying it in a unique way—in this instance deploying the concept *not* in terms of a "fixed" universal subjectivity, as he explicitly states in §391, but as a universal-ideal substance which will in turn operate as the dark ground for any subjectivity that will eventually emerge as such.²⁵⁶ In this sense, the ultimate expression of nature, for both Kant and Schelling, becomes, by way of Hegel, the absolute zero-level of spirit proper, i.e. spirit as alienated from itself, its most basic skeletal structuration, it is, for Hegel, the sleep of spirit.

This is why we refuse to read the anthropological writings strictly in terms of a preformed potentiality that is opaquely waiting to be actualized, as we find in several passages from Schelling's writings around the time of the *Freiheitsschrift*. While we fully acknowledge that the interpretation of Hegelian nature that we generated in Part I implicates a rudimentary, inadequate, form of subjective

²⁵² Robert R. Williams, "Translator's Introduction" to G.W.F. Hegel's *Lectures on the Philosophy of Spirit* trans. Robert R. Williams (New York: Oxford University Press, 2007), pp1-56 (See especially p.7).

²⁵³ Ferrarin, p. 237.

²⁵⁴ Ferrarin, p. 248.

²⁵⁵ See S.J. McGrath *The Dark Ground of Spirit: Schelling and the Unconscious* (New York: Routledge, 2012). McGrath connects Schelling and Kant on this concept but makes no mention of Hegel. See, for example, p.13.

²⁵⁶ See also Malabou here, p.29ff.

structuration, as instantiated in the living organism, this is not the same as suggesting that full formed subjectivity was all along latent therein—in fact, we have argued the exact opposite. One of the ways in which Hegel fundamentally breaks with such a move can be discerned in the way in which spirit has its origins in the lack of the world. Spirit can be framed precisely in terms of a poison for the natural register itself insofar as it is antithetical to the latter's fragmented externality. Hegel's project of spirit begins with subjective structurations that are lacking in adequacy, overdetermined by the exteriority of the factual environment. What we witness over the course of the Anthropology is spirit's traumatic process of transmogrification as it (re-)shapes the material conditions of nature within the parameters of finite subjectivity. This is why Hegel goes so far as to claim that spirit is at first a substance that can only come to itself, its truth, in the form of *becoming* "singularity, subjectivity."²⁵⁷ This emphasis on becoming we take to form the very heart of the entirety of the writings on anthropology, the becoming subject of substance and the abortions, failures and traumas that perpetually accompany the fragile and fought for successes. In what follows, therefore, we will focus on specific passages from each of the three sections constituting the Anthropology as a whole (natural soul, feeling soul, actual soul) with the objective of exploring and illuminating the ways in which spirit works on the naturality of its substantial being in order to retroactively posit it within the contours of its own autopoietic activity, i.e. the ways in which substance becomes subject. In concentrating on the moments constituting substance's transformation we will also look to substantiate our central thesis of Part II, i.e. the ways in which various types of pathology and trauma show themselves as perpetual possibilities in the transformative process, even after the fact of such reconstruction. Spirit perpetually retains the possibility of *regression*. The radical lack of Hegelian nature perpetually retains the possibility of breaking loose from the reconstructed contours of spirit's activity. It perpetually retains a potentially disruptive dimension. Our wager is that such a transformative project is not guaranteed in advance in terms of a transcendental sphere untrammelled by the materials of the world but instead is one that is riddled with fissures of instability as substance is cut open by way of the transformative negation of spirit's own positing retroactivity. This cutting open of substantiality serves a duplicitous signification: on the one hand, it manages to dirempt spirit's substantiality such that it is riddled with the pain, trauma and pathology of division and separation; on the other hand, this

²⁵⁷ PSS§391.

direptive trauma is profoundly generative in that it is the means by which the self-referential activity characteristic of spirit might gain an actuality within the coordinates of the world.

6 Embodiment: Spirit, Material-Maternal Dependence, and the Problem of the *In Utero*

From the very outset, then, we discover spirit immersed in, and largely determined by, the fluctuations of its external environment. This “rendering by externality” is antithetical to the very activity of spirit proper and therefore gives us a precise sense of the ways in which spirit’s origins are, in a significant sense, antithetical to its project of autopoiesis and how, in this precise sense, spirit’s upsurge first appears in terms of that which it is *not*. Inchoate spirit discovers the fluctuations of the natural situation in which it is facticly thrown by way of its sensible body, an interpenetrating psycho-somatic interface. Concerning *sensibility*, Hegel writes:

Sensibility (feeling) is the form of the dull stirring, the inarticulate breathing, of the spirit through its unconscious and unintelligent individuality, where every definite feature is still immediate—neither specially developed in its content nor set in distinction as objective to subject, but treated as belonging to its most special, its natural peculiarity. The content of sensation is thus limited and transient, belonging as it does to natural, immediate being—to what is therefore qualitative and finite.²⁵⁸

As Malabou states, in sensibility we witness how the soul of nature transforms into the nature of the soul, and in this sense it expresses the restructuring activity whereby nature is taken up into the inchoate interiority of the finite individual.²⁵⁹ Playing on the signification of the German verb “to find” (*finden*) Hegel indicates how the soul literally finds this particular content as transformed by way of the minimally mediated experience of sensibility (*Emp-findung*).²⁶⁰ In the sensation of touch, for instance, we

²⁵⁸ *PM*§400. We cite from the Wallace translation as it has a poetic element that escapes Petry’s rendering of the same passage while, simultaneously, not neglecting any of the nuances of sensibility’s indeterminate connection to its environment.

²⁵⁹ Malabou, p. 32.

²⁶⁰ See Jean-Luc Nancy’s apposite account of sensibility in *The Restlessness of the Negative*, trans. Jason Smith and Steven Miller (London: University of Minnesota Press, 2002), pp. 45-54. Nancy writes:

Sensibility and ideality are one through the other, one for the other, and one in the other. In sensibility, being-for-itself awakens: it differentiates itself from the simple being-right-at-itself in which it is still asleep. The “right-at-itself”—which already bears the fold of self upon self, identity such on itself—unfolds or unglues its own adherence. Upon awakening, I am an other. There are things outside me, and I myself am for myself the one who has these things in front of him. Doubtless, the sentient being that is only sentient also becomes its own sensation and sinks into it: but, *in and as* sensation, such a being also becomes what it is as its subject. Sensibility is becoming: passage from a simple determinateness to a property. Sensation is mine—or rather, if it is not yet the universal mineness of the one who says “I,” it is, in animal and vegetal sensation, the sensation proper to one who senses (p.46-47).

In sensibility, then, the individual’s immediate substantiality is put forth as a moment within its subjective being-for-self. This is crucial as it marks spirit’s first attempts to break with the pure plenitude of substantial being. It is our

simultaneously experience the presence of the external object which we are touching and our reaction to it. Consequently, sensibility is the minimally mediated identity between subject and object. This is a unity, however, which precedes any subject-object distinction (Hegel states: “nor set in distinction as objective to subject”) because at this point in Hegel’s analysis he is dealing with a domain which, in a sense, is anterior to any application of the categories of the understanding that would structure the sensory manifold in terms of clear subject-object relations. Consequently, we can speak of sensibility as the individual’s obscure preconscious gearing onto the world—to use the vocabulary of Merleau-Ponty.²⁶¹ Lacking any conceptual mediation, mind as sentient finds itself as connected to literally everything, one is: “...virtually *the totality of nature*.”²⁶² The economies constituting the sensible body, as Malabou notes, form a “reflexive relationship”²⁶³ between body and soul such that sensations originating in the world are restructively internalized and, conversely, those of interiority are externalized such that one is freed of this content (the case of sighing, for example). Indeed, the *Zusatz* to §401²⁶⁴ speaks of the corporealization of inner determinations as successful only insofar as they operate as *expulsions* (*Entäußerung*) of inner determinacy. The totality of the reflexivity of the sensible body forms the substantial ground from which spirit as subject must emerge and generate itself as such.

The more pronounced ‘interiority’ that emerges as the resulting field of coordinates from sensibility is demarcated by what Hegel calls *feeling* (*Gefühl*).²⁶⁵ Hegel writes: “The feeling individual is

purpose to track this emergent subjective intensity—which here is held fast in the contractions and expansions of an alien world.

²⁶¹ See, for instance, Merleau-Ponty’s *Phenomenology of Perception*, trans. Colin Smith (New York: Routledge, 2006) where he argues that the constitution of a spatial level constitutes: “...a certain possession of the world by my body, a certain gearing of my body to the world” (p.291). Analogously, Hegel would seem to suggest that sensibility involves a similar preconscious grasp on the world—it is only through the bodily grasp that there might first be a world for it. For the relationship between Hegel and Merleau-Ponty in terms of a ‘metaphysics of spirit’ and an ‘ontology of the flesh,’ respectively, consider David Storey’s “Spirit and/or Flesh: Merleau-Ponty’s Encounter with Hegel,” in *PhaenEx* 4, no.1 (Spring/Summer 2009), pp.59-83.

²⁶² PSS§403. Emphasis ours.

²⁶³ Malabou, p.33.

²⁶⁴ PSS§401, *Zusatz*, p.193.

²⁶⁵ Hegel distinction between sensibility and feeling was not established until rather late (developing in precision in lectures spanning from 1822-25). It was utterly absent from the 1817 *Encyclopedia* (See Petry’s discussion of these issues in *PSS*, Volume Two, p.485 and p.494). See also Williams’ footnote 94 in the *Lectures on the Philosophy of Spirit 1827-28*, p.110. We take Hegel’s struggle to distinguish between the two, and the significant overlap that resides between the domains of their application, to be indicative of an ambiguity that resides immanently within both, viz. because the states being analyzed are immediate and largely indeterminate it becomes difficult to clearly distinguish interior contra exterior (ideal vs. material); there is no simple and all encompassing means by which to rigidly distinguish these two concepts and their corresponding domains of application within the context of the development of the soul to this point. Their problematic interpenetration, consequently, is a result of the subject matter being analyzed, i.e. the indeterminacy of soul’s natural origins and the soul’s immersion in those origins.

simple ideality, subjectivity of sensation.”²⁶⁶ Feeling introduces a more pronounced unity into the flux of the sensory manifold and therefore it constitutes a higher order (re-)structuring activity. Here then we have a further example of how in feeling, resembling the Hegelian animal organism, the individual posits as its *own* results the very set of externally imposed conditions which had been its cause; spirit itself takes hold of these conditions such that it becomes *self*-generating, auto-affective. This self-referential and self-relational activity just is the activity of spirit and therefore marks the most rudimentary form of spirit’s activity as it unfolds within the opening coordinates of the domain of spirit proper. Here we see how an external determination is taken up and internalized within the contours of spirit’s restructive autopoietic activity: one that is, consequently, both cause and effect. Because there is minimal ordering, an *activity* of ordering, what is implicit here is the rudimentary activity of spirit that is more sophisticated than that displayed under the domain of sensibility.²⁶⁷ Consequently, the inverted lining of particular feeling is that every determination implicates the living, subjective, organism that has those feelings. This means there is a negatively reflected distance in every determination of feeling, i.e. the living organism whose feelings they *are*. As Malabou indicates, the strength of the Hegelian analysis shows itself here in that the form must become the content of everything which it forms: the two are never radically separated but instead mutually inform each other.²⁶⁸ We read feeling as a crucial moment in the material genesis of concrete subjectivity: on the one hand, it functions as a clear indication of the grounding substantiality of subjectivity which is largely determined by the material “pulsations” of its factual environment while, simultaneously, on the other, it offers an opaque indication of the subjective activity at work within this restructuring process. Considering this tension as a totality, we instantiate a precise sense of the ways in which spirit’s has its upsurge of autogenetic activity within the matrices of the lack of the natural world. Moreover, we discover the ways in which that activity is, at first, largely an expression of the natural permutations of the world in which it finds itself immersed.

²⁶⁶ PSS§403.

²⁶⁷ Although we largely agree with DeVries’ reading of sensibility as passive and the subsequent category of feeling (*Gefühl*) as active we would like to nuance this distinction in order to emphasize the activity that sensibility itself showcases. DeVries writes: “In sensation mind is passive, receptive, unorganized, aimed at the individual, dispersed in a manifold...the distinction between a sensation and a feeling is simply that a feeling is a sensation that has a place in a very low-level, basic, organized system of sensations” (DeVries, p. 71). *Our claim would be such that sensibility is already involved in this “low-level” ordering* and that it would have to be such in order to be recognized as sensible in the first place.

²⁶⁸ Malabou, p.35.

The problem that arises with the establishment of the structure of feeling is the unresolved diremption implicit at its centre. This fissure within the inchoate subject is crucial to its genesis and yet problematic insofar as it remains an unreconciled division. On the one side, feeling shows the individual as a substantial totality awash in the determinations that it has appropriated by way of sense. On the other side, what is implicit here is a subjective centre, the unifying power whose determinations they are. In order for the subject to emerge as a concrete and stabilized entity in the Hegelian system it must be open to alterity and otherness in such a way that it can maintain this contradiction, overcome it, tolerate it, analogically mirroring the animal organism's ability to endure and maintain itself through the phenomena of lack and instinctual drive. Resembling the assimilative process of the animal organism which must ingest and overcome the materials of its world, the finite subject must be able to incorporate the determinations of externality within the contours of its auto-generated totality. In order to highlight the complications that this nascent contradiction entails we are going to concentrate on an aspect of Hegel's writings on the feeling soul that have largely been bypassed in the literature, viz. Hegel's analysis of the *in utero* relation. The standard move here, as instantiated by Berthold-Bond, DeVries, Mills, and Žižek, makes no mention of this obscure analysis and even when considered by an apposite commentator such as, for instance, Greene it is largely dismissed as being informed by charlatanry.²⁶⁹ The only sustained interpretation assigning real significance to these passages is by Reid and this en route to generating Hegel's 'case study' of Novalis. In divergence with Berthold-Bond et al, yet mainly in agreement with Reid, we think that while this analysis is undoubtedly bizarre and, retrospectively considered, outdated, hence justifying some of Greene's suspicions, it nevertheless functions as a surprisingly coherent expression of Hegel's speculative analysis of the soul's transition from indeterminacy towards subjectivity. In this sense, we take it to function as a very precise expression of what Hegel takes to be crucial to speculative philosophy, i.e. the ability to think substance as subject. Therefore, we think it is possible to pursue his analysis of the parent-fetus relation as a reflexive-heuristic device by which we might illuminate the larger architectonic issues at work in the Anthropology itself concerning the subjective transformation of substance and the exact ways in which nature, exteriority, must inform this upheaval. Our wager is that a careful analysis of these passages establish what we take to be two crucial features of inchoate spirit's struggle to restructure its material-natural origins: (1) the fetus has its origins

²⁶⁹ See below for a discussion of Greene's criticism.

in overdetermination by influences of externality therefore it begins its project of autopoiesis in a series of failures at self-actualization; (2) this series of failures, and overdetermination by way of exteriority, connects the problem of Hegelian nature directly to the emergence of stable self-referential forms of spirit proper. We maintain that the importance of the problems revolving around this transitional process need to be emphasized not only in order to highlight the complexity of the Hegelian position and the internal and fragile relation it establishes between pathological and stabilized shapes of spirit but also in order to further our objective of systematically investigating the dynamical shifting relationships the system enacts between nature and spirit, specifically the ways in which the former persistently problematizes the latter.

Elaborating on the spectral relationship between mother and fetus in the *in utero* position, Hegel writes: “Although there are two individuals here, the unity of the soul is as yet undisturbed, for the one is still not a self, being as yet permeable and unresistant, and the other is its subject, the single self of both.”²⁷⁰ While we must be careful here in that Hegel frames the relationship in terms of the mother as subject for *both* itself and the fetus there are, nevertheless, indications of the process that the fetus must go through in order to establish itself as a subjective centre and it is this process of assertion that we think illuminates the problems revolving around the Anthropology as a whole. Hegelian analysis provides the conceptual tools, then, with which to think how the passive fetus might simultaneously be identified with the mother and yet remain distinct as such in terms of its own emergent individuality. In this sense, the analysis has the strength of showing the internal dynamical relationship holding between the two where it can simultaneously account for the contradictory claims of identifying the two as one and yet maintaining the distinctness of each from the other.²⁷¹ Insofar as the fetus is unable, in its inchoate developmental

²⁷⁰ PSS§405. *Lectures on Philosophy of Spirit 1827-28* are particularly revealing in this context. There we find: “The sentient totality is at first immediate; it appears not to be determined. But this constitutes its *weakness*. ~This absence of determination in fact means that the sentient totality is in the determination of immediacy” (p.125. Emphasis ours). Note 159 on the same page goes so far as to state: “...sentient totality is, *through this lack of determination*...in the determination of immediacy, of *raw naturalness*” (p.125. Emphases ours). Continuing, the *Lectures* state: “The child is not at all independent, but is like a member of the mother. The mother pervades the child psychically...The child has no true independence...” (p.126).

²⁷¹ What DeVries views as one of the problematic features of Hegel’s account of soul is actually the strength and the design of the dialectical standpoint as it unfolds through this concept. DeVries writes: “Hegel wants a peculiar double status for the soul. He wants it to be individuated by persons and their bodies for some purposes...for example...being *someone*’s states. For other purposes...he wants soul to be something shareable across persons...Hegel cannot have it both ways” (p.79). Hegel appears to have several responses to this concern. First, the problem of individuation is not his alone and therefore this concern is not unique to Hegel’s position. Second, Hegel attempts to show the ways in which the universal world-soul gradually, through fitful upheavals and contortions, comes to shape itself as individuated, as multiplicity, as subjectivities. In this way, Hegel’s analysis attempts to show how we can think of soul as both material, substantial and pre-individual, *and* subjective and highly

state, to assert itself as an autarkic centre it is given over to external determinations imposed upon it by what Hegel refers to as the genius²⁷² of its mother which means the immediacy of the latter's power as ideality, as a self-maintaining and relating structure. As Reid writes: "Cela revient à dire que la mère est pensée comme un sujet substantiel *qui détermine son fœtus*, comme le sujet grammatical détermine un prédicat accidentel."²⁷³ In this sense, we maintain that (1) the fetus begins its project of autonomy not in the self-assured movements of a transcendental ideality removed from its material conditions but instead, more interestingly, in terms of collapse and failure—dependent on the inputs of exteriority as instantiated by the totality of the mother. As Johnston,²⁷⁴ Reid,²⁷⁵ and Joel Whitebook²⁷⁶ indicate: the fetus has its origins in radical dependence and this tells us something about the very origins of autonomy (and spirit) more generally and the process through which, by which, it overcomes such dependence. What this shows us, then, is that spirit's independence is not a triumph that is lowered onto the stage of action *ex nihilo* but rather the very opposite: it is a victory fought for, attained by way of attrition and loss. Neither can we read such a painstaking process to be determined in advance in terms of the pre-established transitions of the *Logic* nor as a structure of ideality operating independently of the material conditions of its instance. Spirit, then, does not arrive on the scene ready-made and explicit to itself in its totality, but flounders as a dependent, while, simultaneously, gathering itself in a series of attempts that first result in failure as it struggles to diverge from its substantial origins in order to take them up as its very own. This dependence on the force of externality we read as highly significant—as we will show momentarily.

Put otherwise, we think that spirit's material origins in dependence and failure are obscured when, like Greene, we speak of spirit's emancipation from nature unproblematically as "...a return of spirit to

individuated. But this is not a contradiction from which Hegel seeks to escape rather he attempts to speculatively encompass it and develop a position that can accommodate both ends of this spectrum; it is the very topography Hegel intends to cover by way of the concept of soul. More succinctly, Hegel's speculative analysis aims to ground this delicate tension between substance, as lack of difference, and subjectivity, as differentiated individuality, without collapsing into a position that commits to only one of the extremes. Rather, it is supposed to maintain this tension while giving a robust account of the respective polarities involved and the internal relation established between the two. If we are to deny this move, then we are to deny it *in toto*. However, to do so would be to deny the speculative method.

²⁷² PSS§405.

²⁷³ See Reid *L'Anti-Romantique: Hegel contra le romantisme ironique*, p.117, emphasis ours; consider also his « Hegel et la maladie psychique—le cas Novalis, » in *Science et Esprit*, Vol. 56/2 (2004), pp.189-202, see especially p.196ff.

²⁷⁴ Johnston, "Reflections of a Rotten Nature: Hegel, Lacan, and Material Negativity," *Filozofski Vestnik*, vo.23, no.2 (2012), pp.23-52; see especially p.28ff.

²⁷⁵ Reid « Hegel et la maladie psychique—le cas Novalis, » p.196ff.

²⁷⁶ See Joel Whitebook's "First and Second Nature in Hegel and Psychoanalysis," in *Constellations*, vo.15, no.3 (2008), pp.382-389; here, p.385.

itself.”²⁷⁷ One of the risks that such a quick identification of nature and spirit runs is that it reads the identity of the two spheres, that, if established at all, is not actualized until the writings on absolute spirit, as present at the very outset of *finite* spirit and its emergence from the externality of nature. Finite spirit just is, as Ferrarin rightfully notes, what we want to call a real divergence between “concept and actuality”, a split, moreover, “that makes it *impossible* for spirit to conceive of itself as the truth of the whole”²⁷⁸ at this point in its development. We wish to place emphasis on the impossibility of spirit’s self-reflexive understanding at this point in its development insofar as we think such emphasis gets at the fact that there *is* a real problem in this transmogrification of nature in terms of spirit that is only adequately engaged once we think by way of this discrepancy. We insist that it is impossible for spirit to understand itself as identical with nature at this point and that this is so as a result of its very conception, and ontological status, as soul—the sleep of spirit; we think that what Greene’s interpretation risks, then, is reading a logically later conceptual development back into the sequentially prior analysis and we think doing so obscures not only the problematic trauma that spirit must undergo in its fitful emergence from the plenum of its substantial being, from the lack constitutive of nature, but also the ways in which those origins continue to pose a problem for spirit’s activity more generally. It obfuscates the problems that spirit endures in its restructuring of the materials of extimate nature; simultaneously, it obfuscates the significance of the real differences that exist between these two registers, especially at this early stage of spirit’s autogenesis. What our concern amounts to then is seeking to carefully follow the conceptual developments charted in the anthropological writings on their own terms as we think this is the most effective way not only of analyzing the text but also in developing a systematic interpretation of the transition from nature to spirit as it is in the Anthropology itself where this transition occurs. As Ferrarin states: “In the *Encyclopaedia* more than anywhere else, the principle of contextualization is crucial...confusions arise precisely when we disregard contexts, levels, and assumptions on which the concepts at hand are predicated.”²⁷⁹

Return to the internal dynamics of the text. More bizarrely, Hegel appears to suggest that it is by way of the fetus’s origin in undifferentiated substantiality that it “assumes its predisposition to illness.”²⁸⁰ How are we to understand this claim? For one, we read Hegel as critical of the very position that Greene

²⁷⁷ Greene, p.41.

²⁷⁸ Ferrarin, p.236. Emphasis ours.

²⁷⁹ Ferrarin, p.236

²⁸⁰ PSS§405.

assigns to him. Greene writes: "...what he [Hegel] has to say by way of empirical support [about the *in utero* relation] is largely the caliber of old-wives tales, e.g., that a woman shocked in pregnancy by the sight of a broken arm may give birth to a child with a damaged arm."²⁸¹ We think that Hegel views the process of 'transference' as a secondary concern in this relation and therefore maintain that there is something more significant involved in Hegel's argument. Consider, for instance, when Hegel states: "In the case of this connectedness [psychic relation between fetus-mother], attention has to be paid *not simply to the sensational accounts* of determinations which fix themselves in the child on account of the violent dispositional disturbances and injuries etc. experienced by the mother, but to the entire basic psychic division of substance..."²⁸² Hegel then claims that the fetus's predisposition to illness "originate[s] in its conception"²⁸³ which marks something different than the contingent accidents that may be transferred to the fetus by way of trauma suffered by the mother. His suspicion concerning the problem of 'transference' tells us why he refers to it in a pejorative tone ("not simply to the sensational accounts")—consequently, we read Hegel here as critical of the very position Greene assigns him. Instead, we read Hegel as stating that this "predisposition" has to do with the very origins of the fetus, its primary developmental position as an indeterminate dependent, lacking adequate subjective actuality and the way in which it attempts to undergo "psychic division" in order to stabilize itself as an actual subjective structuration.

More specifically, we believe that what Hegel means here is that it is the very concept of the fetus which demarcates it as an inchoate autonomous epicenter in contradistinction to its reality as a substantial dependent; it is this discrepancy that gives it a predisposition to illness. This divergence is why Reid is entirely correct to frame this problem in Aristotelian terms: "Si l'on voulait se servir de termes aristotéliens, lesquels semblent même s'imposer d'une certaine façon dans ce contexte, la mère se présente comme l'entéléchie, en acte et substantielle, c'est-à-dire comme l'âme du fœtus qui est en puissance."²⁸⁴ This radical divergence between form and actuality, analogically resembling the "original sickness" haunting the animal organism, is what, on our reading, constitutes the child's "predisposition to illness." To the extent that the fetus is given over to determinacy by the mother, by exteriority, it is in

²⁸¹ Greene, p.108.

²⁸² PSS§405. Emphasis ours.

²⁸³ PSS§405.

²⁸⁴ Reid « Hegel et la maladie psychique—le cas Novalis, » p.197. See also the *Lectures* here which explicitly state: "The child is human, but only potentially" (p.126).

reality what it should not be, i.e. radically dependent, external to itself, instead of autopoietic, autarkic, self-actualizing. However, this very overdetermination by way of externality is what makes it prone to illness, sickness—it is a sustained external pressure which it cannot assimilate and make its *own*. Insofar as the child is, in a sense, *external to itself*, determined externally, it is, speaking strictly in a Hegelian sense, in a pathological state. Its reality is, paradoxically, exactly what it is not when considered in terms of its essence as spirit, as self-actualizing activity. Nevertheless, its current reality is just that: dependent, non-autarkic etc. But if this is the case, then, we believe we can assert that (2) the birth of spirit has its origins in radical exteriority, i.e. that which it is not, the problem of nature. To the extent that finite spirit in its origins is given over to external determination, is given over to the contingencies of externality, there is a fundamental sense in which spirit, in its basal situation, is beset with the problem that is the constitutive feature of Hegelian nature, the instability of extimate materiality. In this sense, we believe that we can reflexively deploy Hegel's analysis of the *in utero* relation in order to illuminate the very starting point of the Anthropology in its entirety—spirit being rendered by nature and the haywire configurations of spirit that this rendering generates. This determination of spirit, by that which it is not, is a real problem for spirit and it is one that, in a sense, perpetually activates its reconstructive efforts. Accepting the reflexivity thesis, we can say that the inappropriateness of spirit's being rendered by nature is made explicit in Hegel's characterization of the fetus' status as a dependent as pathological. To the extent that spirit is given its reality by nature, by externality, by the anteriority of the mother, there is a sense in which it is determined against itself, not by itself, and this is the very problem of spirit's starting point. In other words, our claim is that spirit begins its project within the matrices of the lack of the world—i.e. within the problem of nature. Its entire effort within the contours of the Anthropology consists, we might say, in a series of sustained transformative processes that seek a radical inversion of this originary ontological ordering.

However, this is not to say that the fetus-mother relation is to be leveled and dismissed as pathological—which would further open Hegel's system to valid criticisms concerning the presuppositions that inform his conceptual rendering of the differences between the sexes; rather, we maintain that Hegel's analysis needs to be read in terms of a sophisticated perspective that attempts to develop a conceptual account of this relation that can maintain a sensitivity to the instability, fragility and tensional conflict situated within the *in utero* experience itself and the ways in which some kind of

incipient order must emerge out of the instability and contradictory interpenetration of the one and the other with which the entire generative odyssey begins. The relation connects to pathology because it works to develop a concise sense of all that can go wrong, the disintegration and failures involved in the reality of not only the fetus' birth, but, reflecting the trajectory of the Anthropology as a whole, the dangers and complications that the material presuppositions of individuated subjectivity involve in its very own genesis and pose to it after the fact of its upsurge.

To be explicit, there is a sense in which the problem of natural origins is *correct* for finite spirit. To the extent that the fetus/neonate does in fact emerge as an autarkic centre from the dependency of its origins, the problem of nature is, in some significant sense, overcome. This is correct by way of the very significance of the concept of spirit. Nevertheless, what the analysis also implies is that this natural exteriority of spirit's origins is, in an important sense, always retained. The unconscious territory that the writings on soul genetically map are the basal conditions from which all higher forms of spirit emerge. Moreover, the very concept of sublation insists that this territory is not only nullified but preserved. Therefore, the problem of spirit's origins, its submersion in the material externality of nature, is something that always remains a possibility for spirit—that in select situations can reassert itself to the detriment of spirit's project. The unruliness of nature's lack, its inadequate conceptual structuration, with which spirit begins, retains the ability to undermine more complex forms of spirit. That is to say, spirit perpetually retains the possibility of *regression*. It is always possible for it to regress towards exteriority and radical dependence. Spirit, therefore, can become diseased.

The insistent possibility of such a pathological regression is not always explored or emphasized in the literature as the complications mapped in the Anthropology are often framed in terms of a contingency, and therefore on the whole downplayed in terms of their scandalous nature (Lauer²⁸⁵ et al.), or a necessary moment in spirit's development that is sublated in due course (Žižek²⁸⁶)—in so doing, we believe, downplaying the scandal that nature represents to spirit (in terms of the latter's death, its

²⁸⁵ Christopher Lauer's "Affirmative Pathology: Spinoza and Hegel on Illness and Self-Repair" in *Between Hegel and Spinoza: a Volume of Critical Essays*, Ed. Hasana Sharp and Jason E. Smith (New York: Bloomsbury, 2012), pp.133-150, see, for instance, p.146, where dementia "ought to be avoided."

²⁸⁶ See his, "Discipline Between Two Freedoms—madness and Habit in German Idealism" in *Mythology madness and Laughter*, pp.95-121; see especially p.97-98. He writes: "Does this withdrawal [of madness]...not designate the severing of the links with the *Umwelt*, the end of the subject's immersion into its immediate natural environs, and is it, as such, not the founding gesture of 'humanization'?" (p.97-98). We believe that insofar as this 'madness' would be understood as the "founding gesture" of subjectivity it would, therefore, in some crucial sense, be necessary.

annihilation etc.). However, we believe exploring the ways in which this perpetual possibility shows itself in the anthropological writings gives us a precise indication of the ways in which Hegelian nature's lack of stability remains a perpetual problem when considered in light of spirit's project of self-actualization. We might go so far as to claim that the feeling soul, which Hegel prior to 1830 had revealingly referred to as the dreaming soul—implicating the machinations of spirit's dreams and nightmares, becomes an *actual* problem for finite spirit insofar as one regresses to a state wherein spirit's reconstructive activity of nature's unruly exteriority collapses—reverting one to a previous developmental position that radically undermines the autonomous virtuosity of spirit reconstructivity. In radical pathology, then, spirit regresses to the state of material, maternal, dependence: persistently determined externally such that nature reasserts itself to the detriment of spirit's self-actualization. Autogenetic determinacy reverts to external determination, autonomy to material-maternal dependence—spirit collapses into nature, freedom into external necessity. If this reading is the case, then, we believe we can intensify the problem that nature perpetually poses to spirit's reconstructive auto-assertion as it unfolds *within* the matrices of spirit's actualization by focusing on Hegel's analysis of self-feeling and its introduction of the speculative analysis of psychopathological states, which Hegel revealingly refers to as the night of the world.

7 The Nightmare of Reason, Monstrosity, or, Regression into the Night of the World²⁸⁷

The feeling soul's instability, its proneness to overdetermination by externality, which we instantiated by way of the fetus-mother relationship, intensifies under the rubric of what Hegel calls "self-feeling" (*Selbstgefühl*). The category of self-feeling manifests an intense internal diremption within the very fabric of the soul's interiority. This acute tension eventually establishes an entire domain of coordinates within the totality of the individual that consolidate under the category of habit, that which makes possible actual soul, consciousness proper, the self-referentiality of the abstract ego. Anticipating the stability yet to come, the dynamics of self-feeling nonetheless introduce Hegel's bizarre yet fascinating discussion of psychopathological states and the role they play in the formations, and, as we will emphasize, the potential regressions of finite subjectivity, spirit.

The richness of these passages permits several different readings simultaneously. Some of the literature has concentrated on the ways in which Hegel's analysis of mental illness serves as a tacit criticism of Romanticism²⁸⁸ in general and particular representatives of that movement, e.g. Novalis (Reid²⁸⁹); others, in a related approach, have argued that Hegel's theory is informed by his personal contact with mental illness by way of his sister (Berthold-Bond²⁹⁰) and the poet Hölderlin (Olsen²⁹¹); still others have developed readings of Hegel's account of self-feeling which interpret the problems of psychopathology in terms of a fixated feeling which the subject cannot properly place and by which it is

²⁸⁷ To this point in our study we have referred mainly to Petry's translation. However, with "*Selbstgefühl*" we follow Wallace's more literal translation "self-feeling" in place of Petry's "self-awareness." It is not immediately clear how Petry justifies "awareness" for "*gefühl*." It is our suspicion that in such a locution he attempts to connect Hegel's analysis of the soul's reflexivity to Kant's unity of apperception and the self-positing activity of the Fichtean subject—although this is only a speculative hypothesis. We think pursuing the maxim that the most literal translation is best forces us to follow Wallace insofar as "feeling" comes closer to the content of the previous moments that compose the structure of sensibility (*Empfindung*) and the primary significance of "*gefühl*." In his translation of Erdmann's *Lectures on the Philosophy of Spirit 1827-1828* (footnote 94, p.110). Williams' discussion of the ambivalent use of these two terms in no way indicates why "awareness" would operate as a justifiable equivalent of "*gefühl*." Because it is not explicitly clear why "awareness" would prove the superior choice we opt for Wallace's and Williams' more literal translation, "feeling." "Feeling" we read as implicating an internal relationship with the concept of sensibility. This ambiguous internal relation is crucial to Hegel's analysis but lost by way of "awareness."

²⁸⁸ See McGrath, p.17-18.

²⁸⁹ See Jeffrey Reid's *L'anti-romantique: Hegel contre le romantisme ironique* (Laval: Les Presses de l'Université Laval, 2007), especially chapitre II, «Novalis » pp. 95-125.

²⁹⁰ See Berthold-Bond's subsection of chapter three, "The Intimacy of madness: Christiane, Hölderlin, and the Limits of an Ontology of madness," pp. 54-70.

²⁹¹ See Olsen's chapter six, "madness," pp. 84-106.

therefore dominated (DeVries²⁹² and Greene²⁹³); still others have connected Hegel's writings in this context to anticipate Freudian metapsychology and its concept of the unconscious (Mills).²⁹⁴

Acknowledging the importance of these approaches to Hegel's writings on mental illness we intend to emphasize how psychopathology proper instantiates an acute form of regression when considered in light of developed subjectivity. When we speak of "regression" we mean that the logical primacy of spirit's reconstructive ordering of its material origins is undermined such that the material (sentient-feeling) dimension of the individual attains that status as the determining-dominate dimension of subjectivity. Consequently, as Reid²⁹⁵ and Barbara Merker have suggested, Hegel's methodology, like Freud's, suggests that the analysis of various pathologies makes explicit relations etc. that are only implicit in the functioning of healthy subjectivity. In this sense, we believe that psychopathology needs to be read as showing a simultaneous eruption of nature's unstable lack involving a regression to spirit's ontologically primal state of material-maternal dependence such that it is largely externally determined with the pressingly dire consequence that the subject's entire project of autopoietic actualization is hijacked in terms of natural immediacy and external determination. This reading has two distinct consequences. First, it operates as a direct challenge to Wolff's reading insofar as he views the mind-body relation strictly as a *Scheinproblem*—psychopathology, by way of contrast, indicates that mind can collapse into material-naturalness in ways that are antithetical to its essence as self-relating negativity, and therefore suggests that this dynamical relation is not only real but also a real problem.²⁹⁶ Wolff, however, writes that Hegel wants to deal with "the question of the immateriality of the soul..." as a "pseudo-problem" and to "...reply only in the sense that is at the same time the destruction of these

²⁹² See DeVries' clear and concise discussion of "self-feeling," pp. 74-77. For example, he writes that in mental illness one takes: "...the immediate unity found in its feelings to be objective itself, removing its thinking from the constraints of the objective world" (p.77).

²⁹³ See Greene's discussion of "self-feeling," pp.120-133.

²⁹⁴ See Mills, chapter two "Unconscious Spirit" (pp.53-98).

²⁹⁵ See, for instance, Reid's *L'anti-Romantique*, where he writes: « C'est seulement à partir de l'examen d'un état maladif et à partir d'une tentative d'explication de cet état, que Hegel va pouvoir élaborer ce qui constitue le développement normal et sain de l'esprit subjectif, tout comme chez Freud l'étude de névroses sert à l'élaboration d'une théorie des structures psychiques normales » (p. 116); see also Barbara Merker in regards to this internal relation between healthy and pathological shapes of consciousness in her "Embodied Normativity : Revitalizing Hegel's Account of the Human Organism," in *Critical Horizons* 13.2 (2012), pp.154-175, see especially pp.172ff.

²⁹⁶ See Wolff, p.56, p.106, and p.192.

questions...²⁹⁷ Second, it functions as an agreement with Berthold-Bond and Mills' argument for a rudimentary conception of the unconscious being present in Hegel's analysis. When we speak of the "unconscious" dimension of the subject in what follows we mean it in the technical sense that Freud was later to assign to it as that which, most generally speaking, is characterized by, as Berthold-Bond notes, "wishes grounded in instinctual impulses" (for Hegel, the register of feeling) and "the absence of relation to outer reality" (retreat to interiority), "absence of contradiction" among instinctual impulses (non-relation to categories of the understanding etc.), "timelessness" of instincts (not temporally ordered).²⁹⁸ We believe that it is this unconscious ground, which Hegel prior to 1831 revealingly demarcates as the dreaming soul, i.e. the sleep of reason, which is let loose and dominant in the problem of extreme psychopathology. We believe that we can show that this "sleep of reason" is largely an expression of spirit's overdetermination by natural impulse, its collapse into various forms of dependence that are completely antithetical to its conceptual essence. However, if this is the case, then, it must mean that, in some significant sense, the threat of nature's unruliness remains a perpetual possibility of trauma for finite spirit. As a result of spirit's very own reconstructive activity, understood in terms of nothing other than what Marmasse characterizes as the radical "sublation of nature,"²⁹⁹ the unconscious dimension of the subject is never entirely abandoned; this abyss of indeterminacy is retained within the matrices of spirit and has the perpetual possibility of breaking-loose to the detriment of the individual as a self-actualizing activity. Again, the regression to overdetermination by the feeling dimension of the individual, subjectivity's relapse to the status of dependent and external determinacy is what allows us, we believe, to connect the problem of psychopathology to spirit's situation in the *in utero* position: both reveal the subject as a being radically rendered by nature. However, the caveat here is that the neonate position is developmentally correct whereas the regression of psychopathology is a truncation of development. In this sense, the two operate in inverse directions and are therefore qualitatively distinct.

²⁹⁷ Wolf writes: „Die Frage um die Immaterialität der Seele...“ is a „Scheinprobleme“ ...Wolff continues and asserts that Hegel wants to: „...Beantwortung nur im dem Sinne, dass sie zugleich...Vernichtung alles Fragen[s] ist...“ (p.56. Translation ours).

²⁹⁸ In this regard see Berthold-Bond's *Hegel's Theory of madness*, p.100ff. See also Freud's "The Unconscious," in *The Standard Edition of the Complete Psychological Works of Sigmund Freud* Vo. XIV trans. and ed. James Strachey and Anna Freud, ass. By Alix Strachey and Alan Tyson (London: Vintage, 2001), pp.159-216; see especially p.187ff.

²⁹⁹ See Marmasse's "The Spirit as the Subject Carrying out the Sublation of Nature," p.20ff.

Our reading of psychopathology, then, can be carefully contrasted with the interpretation of Lauer³⁰⁰ to the precise degree that we seek to insist on the perpetual threat that such a regression poses to spirit's actualization. Where Lauer tends to downplay the status of madness to that of a strictly contingent phenomenon, a move not entirely ruled out by our reading, we, nevertheless, think that because the possibility of regression remains perpetually open to spirit it needs to be emphasized not only to highlight the fragility of spirit, and the internal relation between the normal and the pathological, but also to stress the ways in which the problem of exteriority, the problem of nature, is perpetually present for spirit to a degree that is rarely emphasized in the literature. Simultaneously, our reading can be contrasted with Žižek's interpretation of Hegelian madness to the exact degree that he seems to suggest that madness is a necessary moment in the development of spirit.³⁰¹ On such a reading the scandal that nature poses to spirit's self-actualization would be significantly reduced. However, if that were the case then it would tend to undermine the ways in which nature remains a perpetual problem for spirit actuality.

Concomitantly, our interpretation diverges with several other research efforts in this context. For instance, we do not read Hegel as attempting to entirely bar the psychopathological from the domain of reason (contra Güven³⁰²); rather, most provocatively, we read him as showing the ways in which the very origins of spirit's free self-referential activity connects to the problem of nature's externality and the ways in which those origins remain an issue in terms of spirit's "liberation struggle." Simultaneously, our reading can be contrasted with more recent interpretations of the system's transition from nature to spirit which almost completely elide the references to death and pathology that litter the writings on this

³⁰⁰ Our thesis can be contrasted with Christopher Lauer's reading of self-feeling in, "Affirmative Pathology: Spinoza and Hegel on Illness and Self-Repair" in *Between Hegel and Spinoza: a Volume of Critical Essays*, Ed. Hasana Sharp and Jason E. Smith (New York: Bloomsbury, 2012), pp.133-150. Lauer writes: "While it is clear that Hegel believes that the sick soul is more primitive than the self-determining soul of habit and that spirit is dependent on the natural organism, it is less clear whether or not this sickness is necessary for spirit's progress towards healthy self-actualization" (p.139). Concentrating on a distinction between the negative (particularity) and positive (universal) aspects of self-feeling Lauer concludes that dementia (as a negative moment of self-feeling) is: "...not a step on the path to self-knowledge, but a misstep that can and ought to be avoided" (p.146). While we agree that the regressive form of dementia is not necessary to all individuals we nevertheless maintain that it remains a constant threat to spirit. To frame this in terms of a condition that "ought to be avoided" downplays the problematic and threatening feature of this problem.

³⁰¹ See Žižek's "Discipline between Two Freedoms: Madness and Habit in German Idealism," pp.97-98.

³⁰² See Ferit Güven, *madness and Death in Philosophy* (New York: SUNY Press, 2005). See, for instance, when he writes: "...Hegel is trying to remove the possibility of madness from the domain of spirit. This exclusion is possible only if one accepts the claim that madness is necessarily tied to immediacy and corporeality" (p.35). Instead, we read madness as always already a problem of spirit and materiality and could not exist as otherwise within the coordinates of the Hegelian lexicon. *Spirit is always already embodied*. In other words, there is no spirit without some sense of the body and therefore the impossibility of speaking of one without the other.

transition (Pinkard, Phippen).³⁰³ While some commentators, such as Hans-Christian Lucas, have recognized that in the Anthropology Hegel: "...directs his attention, in what must be regarded as an excessive degree, to events and phenomena that we today would, at least at first sight, regard as being largely grotesque..."³⁰⁴ he, nevertheless, remains noncommittal as to the ultimate significance of the emphasis these writings place on the 'grotesque.' However, Lucas maintains that Hegel's attention to such phenomena (animal magnetism, psychopathology etc.) must be assumed to stem from "systematic reasons...[that] allow these phenomena the space we find devoted to them in the "Anthropology" section."³⁰⁵ However, while raising the important question of the systematic relevance of these phenomena, one passed over by Pinkard and Phippen, Lucas, somewhat surprisingly, does not pursue it in terms of the fundamental process the Anthropology itself conceptually renders: i.e. the transmogrification of natural materiality into subject, which Lucas refers to as, somewhat problematically, "the separation of spirit from nature."³⁰⁶ However, we maintain that these 'grotesque' phenomena are precise expressions of that transmogrifying process and the way in which the problematic lack characterizing Hegelian nature poses a perpetual problem for spirit's retroactivity. These 'grotesque' phenomena, then, on our reading, illuminate this pressing, and lingering, danger.

³⁰³ Given what we have said to this point means that the anthropological writings' repeated references to pathological states operate as a precise expression of the ways in which the immersive origins of spirit in nature perpetually function as a possible problem for spirit. The consistent thematics of pathology and death that permeate the close of Hegel's writings on nature and span the entirety of his anthropology are too often downplayed or even bypassed in discussions of the transition from nature to spirit in the final system. This is certainly the case in Robert B. Pippin's *Hegel's Practical Philosophy: Rational Agency as Ethical Life* (New York: Cambridge University Press, 2008). See especially chapter 2, "Naturalness and mindedness: Hegel's compatibilism" (pp. 36-64). Even if we bracket Pippin's interpretation of "spirit itself as a kind of norm" (p.62) such that spirit is understood largely as a space of responsiveness to reason and reason giving (p.62), what is lacking in Pippin's discussion of the transition from the externality of nature to the activity of spirit is an analysis of the role the ubiquitous themes of death, destruction and pathology play in that very transition. While there is a brief consideration of the 'negativity' involved in this transition (see p.58ff.) there is no substantial role assigned to the structures of the unconscious, and the various forms of pathology that litter the Anthropology. We see this as a major concern for any discussion of normativity, i.e. we seek to investigate how pathology, disease and death function in relation to normativity. A similar lacuna is found in Terry Pinkard's discussion of the difference between "animal normativity" and "the normativity of the soul" (p.29) as outlined in his *Hegel's Naturalism: Mind, Nature and the Final Ends of Life* (New York: Oxford University Press, 2012). The distinction between the animal register and that of soul as habituation is well taken, however, and perhaps this is not necessary given Pinkard's objectives, in making this distinction there is no mention of the breakdowns and traumas that permeate the space between the two registers. Our modest aim is to explore that space, insisting that it expresses the ways in which nature functions as a perpetual problem for spirit.

³⁰⁴ See his, "The "Sovereign Ingratitude" of Spirit toward Nature: Logical Qualities, Corporeity, Animal Magnetism, and madness in Hegel's "Anthropology," in *The Owl of Minerva*, 23: 2 (Spring 1992): pp. 131-150, (Here, p.133). For a direct response to Lucas criticisms of Hegel's speculative anthropology and the way in which it lacks proper argumentation, particularly in terms of the necessity involved in the transition from one concept to the next, see Errol E. Harris's "Hegel's Anthropology" in *The Owl of Minerva*, 25:1 (Fall 1993): pp. 5-14.

³⁰⁵ Lucas, p.134.

³⁰⁶ Lucas, p.140.

To be clear, however, the problems of psychopathology do not become living realities unless more developed forms of subjectivity, due to various types of trauma in the world, regress to these primary developmental positions and remain immersed therein over pronounced temporal durations. In this sense, against Hyppolite's claim that "the essence of man is to be mad,"³⁰⁷ we hold that the human emerges from the lack of nature and constantly has the potential for madness. Our thesis concerning the internal dynamical relation between pathological and healthy shapes of spirit is not entirely new. Berthold-Bond, for instance, has pursued this dynamic, writing that: "...a close reading of Hegel's analysis of the diseased mind will help illuminate central themes of his phenomenology of rational consciousness."³⁰⁸ Our objective, however, is quite different insofar as it seeks to use this relation as a reflexive heuristic device by which we might examine the dynamic the final system displays between nature and spirit and the way in which the former perpetually problematizes the latter. In this sense, psychopathology proves the lens through which we view this dynamical yet essential tension. In Hegelian madness, then, we witness the reemergence of the logically inferior as the ontological determining force: a radical inversion revealing spirit gone haywire and at the mercy of nature's unruly lack. With this thesis in mind, we now return to the internal dynamics of Hegel's anthropology with the objective of systematically developing this unique thesis.

Hegel begins his analysis of the feeling soul by attempting to show how immanent within the very fluctuations of the manifold of feeling there is a negative space reflectively distanced from every particular determination which implicates the subjective totality whose determinations they are, i.e. the self. Hegel can, therefore, be read as situating the Kantian unity of apperception and the Fichtean subject's self-positing within the inchoate conceptual domain of the unconscious. The negative centre implicated in the myriad of feelings becomes most pronounced in what Hegel calls "self-feeling" (*Selbstgefühl*). Hegel writes:

As individuality, the essence of the feeling totality is to divide itself internally, and to awaken to the basic internal division by virtue of which it has particular feelings, and is a subject in relating to these its determinations. It is the subject as such which posits these within itself as its feelings. It is immersed in this particularity of sensations, and at the same time, through the ideality of what is particular, combines with itself in them as a

³⁰⁷ See Jean Hyppolite, "Hegel's Phenomenology and Psychoanalysis," tr. Albert Richer, in Warren E. Streinkraus, ed., *New Studies in Hegel's Philosophy* (New York: Holt, Rinehart and Winston, 1971); pp.64, 66.

³⁰⁸ Daniel Berthold-Bond, "The Decentering of Reason: Hegel's Theory of madness," in *International Studies in Philosophy* 25 (1993): 9-25, citation, p.9.

subjective unity. It is in this way that it constitutes self-feeling [*Selbstgefühl*] and at the same time, it does so only in the particular feeling.³⁰⁹

Hegel locates the internal division within the immediate manifold of feeling with the consequence that we may *not* read this passage as suggesting that at this stage in its development the soul has a *concept* of self. This nuance indicates the way in which Hegel's analysis insists upon distinguishing between the reality of the subject matter at hand and the difference it strikes with its conceptual rendering. As DeVries³¹⁰ notes, Hegel cannot be referring to a concept of self as the categories of the understanding which establish the possibility of conceptual thought do not arrive on the scene until later in his analysis of more developed modes of consciousness (i.e. the *Phenomenology* etc.)—developments in the speculative analysis that are here completely absent. There is as yet no clear subject-object distinction with the world over and against consciousness; instead, the stirrings of self-feeling show the inchoate structure of self-referential activity as internally related to its *own* inner states. The provocative perplexity of the passage stems from its attempt to think through the ways in which a *feeling* of self is in some sense unified with every particular determination of the sentient manifold and that this content could not be experienced as such without this very binding centre of subjective unity. The problem is that at this point in the analysis there is no explicit 'I' established which might accompany, in the Kantian sense of the unity of apperception, "every determination" but only the opaque and constantly shifting *feeling* of self immanent in every distinct feeling.³¹¹

The possibility of particularized self-feeling is therefore important in Hegel's account of the establishment of consciousness proper in that concrete subjectivity must be radically connected to, and identified with, any and every sentient determination otherwise it would risk remaining alienated from such determinations, they would not be its own, it would be oblivious to itself and in so doing would

³⁰⁹ PSS§407. Translation slightly modified. See also *Lectures on the Philosophy of Spirit 1827-28* where it states: "We see individuality as sentient of itself. It is essentially self and this becomes the object of feeling. The individuality is being-for-itself, and this point [of unity] becomes the content. This is self-feeling...The determinacy is an ideal. It is a determination from which the feeling subject frees himself precisely because he feels it. In this liberation he is not impeded by the determination, but exists in himself. He posits the content of the determination as negative, as abstracted from himself" (p.139).

³¹⁰ See DeVries, p.76ff.

³¹¹ In this sense, the odyssean voyage of Hegelian subjectivity has its origins not in the self-transparency of the Cartesian cogito but in conditions much more complicated, understood in terms of opaque and non self-identity. For an exploration of the non self-identity of Hegelian subjectivity and some of the surprising affinities it strikes with Deleuze, see Simon Lumsden's "Deleuze, Hegel and the Transformation of Subjectivity," in *The Philosophical Forum* Vol.XXXIII, No.2, Summer 2002, pp.143-58; see especially the concern of non-identity of Hegelian subjectivity contra the Cartesian subject, p.155ff.

destroy the very structure of self-relationality necessary to its own possibility (i.e. it would be *self-refuting*). We can further accentuate the importance of particularized self-feeling by situating it in terms of more developed forms of consciousness that Hegel's analysis unfolds in terms of phenomenology and psychology. We need to recall that Hegel's analysis in the *Anthropology* moves from the most abstract determinations of spirit to the most concrete; this means that rudimentary levels, such as the unconscious domain of feeling, must be analyzed before more complex structures can be introduced into the architectonic of the analysis. Hegel shows how these most abstract states in a sense presuppose actual consciousness, there is a way in which there can be no sentient content for the human creature without the presupposition of something which supersedes it (e.g. consciousness proper), that which would be aware of it as such. Nevertheless, what Hegel wants to show is the necessary interrelations amongst the various stages, and this requires moving from corporeity, sensibility and feeling, the most abstract determinations of subjectivity, and working through how these basic structurations generate more complex totalities that reside beyond them, yet, in necessary connection to them. What this method of philosophical analysis means is that these primary stages of the soul's development are never entirely abandoned by more concrete forms of spirit—they remain irrevocably bound up in one another (this bringing forth of what is former is one of the ways in which, as Greene notes,³¹² spirit is different from nature, nature perpetually falls outside itself—leaving one domain external to the other).

With this distinction in mind, we need to consider developed subjectivity, one that shows itself as the *result* of the *Anthropology*, the phenomenology, and psychology, and its relation to the never entirely nullified structures of the unconscious as manifested in self-feeling in order to consider some of the ways in which the latter can diverge from the former and the resultant consequences of such a divergence. In a sense, as we have seen, the entire register of feeling is an extension and development of the corporeal body and its psychosomatic interface as instantiated under the rubric of sensibility. We might say, therefore, that feeling operates as the unconscious internalization of external sensibility and its corporeal body which, in turn, is largely passively determined by way of its receptivity and openness towards the factual milieu of its environment. In accord with DeVies³¹³ and Williams,³¹⁴ we have also attempted to show that the inverted lining, as it were, of sensibility is the interiorized fluctuations of feelings or, as

³¹² Greene, p.42.

³¹³ See his discussion of feeling, pp.71-86.

³¹⁴ Again See Williams's footnote 94 in the *Lectures on the Philosophy of Spirit 1827-28*, p.110.

Ferrarin aptly phrases it, how spirit is “active in its passivity.”³¹⁵ If this is the case then there is a way in which feeling and self-feeling operate as precise expressions of the soul’s restructuring activity by which it takes the factual materials of its contextual milieu, given to it by way of sensibility, and makes them its own. This more pronounced reconstructive project just is the domain of feeling which Hegel characterizes as “...simple ideality, [the] subjectivity of sensibility [*empfindens*].”³¹⁶ In this sense, we take the content of self-feeling to be ambivalent: it is simultaneously connected to the contingent determinations of the corporeal body and the materials which are forced upon the body from the immediacy of its environment while, simultaneously, being realigned within the very project of the soul’s ideality and therefore a result of the soul’s own self-referential activity. This ambivalence, which we might connect to Greene’s “two levels of selfhood” (materiality and ideality),³¹⁷ helps us to establish the ways in which the contents of the feeling soul, as manifested in self-feeling, then, are in some real sense thoroughly permeated with the factually given pulsations of spirit’s environment, i.e. the materiality of its preconditions. They come to the soul as contingently given from the “inarticulate mass”³¹⁸ of sensibility and, because it has no claim to the origins of this content, there is a way in which these permutations operate as precise expressions of those conditions which are extrinsically imposed upon the individual. One of the problems self-feeling establishes, then, on the interpretation we are attempting, is that the very content of self-feeling might, for various reasons of trauma and pain suffered in the world, come to dominate more developed forms of consciousness such that subjectivity retreats from the objective-intersubjective world organized in terms of the categories of the understanding, projects of commonality etc., and immerses itself in a content that is both its own, yet paradoxically, not its own. In such a move, therefore, spirit retreats to a radical interior self-relationality grounded entirely in feeling, in that which is and is not its own.

The result is that the objective, more concrete dimension of subjectivity might become estranged from its corporeal dimension and this is what Berthold-Bond means when he speaks of the “decentering of reason” where one risks a reversion to “...feeling, passion, the instincts...seclusion, privacy, the self-withdrawn into the narcissistic cocoon...”³¹⁹ This reversion displaces, decentres reason, to the extent that one is partially divided from the intersubjective domain of the objective and buried, as it were, in the

³¹⁵ Ferrarin, p.242.

³¹⁶ PSS§403. Translation slightly modified.

³¹⁷ See Greene, p.129. Here understood in terms of receptivity and activity.

³¹⁸ Wallace translation, p.102.

³¹⁹ Berthold-Bond, “The Decentering of Reason: Hegel’s Theory of madness” (p.16).

radically subjective content of feeling. In short, self-feeling establishes the possibility that one might be dominated by content which, in a sense, has come to it contingently by way of the externality of its environment. Consequently, one of the problematic implications of self-feeling is that it perpetually threatens higher forms of spirit with radical inversion in terms of spirit's autarkic ordering. Spirit, in turn, is mutilated by that which it does not master. Indeed, this type of trauma suffered at the hands of 'unbound' feeling is one of the significations Hegel assigns psychopathological states. Speaking of the unruliness of this content, he writes:

...On account of the immediacy within which self-feeling [*Selbstgefühl*] is still determined, i.e. on account of the moment of corporeity there which is still undetached from spirituality, and since feeling itself is also a particular and hence a specific embodiment, the subject which has developed an understanding consciousness is still subject to disease in that it remains engrossed in a particularity of its self-awareness which it is unable to work up into ideality and overcome.³²⁰

On the reading we are proposing, then, one of the significations of Hegel's account of self-feeling is that it has the potential to operate as a pathological domination of developed consciousness's autopoietic structure insofar as it serves to dirempt consciousness between its integrated and perspectival opening on the world, on the one hand, and an unplaced feeling emanating from the factuality of its given environment on the other, which it is unable to place in the systematic fluidity of its objective relations within the world. Even more importantly, the real problem here is that the objective dimension of subjectivity is held in subordination to a "particular embodiment" such that there is a radical inversion of the more sophisticated activity of spirit's freedom being dominated by the determinately less complex, unruly, and even chaotic aspect of the subject that, in a sense, precedes its actual structuration as a subject. This inversion, and diremption, constitutes the subject's pathological status.

When this unstable inversion is intensified and brought to its logical extreme the results are dire: "...the subject therefore finds itself involved in a contradiction between the totality systematized in its consciousness and the particular determinateness which is not fluidified and given its place and rank within it. This is derangement [*Verrücktheit*]."³²¹ Hegel's deployment of "*Verrücktheit*" here is

³²⁰ PSS§408. Translation slightly modified. Consider also *Lectures on the Philosophy of Spirit 1827-28* in this context where we find the following point reinforcing the *Encyclopedia* passage: "This form of self-feeling can also shift and change into disorder. Since the already self-conscious individual is considered here, it can happen that he, the concrete human being, comes to a standstill ~in the one form of feeling, and he remains in self-feeling in opposition to his rational actuality~" (p.140).

³²¹ PSS§408.

significant. Not only does it indicate the ‘madness’ of subjectivity but more importantly it connects etymologically to “*verrücken*” which signifies “to disarrange,” “to move” and, therefore, we believe, gives us direct insight into the signification of Hegel’s concept of “derangement.” What we have here, then, in this problem is a literal disarrangement of subjectivity, its fragmentation, its lack of an internal self-related coherence, and therefore its real approximation to chaos, irrationality and disorder. The proximity of this characterization of madness to our interpretation of Hegelian nature is, for us, quite striking. Moreover, when considered retroactively from the perspective of concrete subjectivity (the result of phenomenology, psychology, objective spirit etc.), this sense of the psychopathology of self-feeling is understood quite literally as what we have continuously characterized as subjectivity’s radical regression in the direction of material nature. In place of its autopoietic upsurge in the world as self-activating and integrating within the totality of the objective world, subjectivity collapses such that it is opaquely dominated by the indeterminate interiority of sentient feeling—the objective and subjective poles of consciousness are heterogeneously dirempted to the detriment of the subjective whole. However, to the extent that one is dominated by the self-feeling residing within the opaque parameters of the sentient manifold, the entirety of subjectivity regresses insofar as it is primarily identified with a structural state that is logically inferior and, within subjectivity’s definition as self-actualization, subordinate.³²² In acute paranoia, for instance, one *feels* persecuted by their neighbor but there is nothing in the objective relations of the world into which, and by which, that feeling might be integrated. In a sense, one constructs this aspect of the world, their persecution, solely from a feeling that this is the case. One is dominated by a feeling that has come to it externally, a content that one has not adequately integrated into the totality of their objective opening on the world and it is this inability to place this feeling, to verify it, as it were, that actively undermines the fluid totality of consciousness proper. It is this retrogressive feature of Hegel’s

³²² It is somewhat surprising to note how often the regressive (re-)immersion of subjectivity in the manifold of sentience goes utterly *unmentioned* in more recent analysis of Hegel’s philosophy of mind. Consider, for example, Richard Dien Winfield’s monograph *Hegel and Mind: Rethinking Philosophical Psychology* (London: Palgrave MacMillan, 2010). While Winfield convincingly reconstructs the entirety of Hegel’s writings on subjective spirit, he makes *no* mention of the significance of the psychopathological for Hegel’s theory of mind. Winfield traces Hegel’s solution of the “mind-body” problem in terms of the relation between universality of mind and the particularity of corporeity, the former being self-particularizing. However, he does not make any use of the way in which this relation disintegrates and what it would signify for the totality of mind as such. On our view, it constitutes an entire other dimension of mind, that Hegel theoretically maps, which goes unexplored in this monograph. In this sense, it misses an entire dimension of Hegel’s theory of mind, the complexity and sophistication of Hegel’s position. One wonders whether an analysis of the regressive inversion operative in psychopathology might be used to highlight methodological problems with the reductivist models deployed in some neuroscientific frameworks. See Winfield’s “Hegel’s Solution to the Mind-Body Problem,” (pp.25-42).

account of mental illness that has allowed Berthold-Bonds³²³ and Mills³²⁴ to connect Hegel to Freud concerning the symptoms of various modes of psychopathology and even the projective element involved in such states (wish fulfillment, abandonment of reality principle etc.).

The regression, then, that we are proposing presupposes a distinct ordering of the subject in relation to its sensory manifold. In what Hegel might call ‘correct’ development the manifold (particularity) must be reconfigured in accordance with the auto-particularizing activity characteristic of spirit (universal). Where this relation disintegrates or, as the case may be here, inverts, the results are pathological. This would seem to suggest, consequently, a distinct *reconfiguration* of the mind-body problem insofar as it recasts it in terms of the universality of spirit and the multiplicity of its embodied corporeity and the perpetual negation and reassertion of that manifold in terms of the ‘unending’ process constituting its ideal unity (life). Insofar as particularity maintains its position within the coordinates generated by the negative unity (ideality) of finite subjectivity the threat of psychopathology appears significantly restricted. What we are saying here, however, amounts to a challenge to Wolff’s suggestion that Hegel’s analysis serves to “dissolve a [this] problem”³²⁵—i.e. the mind-body problem. However, if there was a complete dissolution of this problem then it is not clear how distortions of the relation presupposed by spirit’s reconstruction of its material basis in terms of a second nature could generate pathological phenomena. The problem with Wolff’s ‘dissolution’ claim becomes more forceful insofar as he explicitly, though all too briefly, acknowledges spirit’s regressive possibilities while remaining silent as to how this does not constitute a problem for both mind and body (as Hegel claims).³²⁶ Wolff writes:

Hegel considered the “feeling soul” not only as a stage of development of the natural soul, but also as a form of regression or degeneration of Spirit [*Verfallsform des Geistes*] (as mental illness), which of course does not exclude that moment of “feeling soul”, e.g. the reflexive and intentional structure of their activity are constitutive for “spirit” itself and for “objective” consciousness.”³²⁷

³²³ See, for instance, Berthold-Bond on Freud and Hegel and the issues of reversion and regression, p.25ff.

³²⁴ Mills explicitly connects the regressive move to Freudian analysis throughout his monograph. See, for example, p.157.

³²⁵ Wolff, p.103.

³²⁶ See *PSS*§408 for Hegel’s explicit claim that mental illness is *both* mental and physical.

³²⁷ Wolff, p.173, footnote. Emphasis ours. Wolff’s original reads:

Hegel betrachtet die „fühlende Seele“ nicht nur als Entwicklungsstufe der natürlichen Seele, sondern auch...als eine Regressions- oder Verfallsform des Geistes (als Geisteskrankheit), was freilich nicht ausschliesst, dass Momente der „fühlenden Seele“, z.B. die reflexive und intentionale Struktur ihrer Tätigkeit, für den „Geist“ selbst und für das „objektive Bewusstsein“ konstitutiv sind (p.173. Translation ours).

If the regression that Wolff acknowledges presupposes an optimal relational configuration between spirit (universal self-relation of consciousness) and the bodily manifold (sentient particularity) then it would seem that Hegel's position, while offering a significantly reconfigured account of the mind-body dynamic, still maintains that there are problematic configurations of that dynamic. However, if that is the case, it is not immediately evident that Wolff can maintain that Hegel's concept of soul completely dissolves the mind-body *problem* but, more precisely, rejects the metaphysical presuppositions driving specific renderings of it (most obviously, Cartesian substance dualism).³²⁸ Moreover, Hegel's framing of soul's (spirit's) relation to the body in terms of various ambiguous metaphors prompts questions from Wolff, he asks: "How does Hegel avoid, despite his own dangerous imagery (subjugation, take possession, etc.), the hypostatization (or personification) of soul and of Spirit?"³²⁹ While an attempted dissolution may raise questions of its own, it is also possible that what Hegel's analysis shows is that the nature of spirit's "possession" of its body is not as straightforward as Wolff's claims concerning a *Scheinproblem* first suggest. Indeed, the entire problem of psychopathological regression would seem to suggest that in some fundamental sense the nature of spirit's relation to its body remains a potential problem and therefore, in a very special sense, the mind-body problem remains active, though reconfigured.

In an attempt to anticipate certain objections that may be raised at this point, we are explicit: we are *not* suggesting that there is no dimension of spirit's transmogrifying power at work in the problem of psychopathology. That this potency is operative throughout the entirety of the feeling soul is why the introductory remarks of §381, and its accompanying *Zusatz*, revealingly characterize the activity of spirit as infecting or poisoning (*vergiftet*), and transfiguring (*verklärt*) the materials of nonconscious corporeity.³³⁰ Accentuating the power of spirit present in the problem of self-feeling, the *Zusatz* to §408

³²⁸ Consider *PSS*§389 *Remark* in this regard. Hegel writes: "...if [soul and body] are presupposed as *absolutely independent* of each other, they are as mutually impenetrable as any two matters..."

³²⁹ Wolff, p.187. The original reads: „Wie vermeidet Hegel, trotz seiner eigenen gefährlichen Metaphorik (unterwerfung, in Besitz nehmen etc.) die Hypostasierung (oder Personifikation) der Seele und des Geistes?“ (translation ours).

³³⁰ *PSS*§381. *Zusatz*, p.38. We see this activity of seizure and fixation and the ways in which poisonous activity is necessary to the activity and emergence of spirit and consciousness proper as reinforcing David Farrell Krell's interpretation of the "dire" elements permeating German Idealism and Romanticism, particularly in the figures of Novalis, Schelling and Hegel. See, for instance, his *Contagion: Sexuality, Disease and Death in German Idealism and Romanticism* (Indianapolis: Indiana University Press, 1998). See the discussion of Novalis and the soul's poisonous activity, Krell writes: "It is the multifariously murderous side of pharmaceuticals that reminds Novalis again and again of the soul, the principle of life. If the stimuli that diffuse quite readily are generally characterized

states: “The *reason* for my being *liable* to cling to a particular presentation in spite of its being irretrievably at odds with my concrete actuality, lies in my being initially an *ego* which, since it is *wholly abstract* and completely *indeterminate*, is *open to any kind of congenial* content...it is only man who is able to apprehend himself in this complete *abstraction of the ego*...”³³¹ Our point, rather, is that in the problem of psychopathology we have the radical regression of subjectivity towards a developmentally, ontologically, prior state, and that this state undermines spirit’s autarkic essence. This regressive inversion is why the *Zusatz* to §406 states:

...disease occurs in the *life of the soul* when the merely *soul-like* aspect of the organism appropriates the function of *spiritual* consciousness by freeing itself from it. Spirit then fails to remain in control of itself, since by losing control of the soul-like element belonging to it, it sinks itself to the form of being soul-like, and so abandons that relationship with the actual world which for healthy spirit is essential, and objective, i.e. mediated by the sublation of that which is posited externally. Since it is as *different* from as it is implicitly *identical* with spirit, that which is soul-like has the possibility of becoming independent of it, and even of appropriating its function. It gives itself the appearance of being the truth of spirit...by dividing itself from it and positing its own being-for-self.³³²

Psychopathology, in other words, undermines the objective autopoietic dimension of subjectivity (operating in terms of the categories of the understanding, free will et al). Therefore, we have, in psychopathology a complete inversion of the determining orientation of spirit proper and hence our characterization of it as a regression for spirit. Not only, however, is there this regressive inversion, we also witness spirit’s loss of control over its primordial dimension which “appropriates” the function of spirit, giving “itself the appearance of being the truth of spirit.” In other words, in pathological regression the domain of unconscious feeling becomes the determining factor of spirit’s actuality. What else, at least by way of Hegel’s analysis, could constitute this determining factor if it is not the most basal level of subjectivity that emerges in such a regressive orientation?

This regressive move into the interiority of the feeling (unconscious) dimension of spirit constitutes not only one of the most fascinating dimensions of Hegel’s analysis but also one that is crucial

by their “narcotic nature” (2:590), then the immortal soul, which diffuses most readily throughout the body, appears to be the most potent narcotic, the fatal toxin.” (Krell, p.61).

³³¹ PSS§408. *Zusatz*, p.345.

³³² PSS§406. *Zusatz*, p.256-57. See also *Lectures on the Philosophy of Spirit 1827-28*, “If the human being falls below conscious, rational life into mere sentience, he becomes ill. His consciousness, his being turned towards the world, can become obstructed and a paralysis can arise. This can be a mere weakness of his subjectivity, the *power* of his subjective self-feeling” (p.129. Emphasis ours).

to our tracking of the significant role that nature's unruliness plays in this real problem in the actualization of finite subjectivity. As Mills and Reid indicate, the regression into interiority involves what Hegel characterizes as the indeterminate abyss, or pit [*Schacht*], of spirit. Hegel bizarrely writes:

spirit...is the negation of that which is of a real nature, that which is negated is at the same time preserved, virtually maintained, even though it does not exist...Every individual constitutes an infinite wealth of determinate sensations, presentations, knowledge, thoughts, etc.; and yet the ego is completely indivisible,--*a featureless mine*, in which all this is preserved without existing...It sometimes happens during illnesses, that there is a reappearance of presentations and things known that have been regarded as forgotten for years on account of their not having been consciously recalled for so long. We neither possessed them prior to their being producing during the illness nor do we retain them afterwards, and yet they were within us throughout and continue to reside there.³³³

This fascinating register of finite subjectivity, the “virtually retained” and “featureless” depth, then, that is perpetually *unpossessed*, a real non-conscious dimension of the subject, is what is crucial in the upsurge of psychopathological states—indeed, we might describe it as *the* authoritative aspect. It is this register of unconscious interiority that subjectivity regresses to, and is dominated by, in the most acute forms of mental illness, a dimension that is never fully “possessed” even though it is perpetually and virtually retained within the matrices of concrete subjectivity. The question that one must pose here is simply this: what could this virtual reserve ever be if not, at least in some sense, a direct connection to the material past of spirit, its radical anteriority? In a sense, we believe there is nothing else it could be and so it must, at the very least in some way, connect to the issue of nature because the analysis provides little else in terms of what this dimension could even be. What we have here in this “indeterminate abyss,” therefore, on the reading we are attempting, is a bizarre interzone, where what can only be understood as the ontological anteriority of “real nature” is, simultaneously, negated and preserved—as if dormant, latent for outbreak, perpetually bound within the most fundamental matrices of the subject. It is this opaque dimension of finite subjectivity which, we believe, connects directly, therefore, to the anteriority of the individual, i.e. the pulsations of one's natural history. Again, what is that which is negated and preserved

³³³ PSS§403. Consider also *Lectures on the Philosophy of Spirit 1827-28*. There we find reference to this ‘indeterminate pit’ and its lack of “possession” by the subject:

The end of the subject is that it become purely and simply for itself,~ distinct from and master over what fills it. The end is that the subject take possession of the richness of its totality. *That we are something, and that something is in us, does not imply that these are in our possession...* That we are capable of this means that we must bring it...*out of this pit that we are*, and we must bring it before consciousness, before our imagination. The human being is a sentient totality, but not yet the power over this totality (p.124-25. Emphasis ours).

at the most basic level of finite subjectivity if it is not the pulsations of material nature? Therefore, it is these unruly material dimensions of subjectivity that are unleashed within the night of psychopathology, the material dimension that has been transmogrified and, yet, unhinged and assertively dominant within the matrices of finite subjective spirit itself when ensconced in the throes of madness.

Intensifying a sense of the real loss of control that accompanies the ontological orientation of psychopathology, the lecture notes' elucidation of self-feeling directly states: "In illness something emerges that is not under the power of our conscious actuality...illnesses can again evoke many things that are outside our [conscious] power, and that otherwise could not be called forth again at will. What is thus in our [unconscious] being we cannot know."³³⁴ Similarly, the Kehler and Griesheim manuscripts revealingly state that although such content has been deposited: "...in the abyss (*Schacht*) of our inner being, we have no power over this, and are therefore not in possession of it...Recollections which have gone to sleep in our inner being, often come forth during illness."³³⁵ While we recognize the inherent risks of referring to various lecture notes in reinforcing our thesis we believe by *first* highlighting a key passage within the *Encyclopedia* itself and then reinforcing the importance of this dimension of the system by way of reference to the lecture notes we reinforce the importance of this dimension of the analysis and highlight the ways in which Hegel most likely made *repeated* references to this dimension, though in disparate contexts. Hegel's reference to sleep in the above quote is particularly relevant in our attempt to illuminate what must be implicated by this interior recess of subjectivity that is, simultaneously, beyond its power. As Reid's research indicates, the section on feeling soul was, in the 1827 edition of the *Anthropology*, grouped under the heading "Dreaming Soul." While Reid argues, convincingly in our view, that the 1831 renaming of the section as "Feeling Soul" has to do with Hegel's criticisms of Schleiermacher, we believe that the characterization of feeling as spirit *dreaming* is an especially fruitful heuristic by which we can further expand upon Hegel's cryptic and dense analysis of psychopathology.

Recall that Hegel characterizes sleep as: "...withdrawal from the world of determinateness, from the diversion of becoming fixed in singularities..."³³⁶ The accompanying *Zusatz* similarly states: "...sleep

³³⁴ *Lectures on the Philosophy of Spirit 1827-28*, p.141.

³³⁵ *PSS*§406. *Zusatz*, p.275.

³³⁶ *PSS*§398.

is the soul in the state of undifferentiation...[as] night obscures the difference between things...”³³⁷ If we are to trust the lecture notes in this context, they suggest, even more revealingly, the vulnerability of concrete subjectivity in the sleeping state, its literal dissolution. In elucidating §398, they state:

In sleep I am not for myself; I am *powerless*, so that what I otherwise hold together in my subjectivity, now falls apart. In falling asleep both images and their interconnections disappear. The circumspect waking consciousness has power over the entire complex of images. In the dream state one allows everything to run through one’s mind *without* connection, *without* purpose, and *without* understanding...This dissolution, this absence of connection...all this is what produces sleep.³³⁸

What these remarks tell us in no uncertain terms is that in the states of sleeping and dreaming we have the dissolution of the objective dimension of consciousness, that where the concrete and determinate interrelations of the world are maintained and contained in spirit’s waking activity. While this is a restorative dimension for spirit in its ‘normal’ actualization it is anything but in the case of extreme mental illness. If this is the case, then it seems we are able to suggest that the regressive inversion of spirit’s ontological ordering as displayed in psychopathology, like dreaming, consists in subjectivity’s “withdrawal from the world” into the interiority of its indeterminate manifold of the unconscious. However, what is crucial to notice here, as Mowad rightly notes,³³⁹ is that in psychopathology the regressive inversion of spirit occurs within the parameters of waking life. This is why Hegel explicitly frames the problem of psychopathology in terms of a “waking dream”³⁴⁰ (or waking nightmare).

To the extent that subjectivity remains ensconced within the register of its feelings, it is in a radically primitive self-relational configuration where it is dominated by said material, therefore its status as radically pathological.³⁴¹ We take this absolutely self-related immersion to be indicative of the fixation

³³⁷ PSS§398. *Zusatz*, p.135. See also *Lectures on the Philosophy of Spirit 1827-28*, which states: “Sleep is the covering of oneself. In sleep I withdraw, I sink within myself...Being awake...is the exclusion of the uncultivated natural immediacy...” (p.108-09).

³³⁸ *Lectures on the Philosophy of Spirit 1827-28*, p.106. Emphasis ours.

³³⁹ See Nicholas Mowad’s “Awakening madness and Habituation to Death in Hegel’s “Anthropology,”” in *Essays on Hegel’s Philosophy of Subjective Spirit*, ed. David S. Stern (New York: SUNY, 2013), pp.87-105.

³⁴⁰ PSS§408.

³⁴¹ There is a way in which this the self-relationality of self-feeling might be read as a radical critique of the self-relationality of the Fichtean subject. Hegel’s point is that insofar as subjectivity is only immersed in the self-relationality of feeling, I=I, it is radically pathological. Consider this hypothesis in light of what Fichte says concerning subjectivity’s self-positing. Fichte writes:

...this now makes it perfectly clear in what sense we are using the word ‘I’ in this context, and leads to an exact account of the self as absolute subject. *That whose being or essence consists simply in the fact that it posits itself as existing*, is the self as absolute subject. As it *posits* itself, so

which Hegel repeatedly suggests as characteristic of madness. As Mills correctly indicates, this is why Hegel states that: “This fixation takes place when spirit which is not yet in full control of itself becomes *as absorbed in this content as it is in itself*, in the abyss of its *indeterminateness*...”³⁴² Not only does this “nightmare of spirit” give an entirely distinct signification to Goya’s famous etching *The Sleep of Reason Produces Monsters* (1799), it also marks uncanny connections with Freud’s psychoanalytic treatment of the regression situated at the core of dreaming yet, unlike that analysis, Hegel has this regressive move unfold within the very parameters of waking life. With this caveat in mind, it will not be entirely unproductive to recall that for Freud, in the dreaming state, the entire processional order of the interlinked perceptual apparatuses move in a “*retrogressive direction*” where content moves from the virtual recesses of memory *towards* perceptual apparatuses, involving sensations, images, imagination etc. *but in such a way that is outside the power of waking consciousness*.³⁴³ This, then, gives us a clear sense of the chaotic series of disconnected materials unleashed within the matrices of extreme psychopathology that are beyond the control of the subject. Materials from the indeterminate recesses of subjectivity, connecting directly to not only dreaming and feeling, but more importantly the materials of the anteriority of the individual, consume and dominate subjectivity with the consequence that its entire actuality as spirit is arrested, calcified and, potentially annihilated. It is this rendering at the hands of its other, by that which is beyond its control, by the materials of its natural history, which constitutes the monstrosity of madness in the Hegelian lexicon. Insisting on redeploying Goya’s famous title, we can therefore assert that it is very much reason’s dissolution, its absence, i.e. its sleep, which generates monsters. If this is the case, then, we believe, by way of the process of elimination, that this absence of reason leads us directly back to the register of Hegelian nature: its instability, extimacy, exteriority and contingency. As we have argued, it is the fundamental lack of conceptuality that characterizes a distinctly Hegelian nature. And, by extension,

it *is*; and as it *is*, so it *posits* itself; and hence the self is absolute and necessary for the self. What does not exist for itself is not a self.

To explain: one certainly hears the question proposed: *What* was I, then, before I came to self-consciousness? The natural reply is: *I* did not exist at all; for I was not a self. The self exists only insofar as it is conscious of itself... (Fichte’s *The Science of Knowledge*, eds. and trans. by Peter Heath and John Lachs (New York: Cambridge University Press, 1982, p.98).

Hegel’s entire analysis of spirit’s self-positing (*Setzen*), its self-relationality, at the level of feeling, then, might be read as displaying the radical insufficiencies of a strictly *interiorized* self-relational structure and, by extension, as constituting an indirect criticism of Fichtean subjectivity more generally.

³⁴² Mills, p.60. See too, *PSS*§408. *Zusatz*, p.361.

³⁴³ See Freud’s *The Interpretation of Dreams* trans. James Strachey eds. James Strachey, Alan Tyson and Angela Richards (New York: Penguin, 1988); See especially the section on “Regression,” pp.681-700, here p.692.

taking this lack quite seriously, we believe that it cannot help but generate monstrosity, the materialization of a domain that perpetually deforms the dictates of conceptuality and reason. Nevertheless, we believe it is also important to recall the *entirely* of the title for Goya's etching: "fantasy abandoned by reason produces impossible monsters: united with her, she is the mother of the arts and the origin of their marvels." This process of "unification," on our reading, is nothing other than the entire project of spirit's self-actualization.

While we are sympathetic to much of Žižek's reactualization of Hegelian thought, our reading of psychopathology diverges with his insofar as he seems to suggest that it is a necessary developmental moment that is crucial to spirit's emergence from natural exteriority. Our reading, by way of contrast, insists upon reading Hegel's analysis in terms of the entirety of the Anthropology—and not a few decontextualized passages. Doing so, we believe, forces one to suggest that psychopathology consists in spirit's real regression, (re-)immersion, in/to the unruliness of the indeterminate, most natural, dimension of subjectivity and the multifarious ways in which that dimension might break loose from spirit's possession, traumatizing the latter, causing it to literally lose possession of itself, go haywire. While our interpretation diverges with Žižek's, we, nevertheless, believe that one passage he has helped to make famous (from Hegel's *Jena Realphilosophie*), concerning the abstractive power of the imagination, is particularly appropriate for our current argument though in a way quite distinct from Žižek's initial intentions. We will want to claim that while Žižek is correct in concentrating on the ways in which the passage reveals the imagination's 'power of abstraction,' this is not all that it signifies. Consider this 'night of the world' of which Hegel writes:

The human being is this night, this empty nothing, that contains everything in its simplicity—an unending wealth of many representations, images, of which none belongs to him—or which are not present. *This night, the interior of nature, that exists here—pure self—in phantasmagorical representations is night all around it, in which here shoots a bloody head—there another white ghastly apparition, suddenly here before it, and just so disappears. One catches sight of this night when one looks human beings in the eye—into a night that becomes awful.*³⁴⁴

The affinity this passage instantiates with our above characterization of the "indeterminate abyss" of the feeling soul, which "contains everything" as virtually preserved, is quite striking. While we believe there is a sense in which Žižek is entirely correct in relating this passage to the isolating and deconstructive

³⁴⁴ Žižek's *The Ticklish Subject: The Absent Centre of Political Ontology* (New York: Verso, 2008), here Žižek citing Hegel, p.30. Emphasis ours.

power of the imagination, we also believe there is distinct way in which it expresses the individual's connection to the unruliness of the natural register which it has had to both "negate and preserve" within the recesses of its indeterminate unconsciousness, the pit of virtually stored content, which is, nevertheless, in some fundamental sense, not its own. Indeed, we will go so far to say that it is this content, grounded originally in the pulsations of the natural world's lack, and no other, that is unlocked and comes to dominate and destabilize subjectivity in its entirety in the problem of psychopathology. But if this is the case, then, we can say that psychopathology, for Hegel, is nothing other than a regression to the night of the world or, in other words, the reassertive determination of spirit by nature's lack, the latter's unruly exteriority. It is this regressive domination of spirit by nature that constitutes the monstrousness of madness within the Hegelian lexicon.

What we are claiming then amounts to asserting that the problem of psychopathology needs to be framed in terms of the prehistory of the individual, as Berthold-Bond writes it is a: "...*dream-history*...[where one] reverts from the ground of the given...*severs the conditions for history*...and is abandoned to...*caprice*."³⁴⁵ The psychopathological immersion in self-feeling indicates the subject's connection to an entire domain of content that is not its own yet which, paradoxically, is nevertheless taken up within the matrices of what the subject asserts as its very own. We take this unruly content to be a symptomatic indication of the conditions which mark out the radical anteriority of the individual. In a sense, this content marks an absence, akin to the limits of a visual field, a knot in the structure of individuality, around and through which it nevertheless must necessarily emerge but which, for various reasons of trauma suffered in the world, might reemerge and dominate more developed forms of spirit and subjectivity. It reveals the ways in which the content of pre-individuality haunts the emerging present and future of culture and spirit in its infancy, viz. its historical development. If this is the case, we can say that derangement operates as the future's haunting past, but a distinctly natural past, a nightmare of fragmentary pulsations that stem from an inarticulate ground of origin that permeates and reverberates within the most infantile and fragile structures of inchoate spirit. More abstractly stated: acute psychopathological structures highlight how concrete subjectivity, understood as the logically superior, is subjugated to the unruliness of the ontologically prior, i.e. spirit's autopoietic upsurge is regressively transformed in terms of the material pulsations of nature's constitutive lack.

³⁴⁵ Berthold-Bond, "The Decentering of Reason: Hegel's Theory of madness," p.21. Emphasis ours.

Considering the conceptual territory covered to this point, we might say that this reading affirms Hegel's claim that psychopathology must be understood in some sense as a consequence of the interpenetration of nature and spirit. Hegel writes: "Insanity is...a psychological disease, i.e. a disease of the corporeal and intellectual alike [*ungetrennt des Leiblichen und Geistigen*]: the commencement may appear to start from the one more than the other, and so also may the cure."³⁴⁶ However, if we are to take this claim seriously, as we think we must if we are to develop a comprehensive sense of Hegel's analysis, then it is not immediately clear how it can be made to reconcile with Güven's interpretation of Hegel's analysis of madness. Güven reads Hegel as placing the problems of madness *beyond* the registers of spirit with the upshot that spirit is in some sense immune to the problems of psychopathology.³⁴⁷ For Güven, insofar as Hegel frames madness in terms of spirit's naturalness, assigning it to a problem of the soul, he can be read as marginalizing this entire problematic from the autopoietic activity of spirit's actualization. In so doing, reasons Güven, Hegel makes spirit immune to derangement's spectral haunting. Güven's overall goal is to "question the possibility of restricting madness to this domain [i.e. the feeling soul]."³⁴⁸ To be clear, we believe Güven is correct in asserting that Hegel's discussion "...leads to the suspicion that madness becomes a problem of phenomenology and even logic."³⁴⁹ What we question, however, is whether or not Hegel explicitly intends, or even can intend to, given the consequences of what he has said, restrict madness to the domain of feeling such that it would have no contact to, or symptomatic manifestations within, more determinate modes of spirit. While there are good reasons to think that Hegel's analysis of self-feeling is tacitly making a critique of the importance religious and romantic movements assigned to the domain of feeling, as McGrath³⁵⁰ and Reid³⁵¹ have convincingly argued, it is not immediately clear that Hegel can in any way assert that madness is restricted to being *solely* a problem of the feeling soul such that it cannot manifest within the domains of spirit proper. Leaving aside Hegel's analysis of the shapes of 'unhappy consciousness' that he systematically charts within the

³⁴⁶ PSS§408. Translation slightly modified.

³⁴⁷ At several points Güven argues that Hegel attempts to remove the possibility of madness from the domain of spirit. See, for instance, p.35. Güven reasons that by making madness a problem of the *soul* it is not able to affect the domain of spirit proper. He asks: "Why, then, is madness a problem of the soul, but not a possibility in every stage of the dialectic" (p.39). We think there are good reasons to suggest that Hegel would respond that it does indeed remain a possibility for spirit, therefore undermining the force of Güven's interpretation.

³⁴⁸ Güven, p.33.

³⁴⁹ Güven, p.33.

³⁵⁰ See McGrath *The Dark Ground of Spirit: Schelling and the Unconscious*, p.18.

³⁵¹ See Reid, *L'anti-romantique: Hegel contre le romantisme ironique*, especially chapitre III, «Schleiermacher » pp. 147-72.

Phenomenology, which Berthold-Bond and Mills have shown to have significant overlap with the defining features of psychopathology, we will, instead, approach this problem along the lines of one of the fundamental differences at hand: spirit, unlike the extimacy of material nature, does not abandon or lose its previous determinations in the fragmentations of materiality but always carries them within it in terms of its internal self-referentiality, in terms of *Aufhebung*, as Greene³⁵² and Harris³⁵³ have shown. If this is the case then we think there are ways in which the “preservation” resident in the process of sublation, as it pertains to finite spirit’s body and the problem of psychopathology, are carried forth *within* the coordinates of spirit proper in a way which Güven’s reading renders problematic.

We need to recall that Hegel’s entire discussion of soul is an attempt to analyze the material presuppositions of the emergence of the ego proper. As we have shown part of this project entails the ways in which spirit first shows itself as corporeal and embodied and, in turn, inhabiting the opaque unconscious register of sentience. However, what this means is that it is only through the matrices of the body, and the opaque ground of the unconscious, that there might be anything akin to the free activity of spirit in its more complex forms. That is to say, there is no spirit without these preconditions. The necessary connections between these stages however, lead us to the suspicion that the problems of madness must always be carried with spirit and its body (bodies) even if only as sublated, as latent potentiality in all of spirit’s further actualization. This necessary interconnection between corporeity, the unconscious and more complex shapes of consciousness is why Hegel claims that the problems of psychopathology are at once of the body and the spirit (*Leiblichen und Geistigen*). It is that spirit is always of a body and, at the individual level, madness functions as a precise expression of how this interface of spirit and corporeity can break down and disintegrate, the ways in which spirit can relapse into material dependence. To put this the other way around, there could be no psychopathology that was not in some sense a tension between *both* spirit *and* nature. In other words, madness is not only a problem of the body, as Güven’s criticism seems to suggest, and it could never exist as such. That psychopathology is *always* a problem of spirit and nature is why Inwood correctly writes: “A subject that

³⁵² Greene, p.43.

³⁵³ Harris writes: “Sublation, we must keep in mind, does not obliterate what it supersedes, but also retains and transmogrifies” (p.13).

has only self-feeling, but no intellectual consciousness, cannot be insane, since derangement involves a ‘contradiction’ between intellectual consciousness and self-feeling.”³⁵⁴

This is not, however, to give a radically reductive reading of Hegel claiming that all has its origins in the finite human body as the writings on objective and absolute spirit give us a clear sense in which the individual is sublated, taken up within the structure of the larger systems of civil society etc. But neither is this to say that immediacy, i.e. modes of naturalness and corporeity, are abandoned once and for all with the conclusion of the Anthropology. As Russon³⁵⁵ has shown us, there is a dynamical sense of the body, though latent, deployed throughout the entirety of Hegel’s *Phenomenology* and this suggests the ways in which problems of the body are in some real sense carried into the fields of spirit in its more concrete forms, though reactivated with different significations concerning body and, accordingly, its pathologies. Consequently, there is not one static signification of the body employed throughout Hegel’s analysis and system but, rather, a multiplicity that is constantly shifting in accordance with the specific context of analysis. Simultaneously, however, we take this to indicate how problems of the body, and its traumatic breakdown, can be expected to reappear throughout other contexts of analysis which, in turn, bring the lexicon of psychopathology *within* the confines of spirit’s activity in its more concrete forms (objective, absolute). In some very significant sense, then, we also need to realize that it is the problem of psychopathology, spirit’s awareness of its own annihilation, which propels it into action. However, if this is indeed the case then it would serve to problematize Güven’s reading which states that madness is excluded from the spheres of spirit proper by being held fast within the domain of the feeling soul—but for us, feeling soul is always already embedded within a larger totality that necessarily implicates the intellectual dimension of spirit proper.

Recall that Hegel explicitly connects the problems of psychopathology to the issue of crime within the sphere of civil society³⁵⁶ and we believe this connection could be extended even further to

³⁵⁴ Inwood, *A Commentary on Hegel’s Philosophy of Mind*, p.383.

³⁵⁵ John Russon, *The Self and its Body in Hegel’s Phenomenology of Spirit* (Toronto: University of Toronto Press, 1997). See especially “Section B: Embodiment” (pp.53-134). Russon argues: “Hegel’s account of self-consciousness implies a conception of embodiment that must be understood by way of its three moments, which I shall label *phusis*, *hexis*, and *logos*” (p.53). In this sense there is a mode of embodiment that is crucial to spirit’s movement. We take this to indicate the ways in which the problems instantiated in the feeling-soul, while not simply reactivated as such within the domain of objective spirit etc., are nevertheless rearticulated in analogous forms within more concrete shapes of spirit. This brings the register of pathology into the field of spirit in a way that Güven interprets Hegel as ruling out of bounds.

³⁵⁶ See, for instance, *PSS*§408, *Zusatz*, p.333-334.

include the problems that unfold in Hegel's analysis of evil, the issue of poverty and even within the context of his writings on the absolute. In this sense, there are different types of real (psycho-)pathology that afflict spirit in its objective forms and these can be taken back and explicitly connected to Hegel's analysis of mental illness proper which serves to show the ways in which psychopathology cannot be read as restricted to a state which precedes the functioning of spirit proper. Instead, contra Güven, we think there are good reasons to believe that this possibility and its spectral problems permeate the domain of spirit in its entirety, as a perpetual possibility of regressive breakdown. Indeed, Part III will seek to develop this very real possibility in terms of Hegel's political writings and therefore the domain of objective spirit.

Having developed a precise sense of the regressive nature of psychopathology and the way in which this directly connects to the problem of Hegelian nature, and suggested some of the ways in which this interpretation can be reflexively deployed to illuminate the internal and unstable relationship between the lack constitutive of material nature and the nascent autopoietic activity of spirit, we now turn to the concluding moments of the Anthropology in order to develop a concise sense of the ways in which spirit's overdetermination in terms of natural exteriority is meant to be overcome through the category of *habit*.

8 Treatment as (re-)Habitation: from Psychopathology to (re-)Actualized Subjectivity

If Berthold-Bond and Mills have reconstructed Hegel's theory of psychopathology then they have done so largely in terms of Freudian metapsychology and its category of the unconscious to provoking and illuminating effect. Neither, however, provides a systematic analysis of the ways in which Hegel's account of madness is necessarily interconnected with his original conception of *habit* (*Gewohnheit*).³⁵⁷ Those who have focused on this relation have taken it in varying directions: Kirk Pillow, for instance, has concentrated on how habit is crucial to the formation of imagination.³⁵⁸ While such approaches prove valuable to a comprehensive account of the significance of Hegel's position we wish to restrict our focus in an attempt to discern how the category of habit reconciles the acute diremption triggered in psychopathological self-feeling. Consequently, our position is to view treatment of psychopathology as a process of (re-)habitation and maintain that both categories can only be properly understood by being thought in conjunction.³⁵⁹

Bracketing Hegel's discussion of treatment and the emphasis he places on Pinel's concept of "moral treatment" (*traitement moral*)³⁶⁰ we intend to focus on the category of *habit* because it is through it that we discern the precise ways in which the unruly content of self-feeling, and its potentially psychopathological significance, is reconfigured within the fluid (ideal) totality en route to (re-)establishing the self-referential simplicity of the 'I'. In other words, the category of habit captures the essential features of the concept of 'treatment' and therefore constitutes our primary focus in this section.

³⁵⁷ The category of habit has been taken in several different directions in the literature. An entire strand of debate revolves around the ways in which McDowell's concept of second nature both diverges and connects with Hegel in this context. While we acknowledge this debate, we also demarcate it as too far afield of our current objectives to warrant systematic engagement on our part. It should be noted, however, that our reading diverges with largely Kantian readings of Hegel's project, including the concept of habit. For literature on Hegel and McDowell in this context see, for example, David Forman's "Second Nature and Spirit: Hegel on the Role of Habit in the Appearance of Perceptual Consciousness," in *The Southern Journal of Philosophy* Vol.48, Issue 4 (December 2010), pp.325-352; consider also Cristoph Halbig "Varieties of Nature in Hegel and McDowell," in *European Journal of Philosophy* 14.2 (2006), pp.222-241.

³⁵⁸ Kirk Pillow, "Habituating madness and Phantasying Art," in *The Owl of Minerva* 28:2 (Spring 1997): 183-215.

³⁵⁹ In line with this thesis, see also Mowad's "Awakening to madness and Habituation to Death." Yet, we are reticent to read this relation strictly in terms of the movement of the concept as entailed by Mowad's commitment to reading the Anthropology in terms of Hegel's logic as an onto-logic (p.88). The material reality of psychopathology, and the process of education and work that habituation entails, means that these movements are less self-assured than the movement of the concept in-itself as it unfolds in the domain of Hegelian logic and that this uncertainty is a consequence of the largely indeterminate process under consideration.

³⁶⁰ For a discussion of Hegel's appropriation of Pinel's theory of treatment see Berthold-Bond's *Hegel's Theory of Madness*, "Hegel's Pinelian Heritage: 'Moral Treatment' and the Imperative of Labor" (pp.202-205); for a study concerning Pinel more exclusively see, for instance, Walther Riese's *The Legacy of Philippe Pinel: an Inquiry into Thought on Mental Alienation* (New York: Springer, 1969).

We will contend that habit is composed of two contradictory yet internally related impulses: (1) it instantiates spirit's liberating activity, spirit's restructuring of the entire array of impulses stemming from both the body and the unconscious while, simultaneously, also signifying (2) how spirit's restructive positing activity takes the shape of a natural effect—contradicting its first signification, it morphs into the mechanical domain of materiality proper. It is by way of habituation, as we will attempt to show, that spirit comes to bind its sentient manifold in such a way that it asserts itself as the negative unity constituting their subjective centre, their “self-particularizing universality”³⁶¹; this transmogrifying process is “the act of decision by means of which I ‘choose myself’...combine this multitude of drives into the unity of my Self;”³⁶² it erases spirit's haywire over-immersion in the sentient manifold, especially the radical particularity of self-feeling and its pathological possibilities, that marked the acute intensity of the fissure within finite spirit's substantiality and, in so doing, liberates it from such potential trauma. Therefore, as McCumber states, habit is a crucial instance of spirit's “liberating power,”³⁶³ its emergence as an essential, a universal, in contrast to the thorough multiplicity of the sentient manifold. Yet, unlike McCumber, we do not view habit as expressing so much a break *with* nature as expressive of the ways in which soul's natural-substantial being harbors a break *within* its own fragmentary determination, one that opens up the possibility of the completion of its own restructuring, and one that becomes stabilized as such through the process of habituation.³⁶⁴ Having outlined a sense of the duplicity involved in the category of habit we will outline how spirit's pervasion of the *entire* body reveals the latter as a sign of spirit, as a precise (singular) objective-material expression of spirit's own activity. This malleable expressivity is that which marks the final material condition for the negative emergence of the abstract universal, the simple self-referential structure of the cogito. Habit stabilizes the pathological possibilities

³⁶¹ See Winfield's *Hegel and Mind: Rethinking Philosophical Psychology* in this regard, he writes: “The universal *determines itself* in the particular, rather than positing something else with a derivative, conditioned existence” (p.34).

³⁶² See Slavoj Žižek, *The Indivisible Remainder: an Essay on Schelling and Related Matters* (New York: Verso, 1996), p.33.

³⁶³ See, John McCumber's excellent, “Hegel on Habit,” in *The Owl of Minerva* 21:2 (Spring 1990): pp.155-165 (Citation, p.159).

³⁶⁴ McCumber writes: “...habit appears not “in” nature, but as the death of nature...” (p.161). See also, Simon Lumsden's similar claim in his, “Between Nature and Spirit: Hegel's Account of Habit” in *Essays on Hegel's Philosophy of Subjective Spirit* ed. David S. Stern (New York: SUNY, 2013), pp.121-138. Lumsden writes: “Self-positing is the critical notion here in understanding how *habit breaks with nature*, thought as we will see, that break with nature does not leave nature behind” (p.126. Emphasis ours.). We agree that nature is not left behind in the process of habituation. Nevertheless, in line with this thesis we think it is better to describe this event as a break *within* nature so as to show the ways in which the two fields, materiality and ideality, remain internally bound and, more strongly stated, irretrievably ensnared—radical entanglement.

latent in the manifold of feeling, more specifically fixated self-feeling. This internal relation is why the two must be thought in unison.

Concerning the most general features of habit, Hegel writes: “In habit, the soul makes an abstract universal being of itself and reduces what is particular in feelings and consciousness to a mere determination of its being.”³⁶⁵ (In-)habit the soul reveals itself as a surplus residing negatively beyond any one particular feeling, i.e. as *universality*. As we saw in self-feeling, subjective spirit is immersed in particularity and indeterminacy—this was both necessary and problematic in that it simultaneously showed spirit as permeating the ground of what it is (a feeling) but, problematically, not solely what it is (only that feeling). The significant transformation operative in habituation, as McCumber notes, is that feelings: “...continue to be *mine*; [but that] what they cease to be is *me*.”³⁶⁶ Habit formation then is how we distance ourselves from the continuous fluctuations of sentient content; we withdraw from it in a way such that we are no longer radically identified with, or dominated by, it. At the most basic level, in our first exposure to cold for instance, we are consumed by this feeling. However, by way of repeated exposure we develop a system of response that allows us to have this experience without being submerged in it. Habituation, then, is the establishment of the activity of response. Through the repetition of work and education, on/of the body, as Menke notes, habits are acquired; in so doing, spirit comes to move freely through its body.³⁶⁷ We might, then, in line with Žižek,³⁶⁸ refer to habit not as an existent identification with a particular feeling of the manifold of sense, instead, it functions as a *disposition*, the embodiment (the actuality) of a possibility—to react to given stimuli in a precise and immediate fashion in the absence of actively focusing on establishing such a reaction. In a way habit is spirit’s power to make the sentient non-conscious in such a way that still marks this content as its own, unified within its *totality* (unlike in pathology) while, simultaneously, being rid of it in that it is no longer an area of active ‘focus.’ As the result of work, education and repetition,³⁶⁹ the unruliness of the content of self-feeling is synthesized within the integrated, ideal totality of the body. This ‘integration’ situates soul as the universal form unifying-idealizing the manifold of sentient content. Such overcoming of radical

³⁶⁵ PSS§410

³⁶⁶ McCumber, p.158.

³⁶⁷ See Christoph Menke, “Hegel’s Theory of Second Nature: The “Lapse” of Spirit” in *Symposium: Canadian Journal of Continental Philosophy* 17:1 (Spring 2013): pp.31-49 (p.36).

³⁶⁸ See his, “Discipline Between Two Freedoms—madness and Habit in German Idealism” in *Mythology madness and Laughter*, pp.95-121. See especially the discussion of habit (pp.99-104 and 118-121).

³⁶⁹ PSS§410.

particularity, as in the case of psychopathology, qualitatively alters subjectivity's overdetermination by way of the ontologically prior which is, nevertheless, for Hegel, logically subordinate. It is for this reason that habit is called a (1) "liberation process" while, simultaneously, being grounded in the body, insofar as it is an education of the body by way of disciplinary repetition that leads to the release of finite spirit's limited resources in order to concentrate on higher order functions and activities. Consequently, there is a very real sense in which Hegelian habituation anticipates the antinomic thesis advanced by Foucault: discipline, by way of education and work on the body, makes liberation possible and this is why Hegel states: "The essential determination of habit is that it is by means of it that man is liberated from the sensations by which he is affected."³⁷⁰

This process of habituation, particularly in its liberating aspect, gives us direct insight into the transformative (retro-)activity of spirit. Habituation then is a process of repeated education and work through which the givens of the sensory manifold of sensibility and feeling are transfigured and realigned within the contours of the body that has been constituted so as to function as an ontological site of embodied dispositions, the site of possibilities. This, in a fundamental sense, shows us what spirit does to nature: it transforms it from *within* its very coordinates, making possible the very autopoietic activity constitutive of spirit proper. It takes the blunt pulse of natural determinations and realigns them, transforms them such as to open a range of possibilities that supersede the range of abilities of the merely natural. This is what Hegel means when he speaks of habit as a "subjective purpose...within corporeity"³⁷¹—it makes such a disposition an actual possibility. But, as Menke rightly points out, this does not only mean that it is then possible to do something with the body—as a strictly natural ability is the ability to do something.³⁷² Instead, subjective purpose becomes the embodiment of the possibility of *willing*. This subjective purpose just is an acquired purpose of will, of agency, activity. In the case of the pathologies surrounding the dreaming soul and self-feeling, then, we come to see how via repeated work and education on the origins of that feeling the subjective agency whose feeling it is might become more explicit such that it could take possession of that content in a way that it is no longer dominated by it—indeed, "possession" is one of Hegel's fundamental characterizations of habituation.³⁷³ If this is the case,

³⁷⁰ PSS§410.

³⁷¹ PSS§410

³⁷² Menke, p.37.

³⁷³ PSS§410. See also Malabou here and her discussion of the role possession plays at this point in the analysis (p.36ff). "Possession" here seems to have a dual signification: a) in the sense spirit's ownership of its corporeal

then, not only does (re-)habituation of pathological immersion in the sentient manifold reassert the priority of spirit's objective actualization in terms of willing etc. but also, in so doing, it retroactively erases the regressive dimension of spirit's waking nightmare.³⁷⁴

More historically speaking, spirit's stabilizing resolution of the trauma instantiated in pathological self-feeling, a conclusion Hegel explicitly frames in terms of liberation, remains unthinkable within the coordinates of Cartesian and Kantian accounts of habituation and brings Hegel much closer to Aristotle and his conception of virtue as the genesis of habits within the *ethos* of the life of a community (also unthinkable within a Kantian moral framework). For Hegel, insofar as habit establishes the soul as no longer occupied, better, consumed, with/by the sentient content imposed upon it by the state-of-affairs in which it takes up a position, it must in a fundamental sense free the soul from that consumption (sickness). Habit's active promise of liberation is what allows spirit to offer its finite economy of psychosomatic resources to other areas of its living development and in this sense fundamentally concerns a liberation and move towards more sophisticated shapes of spiritual life, socio-cultural-economic etc.

Simultaneously, however, there is a second signification to Hegelian habit and this has to do with the naturality of spirit's active embodiment: acquiring a habit is not only an expression of spirit's free restructive activity, but also operates, insofar as it is acquired by education and work, by means of mechanical repetition. This, we might add, is the 'naturalism' accentuated by McDowell and Testa (though we might add, that it is *nothing* without the first moment of spirit's radical ideality).³⁷⁵ To the precise degree that, in having attained a series of habits, one is not focused on the response, to the extent that one's activity comes to them 'naturally', habituation arises mechanically, as a "natural cause."³⁷⁶ It is, alternatively considered, as Hegel characterizes it, (2) a "natural existence" and for that reason is "not free."³⁷⁷ Hegel's account of habit, therefore, simultaneously shares affinities with Cartesian and Kantian conceptions of habit in that it is the opposite of free, spontaneous activity. It is a mechanical process of

content; but also, b) in terms of the body being possessed by spirit, spirit as spectral haunting. This latter signification is not explored by Malabou.

³⁷⁴ That there is a fundamental rationality *within* the matrices of the body that is not reducible to social practices is a point succinctly argued by Iain MacDonald in his "Nature and Spirit in Hegel's Anthropology: Some Idealist Themes in Hegel's Pragmatism," in *Laval théologique et philosophique* 63.1 (février 2007), pp.41-50.

³⁷⁵ Again, for this strand of 'naturalism' see, for instance, Italo Testa "Hegel's Naturalism or Soul and Body in the Encyclopedia," in *Essays on Hegel's Philosophy of Subjective Spirit* ed. David S. Stern (New York: SUNY, 2013), pp. 19-35; see also his "Criticism from within Nature. The Dialectic from First to Second Nature between McDowell and Adorno," in *Philosophy and Social Criticism* 33, no.3 (2007), pp.473-97.

³⁷⁶ See Menke, p.37.

³⁷⁷ PSS§410.

repetition that comes to the individual from outside, is imposed on it by way of external force.³⁷⁸ In turn, having acquired these habits, one no longer consciously wills them, they are a part of the most primal level of the individual, its being and substance, its immediate naturalness. It is a spiritual mechanism that infects the entirety of the substantial field that is the objective expression of the soul's ideality. It takes up its body, and the responses it enacts, in an immediate and natural mode. Taking (1) and (2) together leads us towards a clear sense of why Hegel refers to habit as *second nature*.³⁷⁹ He writes: "Habit has quite rightly been said to be second nature, for it is nature in that it is an immediate being of the soul, and a second nature in that the soul posits it as an immediacy, in that it consists in an inner formulation and transforming of corporeity pertaining to both the determinations of feeling and to embodied presentations and volitions."³⁸⁰ This characterization gives us a unique opening into the lexicon of habituation. Insofar as it is an immediate being, connected to corporeity, sentient etc., it is natural. However, insofar as it is a state that *has been generated and posited* as immediate through the work of spirit and the social environment of its actualization (work and education), that is, insofar as it has been posited, it is mediated, derivative and therefore secondary (a retroactive *first*, in this sense). In this way we get a clear indication of the paradoxical significance operative in the very structure of habit. It has its origins in activity and affectivity: through the repetition of this affect, through external stimuli it is brought into the soul's totality in such a way that makes it a causal nexus, it establishes a predisposition within the host to (re-)act in a precise modality when engaged with specific external stimuli and this restructive activity expresses spirit's liberating potency. Therefore, not only does Hegel show affinities and divergences with important philosophical precursors (Aristotle, Descartes and Kant) concerning the concept of habit he can also be read to anticipate later nineteenth century writings on the same theme as in, for instance, Felix

³⁷⁸ Concerning the mechanical and therefore pejorative sense of habit, Kant writes:

Habit (*assuetudo*), however, is a physical inner necessitation to proceed in the same manner that one has proceeded until now. It deprives even good actions of their moral worth because it impairs the freedom of the mind and, moreover, leads to thoughtless repetition of the very same act (*monotony*), and so becomes ridiculous...the reason why the habits of another stimulate the arousal of disgust in us is that here the animal in the human being jumps out far too much, and that here one is led instinctively by the rule of habituation, exactly like another (non-human) nature, and so runs the risk of falling into one and the same class with the beast...As a rule all habits are reprehensible (p.40).

³⁷⁹ PSS§410.

³⁸⁰ PSS§410.

Ravaisson's celebrated *Of Habit* (1838).³⁸¹ This anticipation is especially clear when pursued in terms of the plasticity involved in the very structure of habituation that first shows itself as a passive-receptivity that over time shows itself as an active-spontaneity. Ravaisson writes: "The change that has come to [a living being] from the outside becomes more and more foreign to it; the change that it has brought upon itself becomes more and more proper to it."³⁸² In this sense, habit is the ambiguous site that simultaneously signifies an effect that is causal, an activity that is passivity. However, this insight is important insofar as it helps us to understand the exact ways in which the category of habit has been thought to function as the resolving moment of the traumas let loose in terms of pathological self-feeling etc. It operates, as it were, as an *acquired fluidity* through which spirit as singularity pervades the entirety of the corporeal manifold, and vice versa, in such a way that reintegrates the disruptions that dirempted subjectivity in psychopathology. It allows us to simultaneously assert that the individual is active as receptive and yet still receptive in its very own activity.

Not only is second nature important insofar as it implicates the broader social dimensions that influence the interpretations and resolutions (work and educative practices) posed as responses to the problem of fixated self-feeling and the problematic of psychopathology (in a sense, in-line with Foucault, for instance)—thereby implicating the dynamical and changing socio-temporal dimension grounding our understanding of the psychopathological and the 'normal';³⁸³ it also operates as a the penultimate moment in the material genesis of the self-referential structure of the ego, the 'truth' of the entire Anthropology, the moment where "the owl of Minerva spreads its wings...within the falling of the dusk." For, by way of the disciplinary process enacted in habituation, the body comes to function not as a disparate, heterodox and alien other by which, and through which, spirit is traumatized but, instead, as "...its thoroughly

³⁸¹ Félix Ravaisson, *Of Habit*, trans. Clare Carlisle and Mark Sinclair (London: Continuum, 2008).

³⁸² As cited in Catherine Malabou's "Addiction and Grace: Preface to Félix Ravaisson's *Of Habit*" in *Of Habit*, p.ix-x.

³⁸³ What this seems to suggest is that the problematic surrounding various forms of mental illness and their treatment are contained within the dynamics of a larger social totality. If that is the case, then these phenomena, the way a culture reflexively interprets them and works on them, will be expressions of the social structures in which they unfold. The retroactive restructuring activity of natural materiality by spirit is a highly mediated process and one that therefore might change over time and place. See Berthold-Bond's *Hegel's Theory of madness* for an apposite discussion of the ways in which Hegel's 'ontology of madness' might be brought into complimentary contact with the 'social-dynamical model of mental illness,' as developed by Foucault and Szasz, in the section entitled: "Extending Hegel's 'Middle Path': Reconciling the Social Constitution of madness with Ontology" (pp.213-216).

formed and appropriated corporeity...as the being-for-self of a *single* subject.”³⁸⁴ The body becomes in this sense a *sign*, a singular expression, of spirit’s (as soul’s) activity. It is an objective being corresponding to the interior, transformative activity of spirit itself. Hegel writes that in: “...this identity of what is internal and what is external, the latter being subject to the former, the soul is *actual*. In its corporeity it has its free shape, in which it feels itself and makes itself felt...[this is] the artistry of the soul.”³⁸⁵ In this sense, we take the body as disciplined, but here understood in terms of artistry or *Bildung*, to operate as an external expression of spirit’s interior ideality and, in so being, operates as the actualization, a positing of spirit’s own restructuring activity in the totality of an immediate corporeal being. It is this disciplinary process that gives free expression to spirit as such.

The correspondence of the inner and outer that functions as the result of spirit’s (retro-)activity, an activity which permanently alters that into which it has come into contact with, is not, however, absolute: it does not completely remove the differences between the spheres of spirit (soul) and body. There is a sense in which the body, as a *body*, is still natural and tied to the pulsations of the factual situation and therefore reticent to the power of spirit. In this sense, Hegel writes: “the formativeness of the soul within its body *only constitutes the one side of the latter*.”³⁸⁶ However, the negative response that spirit activates in reaction to this final reticence irrevocably alters the coordinates of spirit as finite embodiment—a response that ultimately marks a negative unity binding every determination of the body within the contours of a vital totality. Hegel writes:

The actual soul, in its habitual sentience and concrete self-feeling [*selbstgefühls*], being inwardly recollected and infinitely self-related in its externality, is implicitly the being-for-self of the ideality of its determinatenesses. In so far as the soul has being for abstract universality, this being-for-self of free universality is its higher awakening as *ego*, or abstract universality. For itself, the soul is therefore thought and subject, and is indeed specifically the subject of its judgement. In this judgement the ego excludes from itself the natural totality of its determinations as an object or world *external to it*, and so relates itself to this totality that it is immediately reflected into itself within it. This is *consciousness*.³⁸⁷

In response to the singularity of the body and an unruliness that remains held by the factual past of extimate materiality, the soul negatively and reflexively expels the body from it as limitation and, in so

³⁸⁴ PSS§411. Emphasis ours.

³⁸⁵ PSS§411.

³⁸⁶ PSS§412, *Zusatz*, p.427. Emphasis ours. The other side, consequently, is the naturality of the body, its connection to a factual past.

³⁸⁷ PSS§412.

doing, *returns to itself*. This negative, and simultaneously expulsive (the body), reflection into self is highly significant for spirit's immanent movements: "It is through this *intro-flection* that spirit completes its liberation from the form of *being*, gives itself that of *essence*, and becomes *ego*."³⁸⁸ What has to this point in the analysis remained implicit (universality of the 'I', the subjective agency of the unconscious registers of sense and feeling) has through fitful contortions and, ultimately, work, become an explicit universal—the simple relation of the 'I' to itself—universal self-relation, a determination that completely bypasses the universality of the species in the domain of nature where the liberation of the universal (species) was only activated in death. The cyclical process of the animal organism is one whereby individuals make way for the life of the species through their natality and, ultimately, fatality. Only in this way is the *natural* life of the universal possible. Here, however, the universality of the cogito in relation *to itself* marks a categorical bypassing of the 'external' limitations of the natural register. This is spirit's 'lightning stroke,' Hegel's indebtedness to Schelling and Bohme showing itself simultaneously in such a locution, the moment when the ideality of natural being, its essence and 'truth', that which has struggled to unify the radical fragmentation of the alien otherness of natural materiality does not lose itself in that alien otherness, but instead shows itself to itself in its own simplicity. It shows itself as that which has given itself a unified existence in its corporeal body and which, simultaneously, is able to abstract from every given of that body, such that it is only in relation to its own identical simplicity, taking itself as its own object in the simple relation of 'I=I'—the introflected self-relation that ultimately results from spirit's immanent restructuring of the material body.

This negative reflexive moment operates as a fissure within the very material substantiality of spirit's being that opens the way to the subjective structure of the 'I'. The Anthropology's starting point of unified materiality (ideal substance), in short, has been internally transformed into subject. It is this self-relationality, the pure simplicity of the 'I=I' that is consciousness, that establishes it as a spontaneous self-referential structure which, simultaneously, finds itself set against the world of natural determinations, including its very own body. In this way, paradoxically, the self-relating structure of the 'I' is that which establishes it as set against a world, the world in which it will take up its position, within and against. Such a starting point, the immediate simplicity of the 'I' confronting an alien world, will constitute the immediate beginning of the Encyclopedia's Phenomenology. This confrontation, however,

³⁸⁸ PSS§412, *Zusatz*.

marks spirit as no longer immersed, determined, by its material origins. Instead, the simple self-referentiality of the 'I', the habituation of the body, the framing of the potential unruliness of the unconscious register in terms of spirit's objective actualization, all of these developments reveal a radical reorientation, inversion, of spirit's natal position: its natural origins have been realigned within the parameters of its own activity and self-construction. Nonetheless, those dark material origins undergird the very possibility of the ego as actuality.

Habituation, in this sense, is the activity, embedded in a larger social whole, by which the trauma unleashed by the pathological fixation of self-feeling is overcome, brought to order within the unified totality of the corporeal body, the latter which operates as an objective expression of spirit's retroactive positing of that which it is not as its own. Subsequently, the body functions as a necessary tensional resistance against spirit, it is that that allows for it to exclude all natural determinations from it, that which allows for spirit to return to itself, put forth itself as its own object and, in so doing, to come into the simple self-relational structure that outstrips every determination of the natural, the domain of spirit proper, the ego as such. We contend that the concepts of self-feeling and habit must be thought in conjunction not only in order to do justice to the totality of the conceptual movement that the Anthropology charts but, more importantly, in order to see most clearly the ways in which the trauma unlocked in psychopathology is eventually, through work, repetition and the (re-)formation of a second nature, overcome by way of the stabilized and unified body and the ways in which the latter allows for the dialectical leap into the field of the cogito proper.

Simultaneously, however, what Hegel's analysis shows unambiguously are the ways in which finite spirit, due to its very process of sublation, and the hardships and traumas which it encounters in the world, might radically regress into more primordial developmental positions such that its entire autopoietic project is torpedoed or, at the very least, substantially threatened. There is nothing in Hegel's analysis, by way of argumentation or otherwise, which would suggest that this problematic outbreak of the natural register within the matrices of spirit's actualization might be permanently disarmed as a possibility in terms of spirit's life. Therefore, our repeated claim that this modality of regression remains a perpetual possibility within the living contours of spirit's activity. Spirit, in other words, can always fall apart, disintegrate, and become diseased. In a sense, spirit would not be spirit without this perpetual

possibility and we must recall this in order to highlight the extensive significance of such an utterance within the final system.

Having offered a systematic interpretation of the fundamental transformation of substance into subject, which we take to be the central upshot of the anthropological writings as a whole, and the ways in which trauma, pathology and failure relate to the developments of that mutational process, we are now in a position to extrapolate from that analysis in order to formulate some more general remarks concerning the reflexive heuristic possibilities that reside immanent in such an analysis. Our analysis, we maintain, uniquely illuminates the unstable and dynamical internal relation that the Hegelian framework establishes between the registers of extimate material nature and the auto-genetic-poetic activity of spirit, especially the ways in which the lack characterizing the former has the perpetual possibility of traumatizing the introflection of the latter.

If we look to the Anthropology as charting one key development then it must revolve around the ways in which spirit transmogrifies the material of nature's constitutive lack within the self-referential, differentiating, parameters of concrete subjectivity. We believe, therefore, when reflexively pursued, the anthropological writings as a whole harbor insights concerning the dynamical tension that the Hegelian system establishes between the ever shifting significations of nature and spirit. These insights, then, not only illuminate the contours of our current investigation concerning the problem of nature in Hegel's final system but also contribute to Hegel studies' more recent interest in this transition and the ways in which it might contribute to our contemporary investigations into the nature-culture distinction.

Reflecting more generally on our argumentation as developed to this point, it seems our interpretation would allow us to venture the following tentative conclusions concerning the emergence of spirit from the natural register. Having paid careful attention to Hegel's analysis of the corporeal body and his bizarre analysis of the *in utero* position, from which, in a certain sense, all spirit finds itself in terms of its natal conditions, we can say that spirit starts its project of self-actualization immersed in terms that are antithetical to that self-same project. What the finite body and the neonate show us, in no uncertain terms, is that spirit's transformative process is at first grounded by the natural materials of its environing conditions. Spirit starts as a being rendered by that which it is not and it is this (mis-)rendering that marks how spirit starts in failure at self-actualization, traumatized quite literally by an entire array of conditions that are not, in some significant sense, its own. Spirit, as the position of the neonate reveals, is

at first, non-autonomous, dependent, a being rendered by the maternal and therefore an activity that fails at its own self-actualization. Spirit's original position as dependent, as factually determined, is utterly insufficient to the life of spirit, the life of the concept, and therefore it must be, as per our reading, a condition mired in naturality and its constitutive lack. In this sense, spirit's origins are very much those conditions that we encountered at the conclusion of the *Philosophy of Nature*.

Spirit, in this sense, does not arrive on the scene ready-made in its entirety, in the form of *deus ex machina*, lowered onto the stage enigmatically in terms of complete actuality and self-transparency in the tradition of the Cartesian subject. The lack of subjectivity's origins, its opacity to itself in its original developmental position, shows us that spirit is anything but presuppositionless but instead is an entity at first leveled by the vicissitudes of material nature. In this sense, spirit, in its primal configurations, just is the restructive activity constituting the universal dimension that tirelessly reworks the thorough materialism constitutive of the natural register's lack of conceptual stability. Spirit's life then is a process building intensity, coming into self-possession—not one that is always already there from the outset as such. Spirit's activity, paradoxically stated, begins in passivity, overdetermination by the external conditions which it nevertheless retroactively shows itself to unify. Therefore, we can say that what the Anthropology charts is the ways in which we move from a sense of the external determinations of necessary causality, the *modus operandi* linking various heterogeneous natural phenomena, towards an intensifying actualization and even stabilization of the ways in which spirit operates as an internal upsurge of transformative (retro-)activity that marks a fundamental reworking of its natural-substantial origins. This activity not only implicates an emergent force of autopoietic activity (spontaneity and freedom), it, simultaneously, indicates the ways in which spirit as such generates a more pronounced distinction between interiority and exteriority—one minimally forged within the coordinates of the animal organism in the philosophy of nature and one that takes up a significant portion of the opening determinations of spirit as such. We might say that if Schelling is correct in suggesting that all philosophy begins from the questions revolving around *separation* (understood as ideality over and against the real of the world),³⁸⁹ then, we think there is a distinct sense in which spirit's origins precede the very possibility

³⁸⁹ See Schelling, *Ideas for Philosophy of Nature* trans. Errol E. Harris and Peter Heath (New York: Cambridge University Press, 1988). He writes: "As soon as man sets himself in opposition to the external world...the first step to philosophy has been taken. With that separation, reflection first begins; he separates from now on what Nature had always united, separates the object from the intuition, the concept from the image, finally (in that he becomes his own *object*) himself from himself" (p.10).

of philosophy. What the philosophical analysis of the Anthropology shows us is that spirit must fight to transform the materials of its basal conditions in order to establish the very possibility of not only human life, but the eventual emergence of philosophy itself. Spirit's emergent activity is that which insists upon the constant reciprocal and dynamical interchange (as outlined in sensibility, feeling, habituation, and, ultimately, the pure cogito) consisting of, in the one direction, the perpetual restructive internalization of external materiality while, simultaneously, in the other direction, the repeated externalization, the concrete manifestation of spirit's internal determinations, whereby it gives itself an objective reality expressive of its own spontaneous activity. This precise and ongoing tensionality between interior and exterior is the very process constitutive of spirit's autogenetic and autopoietic activity. In other words, without it, spirit would be a real impossibility.

However, if the actualization of spirit as free autopoietic upsurge is achieved in the maturation of the neonate, then, there is something fundamentally unthreatening in those origins. Insofar as maternal dependence is overcome spirit attains an ontological relation with its material origins that is *conceptually* grounded. This would essentially downplay the problem of nature's constitutive lack as it relates to the life of spirit. Our overarching thesis turns to ash. In order to (re-)amplify this potential problem, therefore, we concentrated on Hegel's analysis of psychopathology. On our reading, the significance of 'madness' shows us the ways in which the unruliness of material nature's lack comes to reassert itself as the determining feature of finite subjectivity's activity by way of a regressive collapse. The problem of nature strikingly reasserts itself by way of concrete subjectivity's dominance, in extreme psychopathology, by the opaque realms of its unconscious which it cannot retain under its constitutive activity. This ontological inversion of the conceptual priority assigned to spirit's autopoiesis constitutes not only a real regression in spirit's actuality but also a bizarre interzone where the lack of Hegelian nature, the unruliness of the conceptually lacking, asserts itself to the detriment of the former. That is, the realm of the monstrous and the night of the non-distinct destabilize subjectivity in its entirety. We believe that what we have shown here are the precise ways in which this regressive inversion of spirit's ontological ordering remains a perpetual possibility for the life of spirit. Our analysis has shown how, through various forms of traumatic experiences one might suffer in the world, the entire material domain of the subject might reassert itself to the detriment of the former. In other words, there is nothing in Hegel's analysis

offering a guarantee that such a collapse is irrevocably avoided by spirit. The problem of Hegelian nature's lack reemerges with heightened significance.

Considering both the developmental and regressive dimensions of spirit's complete submersion in the materiality of its presuppositions allows even broader general reflections on the nature-spirit dialectic in the final system. What the Anthropology repeatedly reveals is that nature and spirit, at least from the outset of their interchange, are out of joint with each other, they are, strictly speaking, logically anachronistic. There is a constant and repeated disjunction between any considered starting point of immediacy (naturalty) and the result of that immediacy's collapse and negativization with the horizon of spirit's transformative grasp, the way in which the two, paradoxically, are intimately connected. The movement from externality to internality and, subsequently, from internality to externality is never one that arrives on time, as it were, one that can be considered under the category of simultaneity. Instead, this tension shows itself as what we will call, borrowing a concept from Rebecca Comay's³⁹⁰ writings on Spirit, a logical *non-synchronicity*. While Comay explicitly applies this notion of lateness to spirit within the context of its historical unfolding we think there is a way in which it can also be applied to the process of spirit's retroactivity concerning the materials of the natural register. What the analysis shows is that spirit always arrives late, *in media res*. As the case of the fetus strikingly shows us: spirit first finds itself immersed in an entire array of material conditions that are simply there, that are not its own and which, nevertheless, it must reconstruct in order to actualize as its own. It is the task of spirit to take up those conditions, after the fact, in order to realign them within the matrices of its own projects. In a distinct sense, it is the horror, the real monstrosity that spirit discovers within the lack of the world that propels it into its characteristic hyper activity, as Marmasse argues: spirit just is the sublative appropriation of nature's radical exteriority.³⁹¹ However, while nature's black flag is crucial to the upsurge of spirit's hyperactivity what the analysis also shows is that there are no certainties regarding nature. Nature repeatedly shows spirit, in no uncertain terms, the possibility of its own negation, its annihilation, its death. And this possibility, on our reading, becomes glaringly apparent in the phenomena of psychopathological regression and breakdown. Natural anteriority dominates spirit in terms of the

³⁹⁰ See her *Mourning Sickness: Hegel and the French Revolution* (California: Stanford University Press, 2011). For a general sense of her position concerning spirit's non-synchronicity, see her "Introduction: French Revolution, German *Misère*" pp.1-8.

³⁹¹ See Marmasse's "The Spirit as the Subject Carrying out the Sublation of Nature," p.20ff.

detrimental disease of the latter and there are no means by which spirit might absolutely bar such a possibility from its own horizon.

Nevertheless, it is this divergence between inner and outer, outer and inner, which operates as the basal tensionality that is requisite for spirit's own transformative activity. In the absence of non-synchronicity, there would be a flatline, the plenum of pure substantiality, the density of a boulder that might serve as the tombstone of spirit's autopoietic activity. In this sense, the continued disjunction between natural externality and spirit's intensifying interiority is what paradoxically brings the two registers into intimate contact allowing for a connective unity to be forged between the two, only if momentarily, before they are forced beyond themselves again in a dialectical propulsion therefore that also reestablishes them as inevitably antinomic. The power of the Hegelian standpoint clearly presents itself here in that the speculative framework offers us the conceptual tools with which to think this dynamical relationship in its complexity and sophistication. It allows us to think how tensions between natural, immediate, substantial externality, and self-differentiating, internalizing subjectivity actualize themselves in very precise contexts of both the natural and cultural settings. It allows us to think through this tensionality without becoming lost without compass within the contours of its paradoxical implications.

The ultimate import, however, of the non-synchronicity of the nature-spirit interface that we have traced in this chapter by way of psychopathology reveals to us in distinct and forceful terms the ways in which spirit's reconstructive project can become dominated and mutilated by the unruliness of the natural register's constitutive lack. This is an important perpetual possibility for spirit that all too often in the literature goes completely unexplored or underemphasized; instead, repeated reference to spirit's 'progress', its 'freedom' etc. obscure the disturbing yet important dimension of Hegel's thought revealing the distinct ways in which freedom's 'triumph' disintegrates, regresses, is annihilated in terms of those conditions which perpetually threaten it. This, we believe, is not only a major lacuna in terms of Hegel scholarship but it also functions as an expression of the ways in which the fecund possibility of Hegel's thought in this context remains underexplored with the consequence that we still do not know what this system might have to offer by way of insights concerning our philosophical present. At the very least, our argument to this point allows us to tentatively suggest that as a consequence of the unpredictability and conceptual inadequacies of material nature, it has the persistent potential to forcefully diverge from

spirit's integrative, unifying, activity in such a way that utterly incapacitates spirit's subjective essence. This possibility is spirit's nightmare, its (re-)submersion in the night of the world.

If nature can problematize spirit to such a degree, within the very matrices of finite subjectivity, then, it is our suspicion that the problem of nature's fallibility, its proneness to the unexpected and novel, even plain brute force, might yet assert itself at various other levels of spirit's self-actualization. It is with this suspicion in mind that we will proceed to systematically examine Hegel's political writings with the objective of further tracking the ways in which the lack of nature poses a persistent problem for spirit's self-actualization.

III

The Problem of Surplus Repressive Punishment

The Harrow was not writing, it was only jabbing, and the bed was not turning the body over but only bringing it up quivering against the needles.

~Kafka

9 An Introduction to the Problem of Surplus Repressive Punishment

We begin with a quote that frames how we intend to read Hegel's socio-political thought and the provoking controversies surrounding it. Herbert Marcuse writes:

The content of a truly philosophical work does not remain unchanged with time. If its concepts have an essential bearing upon the aims and interests of men, a fundamental change in the historical situation will make them see its teachings in a new light. In our time, the rise of Fascism calls for a reinterpretation of Hegel's philosophy. We hope that the analysis offered here will demonstrate that Hegel's basic concepts are hostile to the tendencies that have led into Fascist theory and practice.³⁹²

While it is true that the entire significance of the qualifier "in our time" has taken on a new meaning, since "our time" is no longer Marcuse's, the general upshot of his point of departure works as one for us. It is not an understatement to think the vast changes in the "historical situation" that separate our living present from Marcuse's era are arguably as significant as those that separated Marcuse from Hegel's. Granting these massive upheavals, the changes in historical conditions again make it ripe for a reinterpretation of Hegel's philosophy. More specifically for our concerns, however, our objective in Part III will consist in a careful reading of a very precise aspect of Hegel's socio-political writings. While our primary objective will be to argue that the problem of the unruliness of the natural register maintains a comprehensive presence within the domain of objective spirit, we also believe that, in the spirit of Marcuse, our analysis will indicate some of the ways in which Hegel's thought and method remain not only decidedly allergic to totalitarian theory and practice but that both continue to offer us the conceptual framework and tools with which to think problems that remain active within the contours of our living present—for our investigation, the problem of nature, now as it unfolds at the social level.

Dialectical method and the insights it offers concerning the entire constellation of questions revolving around the nature-freedom problematic remain valuable aspects of Hegel's speculative thought. Despite the continued purchase of Hegel's thought, Marcuse writes of the *Rechtphilosophie* that there is: "...hardly another philosophical work that reveals more unsparingly the irreconcilable contradictions of

³⁹² Herbert Marcuse, *Reason and Revolution: Hegel and the Rise of Social Theory* (Boston: Beacon Press, 1960), p. xv.

modern society, or that seems more perversely to acquiesce in them.”³⁹³ This ambivalent tension immanent within the very folds of the *Rechtphilosophie* is what constitutes its richness, its dangers, and, we believe, its potential for productive reinterpretation. That said, it is our intention to accentuate the dialectical current that permeates the work as a whole, repeatedly emphasizing the ways in which it offers us the conceptual tools and methodology with which to precisely think and immanently develop an array of conflicting significations that follow from the most basic conceptualizations of freedom as they unfold in the practical-social register. In this sense, therefore, we seek to explore the radically negative aspect of Hegel’s thought that perpetually disrupts and disintegrates calcified conceptualizations in the social sphere; it internally explodes their immanent contradictions and allows for the systematic exploration of their ultimate significations. We believe that one of the contradictions that Hegel’s *Rechtphilosophie* as a whole repeatedly reactualizes, in various haunting guises, is that between necessity and freedom, extimacy and interiority or, as we have framed this dynamical instability at the heart of spirit’s autopoietic movement, that between material nature and spirit’s freedom. Intensifying this contradictory tension as it unfolds in the opening analysis of the *Rechtphilosophie* becomes our present objective.

If, as we suggested in the conclusion of Part II, the logical non-synchronicity of the nature-spirit tensionality instantiates a certain asymmetry between the two registers that is nonetheless crucial to the restructive project of spirit, then we are in a position to make the further claim that there must be some significant sense in which this non-synchronicity operates in the objective register because without it spirit would flat-line, collapse into the cold exteriority demarcating the land of the dead. The demand of non-synchronicity as a crucial yet dangerous feature of spirit’s activity, therefore, grounds our suspicion that this tension permeates more concrete expressions of spirit. Our thesis, to begin, is that the dangers we attempted to outline in Part II, where extimate materiality permeates the origins of spirit’s restructive project (second nature), as in the case of psychopathology and the unruly content of the unconscious that is unleashed in various modalities of mental illness, must have some significant analogue in the objective constellation. Our reading entails, therefore, that problems concerning nature are in no way left behind or abandoned with spirit’s objective actualization. Instead, spirit is perpetually ensnared in the relentless project of reconfiguring the preconditions of its own existence, i.e. various determinations of the natural

³⁹³ Marcuse, p.183.

register. Our interpretation of Hegelian nature as radical fragmentation, coupled with our reading of the anthropology, has pushed us towards this suspicion.

However, this is not to insist on a static signification of nature that is constant throughout Hegel's system. Such a move would be decidedly *un-Hegelian*. Instead, what we are witnessing is the mutational and evolutionary quality of what nature could mean within Hegel's thought more generally as it continues to problematize the shifting significations spirit establishes for itself in its auto-actualization. Part I outlined the instability, the lack of conceptual coherence, the fragmentation of the natural sphere. Part II, subsequently, indicated the ways in which the exteriority characteristic of Hegelian nature continued to permeate spirit's subjective individuation in terms of the corporeal body, the sense-feeling dynamic and, ultimately, the problems of psychopathology. Consequently, Part III will be dedicated to systematically developing the ways in which some sense of nature's extimate materiality dialectically evolves and therefore continues to haunt and threaten spirit's movement within the matrices of the objective sphere.

By way of a strictly introductory substantiation of this suspicion, we first point to the double title of Hegel's 1821 publication on objective spirit, *Naturrecht und Staatswissenschaft im Grundrisse and Grundlinien der Philosophie des Rechts*.³⁹⁴ This title establishes an immediate tension between *Naturrecht*, "natural law," on the one hand, and positive (normative) law, on the other.³⁹⁵ This is a tension, moreover, that Hegel explodes in the *first* Addition to the Preface: there he explicitly differentiates between the domains of application for natural and positive laws.³⁹⁶ While the distinction between the two types of law is one Hegel inherited and therefore is in no way his own we, nevertheless, view this reference to nature in the very title of the text (and the extensive Addition addressing this difference) as highly significant insofar as it offers us a clear indication, though often simply ignored in the secondary literature, of the importance Hegel saw in the natural as it relates to positive law and any science of the state. We believe these moves give us a subtle indication of the real importance he assigns

³⁹⁴ Hegel citations are from *Hegel's Philosophy of Right*, trans. T.M. Knox (Oxford: Clarendon Press, 1958), unless otherwise noted; hereafter *PR* followed by paragraph (§), *Zusatz* references are clearly indicated as such (*Zusatz*). Citations are also taken from *Hegel's Philosophy of Mind*, trans. William Wallace and A.V. Miller (Oxford: Clarendon Press, 1971); hereafter *PM* followed by paragraph (§), *Zusatz* and page number for references where necessary (*Zusatz*, p.##). Where necessary, original German terms are from *Werke [in 20 Bänden auf der Grundlage der Werke von 1832-45]*, eds. E. Moldenhauer and K.M. Michel (Frankfurt am Main: Suhrkamp, 1970); hereafter *W* followed by volume number (#) and paragraph (§). Original German terms indicated with square brackets [...].

³⁹⁵ For an account of Hegel's criticisms of natural right see, for example, Manfred Riedel's "Hegels Kritik des Naturrechts," in *Hegel-Studien* 4 (1967), pp.177-204.

³⁹⁶ See, *PR*, p.224.

this tension. The explicit reference to nature in the title, the distinction methodically placed at the very outset of the Preface, work to substantiate our thesis concerning the problem of nature in terms of spirit's objective actualization.

Reconsidering the writings on subjective spirit, moreover, we find a passage that suggests the type of analogue between the subjective and objective domains that we are looking for. Hegel writes:

...our interpretation of derangement as a form or stage occurring *necessarily* in the development of the soul, is not to be taken to imply that *every* spirit, *every* soul, must pass through this stage of extreme disruption. To assert that it must would be as senseless as assuming that since *crime* is treated as a *necessary* manifestation of the human will in the *Philosophy of Right*, it is an unavoidable necessity that *every individual* should be guilty of it. Crime and derangement are *extremes* which the human spirit in *general* has to overcome in the course of its development...³⁹⁷

We read this as Hegel's indication that the problem of psychopathology has fundamental analogical affinities with the constellation of problems revolving around criminality and punishment. This is not, however, to suggest that psychopathology and criminality are synonymous. They are not. Instead, we read this passage to indicate the ways in which there is a distinct series of resemblances, family resemblances to use the anachronistic phrasing of Wittgenstein, between these two problematic configurations of the finite subject. These similarities allow for their systematic interconnection.

Taking this interpretive move as our starting point, we intend to pursue Hegel's analysis of criminality and punishment as developed in the *Rechtphilosophie* with the objective of fleshing out the resemblances that both categories strike with the problematic issues immanent within the analyses of psychopathology and (re-)habitation. In Chapter Ten, we will first seek to substantiate our suspicion that the subject retains an active natural dimension within the opening parameters of the writings on objective spirit. Consequently, we will concentrate on Hegel's analysis of "abstract right" highlighting the significant role Hegel assigns the subject's impulses, drives and desires, in the activation of right at the objective level. This dimension of the subject constitutes its natural, immediate dimension. Subsequently, we track the concept of right as it unfolds over the entirety of the section on abstract right (i.e. possession,

³⁹⁷ PSS§408, *Zusatz*, pp.331-33. We understand the problem that the *Zusätzen* in general present to Hegel scholarship. This problem must appear exponentially greater by hinging a key moment in our argument upon it. However, the problem appears significantly less threatening once we recall that our argument in no way *depends* on this passage. The argument depends rather on the analysis of both the anthropology *and* the writings on "Abstract Right" considered as totalities and specific passages from both *which Hegel did indeed write*. Therefore, the argument is not destabilized, by way of introduction, in using a passage from the *Zusätzen* as a preliminary indication of textual developments to emerge later.

property, contract). In doing so, we repeatedly emphasize the natural dimension active in each of these configurations. In Chapter Eleven, we then concentrate on Hegel's provocative analysis of criminality which suggests that acting *strictly* in terms of the individual's natural dimension is what leads to violations of the principle of right. The remainder of the chapter revolves around discerning what such a claim must ultimately mean.

Chapter Twelve concerns our central thesis concerning the dangers for spirit in crime. We then venture our central thesis and claim that if criminality is a problem of nature, then, there is a distinct sense in which punishment must also be framed in similar terms. We then argue that if punishment is a form of (re-)habituation, then, one of its inherent risks is that it might operate largely in terms of a brute, natural immediacy which actively destabilizes spirit's essence as free self-articulation. More specifically, we will suggest that Hegel's analysis allows for the possibility of what we will call surplus repressive punishment which establishes a host of problems for spirit's objective expression. These problems, we believe, constitute freedom's de-actualization at both the subjective (individual) and intersubjective level. Therefore, we analogically characterize surplus repressive punishment as a threatening regressive possibility for spirit's objective actualization which has striking affinities with the problem of psychopathology. Concomitant with this fundamental thesis, we will also suggest that Hegel's analyses of crime and punishment can be used as self-reflexive heuristic devices: they reveal fundamental architectonic issues operating within the speculative philosophical framework that immanently generated those very analyses. What this means, then, is that crime and punishment can be read as immanently illuminating the tension between nature and freedom that permeates Hegel's system more generally but which, nevertheless, is often underappreciated when considered in terms of his political writings. The insights these passages offer on this tension are especially illuminating when we consider them in terms of their context, i.e. Hegel's writings on *objective* spirit, where the problem of nature is often considered to have been marginalized, sublated, or at least subdued. Our thesis, by way of contrast, moves in the opposite direction: it insists that the natural and unruly dimension of spirit continues and persists as a perpetual threat to freedom, its autogenetic self-actualization.

Given our methodology, moving through Hegel's *system*, from his philosophy of nature through his anthropological writings, and now, concentrating on his political thought, in order to track the protean problem of Hegelian nature, puts us at odds with what Brooks has called the "non-systematic" readers of

Hegel's thought.³⁹⁸ If non-systematic readings of Hegel do not deny that a comprehensive understanding of Hegel's writings on right requires some account of his metaphysics but instead hold that the *Rechtsphilosophie* is sufficiently coherent independent of the larger system, then, there is a sense that our current investigation can be characterized as systematic. Our position can be contrasted with Z.A. Pelczynski's, whom Brooks cites as stating:

Hegel's political thought can be read, understood, and appreciated without having to come to terms with his metaphysics. Some of his assertions may seem less well grounded than they might otherwise have been; some of his statements and beliefs may puzzle one; some intellectual curiosity may be unsatisfied when metaphysics is left out; a solid volume of political theory and political thinking will still remain.³⁹⁹

As our investigation progresses the extent to which we are moving in the opposite direction of such "non-systematic" readings becomes more apparent. By way of contrast we are seeking to *systematically* relate developments in Hegel's thought in order to illuminate the general dynamical nature-spirit tension immanent in the encyclopedic system as a whole. Not only does such an investigation seek to coherently relate developments that occur at disparate points in the system (the context of nature and the context of the political) it also, ultimately, maintains that Hegel's thought is not just discourse analysis, or a clarification of the logical interconnections amongst disparate domains of inquiry. Instead, our investigation maintains that there are inherently metaphysical and ontological implications that follow from such an inquiry. These consequences, moreover, are what, on our view, constitute the lasting contributions and provocations of Hegel's speculative thought.

Therefore, pursuing this line of inquiry will cause us to make a definitive break with a significant portion of the secondary literature not only with a specific strand of Hegel scholarship more generally, but also specifically in terms of Hegel's analysis of crime and punishment. Some literature that we encounter in this context concentrates on situating Hegel's account of crime and punishment within its appropriate historical context, noting its theoretical precursors in penological discourse from antiquity to the eighteenth and nineteenth century, situating it in relation to Plato, Beccaria and Kant (Franklin,

³⁹⁸ See Thomas Brooks' *Hegel's Political Philosophy: A Systematic Reading of the Rechtsphilosophie* (Edinburgh: Edinburgh University Press, 2008), p.6.

³⁹⁹ Brooks, p.7. There are various other "non-systematic" readings of Hegel's political thought and we only single out Pelczynski as it functions as a concise expression of a starting point shared by many interpreters: Hegel without metaphysics.

Pauley);⁴⁰⁰ conversely, other commentators seek to situate Hegel's account of criminality and punishment in terms of, and in relation to, the major approaches to both that have been influential to the genesis of our contemporary discourses, in one way or another, concerning theories of justice etc. (Brooks, Cooper);⁴⁰¹ some, in the spirit of a strictly analytical approach, have attempted to apply Hegel's general theory of crime and punishment to the "logical form" of specific sorts of crime (McDonough);⁴⁰² still other work in this area concentrates on one of the two concepts (either crime or punishment) in order to illuminate what is at stake in the concept at hand (Nicholson);⁴⁰³ still others have shown the ways in which Hegel's theory of punishment might still be useful to our contemporary practices as they unfold within the present (Schild).⁴⁰⁴ While our list of interpretive possibilities gets at several of the significant strands constituting contemporary commentary on Hegel's concepts of crime and punishment it certainly does not exhaust it. And, in a sense, it need not. Our point, rather, is that this literature is essential to furthering our understanding of not only Hegel's thought in this context but also in highlighting several of the ways in which it might still have practical purchase in the living present. That body of commentary, in some crucial sense, is what makes possible our current project.

In what follows we suspect that the position that we seek to establish will both compliment and conflict with various aspects of the literature we have listed and we will attempt to outline how this is so as we progress in our analysis. In an important sense, there is a way in which we will attempt to mark a fundamental break with that commentary on Hegel's theories of crime and punishment and its more general concern of reading Hegel's analysis largely in terms of the history of penological theory, theories

⁴⁰⁰ See, for instance, Mitchell Franklin's, "The Contribution of Hegel, Beccaria, Holbach and Livingston to General Theory of Criminal Responsibility," in *Philosophical Perspectives on Punishment*, ed. Edward H. Madden and Rollo Handy and Marvin Faber (Springfield: Charles, C. Thomas, 1968), pp.94-125. Franklin operates, however, more along the lines of a 'Marxian criticism' of Hegel while still situating the latter's contributions to penological discourse historically and conceptually. See also, Matthew A. Pauley's, "The Jurisprudence of Crime and Punishment from Plato to Hegel," in *American Journal of Jurisprudence: an International Forum for Legal Philosophy* 39 (1994): pp.97-152.

⁴⁰¹ See, for example, Thom Brooks', "Is Hegel a Retributivist?" *Bulletin of the Hegel Society of Great Britain* 49-50 (2004): pp.113-26. For an alternative position on the same question, see, for instance, David E. Cooper's, "Hegel's Theory of Punishment," in *Hegel's Political Philosophy Problems and Perspectives: A Collection of New Essays*, ed. Z.A. Pelczynski, (London: Cambridge University Press, 1971), pp.151-67.

⁴⁰² See Richard McDonough's "Disjunctive Crime and Hegel's Theory of Punishment," in *Philosophy Today*, Vol.48 Nbr.2 (July 2004).

⁴⁰³ See Peter P. Nicholson's "Hegel on Crime," in *History of Political Thought* Vol. III, No. 1, Spring (January, 1982), pp.103-21.

⁴⁰⁴ See Wolfgang Schild's thoughtful and apposite piece, "The Contemporary Relevance of Hegel's Concept of Punishment" in *Hegel on Ethics and Politics* ed. Robert B. Pippin and Otfried Höffe (Cambridge: Cambridge University Press, 2004), pp.150-179.

of justice, and/or ethical thought. In a sense, what will transpire in Part III as a whole is only derivatively concerned with the issues treated extensively in the secondary literature, i.e. the immediate significance and relevance of Hegel's thought on crime and punishment as it relates to various theories of crime, punishment and justice. By way of contrast, we intend to use Hegel's analysis of criminality and punishment to further illuminate the problem that we have been tracking from the very opening of this study, i.e. the problem of nature within the Hegelian standpoint, especially as it perpetually threatens and haunts the free self-actualization of spirit unfolding in the domain of culture. While there is a body of literature concentrating on the nature-spirit distinction in Hegel's philosophy, the distinction between natural laws and normativity (as most recently developed in the works of Pinkard and Pippin, for instance), we believe that the ways in which nature haunts, disrupts and even traumatizes the autopoietic activity of spirit remains underemphasized in those works.⁴⁰⁵ Conversely, there has been work done outlining the nature-spirit problematic in very specific contexts of Hegel's system while bracketing the larger concern of systematically tracing that problem from its origins in the *Naturphilosophie* through to its ubiquitous manifestation in the writings on spirit (Riedel).⁴⁰⁶ Even in the innovative and provoking work of Malabou, which pays attention to the problems of nature and madness, particularly as they unfold in the Anthropology, this same problem-set has not been adequately explored in terms of the writings on *objective* spirit. Malabou goes from an analysis of the Anthropology before furthering her argumentation by way of Hegel's writings on *absolute* spirit.⁴⁰⁷ In this sense, she elides the objective register. What these

⁴⁰⁵ See Terry Pinkard's *Hegel's Naturalism* (New York: Oxford University Press, 2012). See especially his opening insightful discussion of Hegelian nature, "Disenchanted Aristotelian Naturalism" (pp.17-44). While Pinkard does make passing reference to the "impotence of nature" and the problem of nature for thought (see pp.22-23), he does not, in the subsequent sections of the monograph, sufficiently explore, in our view, the very real threat that nature perpetually poses to spirit's project at very precise moments in Hegel's system. Consequently, he makes no mention of the problem of mental illness nor, as we will show in the remainder of Part III, the ways in which criminality informs this same problem. In this sense, our work can be read as complimentary to Pinkard's text insofar as it aims to systematically explore those aspects of the Hegel's final system that Pinkard insufficiently problematizes in terms of the question of nature. Similarly, see Robert B. Pippin's *Hegel's Practical Philosophy: Rational Agency as Ethical Life* (Cambridge: Cambridge University Press, 2008). While the text shows a clear sensitivity to the differences between nature and mind (see 2 "Naturalness and Mindedness: Hegel's Compatibilism" pp.36-64) it nevertheless insufficiently addresses the ways in which nature is *incompatible* with spirit's development as, we believe, Hegel's thought indicates by way of the problems of psychopathology and, as we will argue, the issue of criminality and punishment.

⁴⁰⁶ See Manfred Riedel's especially insightful "*Nature and freedom in Hegel's 'Rechtphilosophie,'*" in *Hegel's Political Philosophy: Problems and Perspectives* ed. Z.A. Pelczynski (Cambridge: Cambridge University Press, 1971), pp. 136-150.

⁴⁰⁷ See Catherine Malabou's *The Future of Hegel: Plasticity, Temporality and Dialectic*, trans. Lisabeth During (New York: Routledge, 2005). See especially, the contents of the first section of her monograph: "Hegel on Man: fashioning a second nature" (pp.21-76). The specifically Hegelian materials covered therein are, respectively: the

lacunas indicate, consequently, is that our line of inquiry which systematically tracks the problem of nature throughout the writings on subjective and objective spirit will prove a modest contribution to an area that has not been comprehensively explored in Hegel studies.

anthropology (pp.28-38) and his writings on habit *in the context of organic life* (pp.57-64). Subsequently, the monograph's second section "Hegel on God: the turn of double nature" (pp.77-130) *begins* in the context of Hegel's writings on the absolute, specifically "Revealed Religion" (pp.85-81). Therefore, Malabou's text completely elides the question of the *objective* writings as they pertain to the problem of nature and second nature. Our current investigation, consequently, at least in part, addresses this lacuna.

10 Abstract Right: Natural Immediacy within the Matrices of Personhood

Looking at the text as a totality and attempting to discern its overall concern commits us to acknowledging this: it attempts to systematically develop the mutually interpenetrating institutions that human freedom necessitates when considered at the social, economical and political levels. In this sense, we can agree with Houlgate when he writes that: “The *Rechtphilosophie*...is the discipline that reveals what it is to be *free*, and, more particularly, what *objective* structures and institutions (such as civil society and the states) are made necessary by the nature of freedom.”⁴⁰⁸ Whereas Hegel’s first systematic consideration of the concept of spirit begins with the self-determining, self-referential structure in its inchoate emergence from the natural register at the individual (subjective) level, as we saw in the anthropological writings, the *Rechtphilosophie*, by way of contrast, takes up the concept of spirit in its concretization, free self-actualization, within the matrices of the intersubjective domain, i.e. the objective field, the socio-political world. Hegel’s writings on subjective spirit take up the various economies constituting individual subjectivity, systematically tracing the necessary interconnections amongst sensation, imagination, language, thought, drive and, lastly, free-will. The writings on objective spirit, therefore, take up the *results* of subjective spirit’s conceptual analysis, i.e. the freedom of the will,⁴⁰⁹ in order to investigate the forms and shapes that freedom must take in light of the new social territory it seeks to generate and inhabit.

It is in this sense of the generative return that Hegel can speak of spirit being “at home” in its difference, its other. Hegel tells us that: “An existent of any sort embodying the free will, this is what right is.”⁴¹⁰ In this precise sense, then, Hegel’s *Rechtphilosophie* has to do with the objective expression, the embodiment of free will, of freedom, the domain which Hegel demarcates by way of the category of *right*. It offers what we might call an onto-metaphysical analysis of what such embodiment could look like. This fascinating move constitutes both the brilliance and the provocative danger of Hegel’s thought in this context. Hegel states that: “...the system of right is the realm of freedom made actual, the world of mind brought forth out of itself like a second nature.”⁴¹¹ This concern with the embodiment of freedom that Hegel denotes by the category of right is why he states that the text as a whole concerns: “the Idea of

⁴⁰⁸ See Stephen Houlgate’s, “Introduction,” in G.W.F. Hegel’s *Outlines of the Rechtphilosophie*, trans. T.M. Knox ed. Stephen Houlgate (Toronto: Oxford University Press, 2008), p.xvii.

⁴⁰⁹ See *PSS* §481.

⁴¹⁰ *PR* §29.

⁴¹¹ *PR* §4.

the right, i.e. the concept of right together with the actualization of that concept.”⁴¹² The *Rechtphilosophie* then is concerned with the ways in which the concept of right and its actual embodiment as an expression of freedom must unfold in terms of developments immanent within that very same concept itself. Therefore, Hegel’s analysis is fundamentally concerned with the concept of freedom and its self-actualization—what Brooks describes as the varying levels and degrees of actuality that freedom can and must take. Consequently, some ‘shapes’ of freedom are more actual than others.⁴¹³

Considering the central architectural features of the text, Hegel in the introduction contends that, as Axel Honneth notes: “...reason realizes itself as a specific form of spirit in the objective world of social institutions; under modern conditions objective spirit takes the form of a “will that is generally free,”” continuing, Honneth notes that for Hegel this means, “...his philosophy of “objective spirit,” on its most general definition, has to reconstruct systematically those steps that are necessary for the free will of every human being to realize itself in the present.”⁴¹⁴ In light of the necessity involved in this *modus operandi* the Introduction outlines two conceptions of freedom that, for Hegel, dominated modern discourse on individual autonomy and self-determination at the opening of the nineteenth century, conceptions as developed in the thought of Hobbes and Locke,⁴¹⁵ on the one hand, and those generated in the work of Kant and Fichte, on the other. In a distinct sense, then, the entire objective of Hegel’s philosophical investigation of right can be read as a sustained attempt to synthesize these antithetical positions within a mediated, systematic, concrete, totality that would *not* constitute a utopian ideal but a system concerning the complex interconnected reality of an organic, social autonomy.

With these introductory remarks in mind, the first claim that we will attempt to substantiate here concerns the ways in which the realm of personhood is permeated with a dimension originating ultimately, we should like to claim, from the immediacy constituting the materiality of the individual by way of drive, impulse, desire, etc. Therefore, we will attempt to establish the significant role assigned to

⁴¹² *PR* §1.

⁴¹³ See, for instance, Brooks, p.2.

⁴¹⁴ See Axel Honneth’s *The Pathologies of Individual Freedom: Hegel’s Social Theory* trans. Ladislaus Löb (New Jersey: Princeton University Press, 2001). See especially “The Idea of Individual Freedom: Intersubjective Conditions of Autonomy” (pp.7-17). Here p.9.

⁴¹⁵ For a succinct yet convincing account of the ways in which Hegel’s analysis of abstract right connects and disconnects with Locke’s account of free-will, see Peter G. Stillman’s, “Hegel’s Idea of Punishment,” in *Journal of the History of Philosophy*, (April 1, 1976, 14, 2), pp.169-182. Here, pp.169ff. See similarly, Frederick Neuhouser’s *Foundations of Hegel’s Social Theory: Actualizing Freedom* (Cambridge: Harvard University Press, 2000). See especially Ch. 6 “Hegel’s Social Theory and Methodological Atomism” (pp.175-224). In particular, consider pp.176ff.

the natural dimension of the juridical person and the potential problems that result from that very same dimension. Simultaneously, we historically situate Hegel's thought in this context by tracing out points of contact with Rousseau and the early modern natural law theorists such as Hobbes and Locke. Our hope, in so doing, is that it gives us a more precise sense of Hegel's philosophical innovations in this context, the conceptual problems he was attempting to systematically overcome.

Resembling the point of departure in the anthropological writings, the section on "Abstract Right" begins with an immediate unity although it is one that marks a decided advance in its denotive capacity—a leap beyond the rudimentary structures of sensation and feeling advanced in the writings on subjective spirit. Unlike the anthropological writings, therefore, here we are dealing with the simple self-referential unity of the *free-will* as a mediated immediacy. "Mediated immediacy" signifies the free will as a simple unity (immediate) that is, nevertheless, the *result* of conceptual developments (i.e. mediations) charted in the writings on subjective spirit. Consequently, we begin with the pure will instead of the undifferentiated substantiality of the corporeal body with which the anthropological writings began.

Describing this new starting point, Hegel writes: "The absolutely free will, at the stage when its concept is abstract, has the determinate character of indeterminacy."⁴¹⁶ Hegel speaks of right as abstract here in at least two senses: first, as Stillman correctly states, it indicates, "...rights—and humans—not in their fullness..."⁴¹⁷ but only in their ability to choose "whatever [one] wants to."⁴¹⁸; second, it indicates the ways in which the will has not yet determined itself in the world and is therefore indeterminate or, in Hegelian terms, abstract. Resembling the finite-infinite dialectic in the *Logic*,⁴¹⁹ where the infinite only emerges out of the finite, the absolute self-referentiality of the will stems from the very finitude of the individual: it emerges as the cogito's ability to abstract from every external determination by way of negation. This core of the individual Hegel demarcates by way of the category of *personhood*, of which he writes: "Personality implies that as *this* person: (i) I am completely determined on every side (in my inner caprice, impulse, and desire, as well as by immediate external facts) and so finite, yet (ii) none the less I am simply and solely self-relation, and therefore in finitude I know myself as something infinite,

⁴¹⁶ *PR* §34.

⁴¹⁷ Stillman, p.169.

⁴¹⁸ Stillman, p.169.

⁴¹⁹ See, for instance, *Hegel's Science of Logic* trans. A.V. Miller ed. H.D. Lewis (New York: Humanity Books, 1969); see especially the transition from Finitude to Infinity, pp.116-150. NB the entire dialectic begins, is framed, in terms of the finite.

universal and free.⁴²⁰ While, as Riedel shows us, the free self-relation with which the section begins is indebted to the philosophical insight of Rousseau concerning the absolute freedom of thought and the will,⁴²¹ we must add that the distinction between two dimensions of personality is also distinctly Kantian: it demarcates a tension between the sensible, on the one hand, and duty, on the other (nature and reason). Emphasizing this tension instantly frames the problem we seek to explore in the remainder of Part III. It forces us to consider how it is that Hegel will come to integrate these polarities within a comprehensive viewpoint when the entire text is an investigation into the actualization of freedom at the social level which refuses all forms of dualism.

It is our claim that the factual finitude of personhood, its natural-immediacy, is critical to the opening of the objective register. When we use “natural-immediacy” in this context we do not, however, mean it in the sense in which we deployed it previously as this would be reductive in a way that is antithetical to the protean status we assign to the concept of nature and the natural register throughout the Hegelian system. The exact signification of the natural will mutate, consequently, in accordance with the context of its deployment. In terms of abstract right it means, as we will see, the impulses, drives, desires, objectives, purposes etc. that propel the individual into the social world of practical action. While these drives etc. are inherently social phenomena, and thereby expressions of spirit’s negative activity, they are, nevertheless, in several senses still natural, still material. They remain the natural materials of personhood if by “materiality” we mean that which is characterized largely by *immediacy*. These drives etc. are the materials of personhood insofar as they are the immediate contents determining the individual as *this* individual: the impulses, aims, external circumstances that constitute its unique world of significations, its opening onto the world. To the extent that the individual *finds* himself immersed in this content, a series of pulsations arising from the factual milieu, which determine him as distinct we believe that there is an important sense in which these impulses operate as the natural materials constitutive of the immediate ground of the domain of abstract right. Therefore, a fundamentally natural dimension of subjectivity is active from the very outset of Hegel’s analysis.

Therefore, on the one hand, we have the factual determinacy of *this* individual as *this* individual and no other. This factual dimension, however, as Hegel makes explicit, is constituted by extimate materiality: impulse, desire, caprice, drive, what Hegel refers to as “immediate *external* facts,” those

⁴²⁰ PR §35.

⁴²¹ Riedel, p.138ff.

pulsations of the self that in some important sense come to it as immediately given; while they have been subjected to the restructive agency of spirit's transformative power they are, nevertheless, the immediate results of that process and therefore its natural, immediate determinations. Stillman goes so far as to say that this dimension constitutes: "...certain characteristics—like height and age, impulses and desires...over which..." one will "have no control...beyond the ability to choose arbitrarily."⁴²² Not only is this immediate dimension indicative of one of the fundamental features of Hegelian nature's external immediacy, it also reveals a significant analogue with the material body that grounded Hegel's analysis of inchoate subjectivity that we tracked in Hegel's anthropological writings: the psychosomatic interface of the body opened itself to contextual environment by way of sensibility [*Empfindung*] and in such a way found itself determined by the pulsations permeating that factual environment. Similarly, the opening configuration, better determination, of personhood in the sphere of abstract right is one where it finds itself in the permutations of material content that come to its as immediate expressions of its factual situation.

On the other hand, by way of spirit's ability to negate all factual content, we witness the upsurge of the infinite self-relation constitutive of the cogito proper. The simple, infinite self-referentiality of the 'I' emerges to the extent that it negates all concrete restrictions (impulse, drive etc.) and takes as its object its simple self, the 'I'. This pure self-referentiality constitutes the freedom that opens up the entire field of coordinates constituting Hegel's *Rechtphilosophie*, a freedom that negates all determinate restrictions, the self-referentiality that concluded the writings on subjective spirit. As Marcuse writes: "the 'self-certainty of the pure ego'... [in] Hegel's system...is the essential property of the 'substance as subject' and thus characterizes the true being."⁴²³ Again, it is this universal self-referentiality of the ego that Hegel intends to demarcate by way of the category of *personhood*.⁴²⁴ He writes: "Personality begins...with the subject's...consciousness of himself as a completely abstract ego in which every concrete restriction and value is negated and without validity."⁴²⁵ Therefore, we might say that personality operates as the epigenetic source of right because it is the source of freedom's intensifying self-actualization by way of successive phases of differentiation and complexification. What this means is that freedom is not

⁴²² Stillman, p.170.

⁴²³ Marcuse, p.217.

⁴²⁴ For an analysis of the concept of "personhood" from Locke through to Kant and Hegel consider also Ross Poole's "On Being a Person," in *Australasian Journal of Philosophy* Vo.74, No.1 (March 1996), pp. 38-56.

⁴²⁵ *PR* §34.

performed in isolation from the conditions and structures in which it immerses itself but, rather, more provocatively, is nothing other than those conditions which it creates for itself, therefore, its epigenetic quality. This freedom of the will is what explicitly connects Hegel to Rousseau, Kant and Fichte in this context. Nevertheless, this opening conception of freedom, more precisely negative freedom, the most skeletal determination of objective freedom in the *Rechtphilosophie*, is, as we should like to emphasize, undergirded by the dark material impulses of the natural register that come to each and every individual immediately. It is this tension that Hegel emphatically, if not brilliantly then obsessively, attempts to mediate over the odysseal course of the *Rechtphilosophie* as a whole. In this sense, the freedom of personhood is intertwined with natural immediacy and it is this entanglement that permeates the entire grounding concept of the *Rechtphilosophie*.

When historically considered, we see that the tension between the material and free dimensions of the individual is informed by several important political philosophers who preceded Hegel. Though our presentation makes it seem as if this material-free tension is static, it is *not*; instead, it is in constant motion insofar as any given person is in the perpetual process of abstracting from exterior determinations or immersing themselves in the pursuit of a particular end. But what this dynamical interchange leaves unresolved, historically, was the way in which the two were to be connected and coherently grounded with free self-referentiality on one side, and the necessity of material impulse on the other. Emphasis on the abstractive dimension of this interchange that results in the free self-referentiality of the will has its clearest precursors in Rousseau, Kant and Fichte, as Riedel rightly notes.⁴²⁶ Conversely, the importance assigned to the material impulses constituting the determining element in such negative conceptions of freedom has its clearest precursors in Hobbes and Locke, as Stillman indicates.

As Hobbes argues in Part One of *Leviathan*, the appetitive structure of individual volition is explained in term of the causal interactions of various material bodies.⁴²⁷ Similarly, as Stillman, directly citing Locke, writes, in the freedom of choice that personality entails one has unlimited yet arbitrary

⁴²⁶ See Riedel, pp.144-45. For a connection between Hegel and Rousseau in this context also consider, Weil pp.36-41. Weil writes: “He [Hegel] acknowledges Rousseau’s merit...in the course of a discussion on the principle of the individual will, although he does not hold Rousseau in high regard elsewhere...for having transformed the State into a contract, as well as for concentrating all his attention on the individual will as if the other aspect of the will—rational objectivity—did not exist” (p.38).

⁴²⁷ See Hobbes’s *Leviathan or the Matter, Forme, & Power of a Common-wealth Ecclesiasticall and Civill* (Oxford: Oxford University Press, 1998), especially Chapter “VI: OF the Interior Beginnings of Voluntary Notion, Commonly called the Passions; and the Speeches by which They are Expressed” (pp.31-40).

choice; one can will whatever one wants so long as it is one of the possibilities outlined by impulse. Stillman writes: "...as Locke says—"do or forbear doing any particular action according [to] the actual preference in the mind.""⁴²⁸ What these competing philosophical positions activate as a problem, however, is the interchange between these two dimensions. On the one hand, freedom in the spirit of Rousseau, Kant and Fichte gets reduced to the status of a regulative ideal residing strictly within the subjective interior of thought. Conversely, in terms of the empiricist tradition, freedom becomes either an enigma or simply an expression of arbitrary choice, where the atomic unit of the individual is free insofar as she can pursue her contingent aims and desires as she pleases, the latter of which becomes questionable as to whether it could be coherently understood as a mode of freedom at all. It is against this historical background that the unique purchase of Hegel's political thought emerges.

For Hegel, Rousseau, Kant and Fichte were right in isolating the abstractive quality of the cogito and its ability to negate all determinations in order to achieve its infinite self-relation. However, as Riedel notes, such a conception is "merely negative."⁴²⁹ In terms of political organization such a conception would lead, as Hegel convincingly shows in the *Phenomenology*, to the anarchic overturn of every social order, the radical negation situated at the heart of the French Terror where the resurgence of concrete structuration is, in turn, annihilated.⁴³⁰ According to Hegel, Rousseau, Kant and Fichte fail, in their respective ways, to adequately comprehend the determining moment of the will that emerges out of its simple self-relation, the moment where the universal self-relating will gives *itself* a determinate content. Riedel writes: "This something specific which determinates and limits the will is not a given external limitation, but...is immanent in the very act of self-determination. In the unity of these two moments, the undetermined universality and the determined particularity of the will, freedom is realized as the third moment."⁴³¹ This brilliant conceptual move by Hegel showcases his approach to the dualisms outlined above. Freedom can only have an existence in the world *through* such material ends, not in isolation

⁴²⁸ Stillman, pp.169-70. For a consideration of the ways in which Hegel breaks with Hobbes in terms of the atomistic 'war of all against all,' consult Decker. Decker writes: "While Hobbes conceives of honour in the service in the struggle for self-preservation, Hegel sees this struggle as an attempt to overcome particularity. This ethic of particularity he found rooted in the errors of the empirical contractarians, who failed to intuit a given community *as a whole*..." (p.303); Consider the way in which Hegel and Hobbes relate in terms of the "ethics of sense-certainty" in Jeffrey Reid's "The Hobbesian Ethics of Hegel's Sense-certainty," in *Epoché: A Journal for the History of Philosophy* 10.5840 (January 2014).

⁴²⁹ Riedel, p.144.

⁴³⁰ See Hegel's *Phenomenology of Spirit* trans. A.V. Miller (Oxford: Oxford University Press, 1977) and the discussion of "Absolute Freedom and Terror" pp.355-363.

⁴³¹ Riedel, p.144.

against them. Simultaneously, it reveals Hegel's thorough-going commitment to some form of realism. Freedom must have a reality in the world and it does so, in part, in terms of personal choice. Therefore, Hegel's methodology implicates his controversial "cunning of reason," better, the "cunning of freedom," working through the interactions of material contingency.⁴³² Consequently, we here obtain a precise indication of the ways in which it is impulse etc. that brings the universal structures of personhood into existence.

Simultaneously, however, Hegel's move to bring freedom into existence by way of its self-determination to pursue certain ends over others establishes a unique set of problems. The perpetual danger that Hegel's writings in this context indicate, as Marcuse notes, is that the system might surrender "...freedom to necessity, reason to caprice..." with the consequence that the social order might fall "...in pursuit of its freedom, into a state of nature far below reason."⁴³³ Insofar as freedom becomes identical with the particular determination of the will, Hegel's move risks collapsing the negative universal self-relation of the free will into the arbitrary domain of caprice and impulse, freedom into necessity. The significant role natural immediacy, and the fundamental problems it induces, maintains in Hegel's writings on objective spirit is often underrecognized in the literature. Knowles' analysis of contract, for instance, gives us a clear sense of the importance of recognition in this context but it does not consider the ways in which the natural dimension establishes itself as fundamentally constitutive of the contractual structure.⁴³⁴ A similar lacuna is found in Wood's excellent monograph concerning Hegel's ethical thought where very little importance is assigned to the significance of the natural in this context.⁴³⁵

For us, however, this crucial material dimension of spirit's objective actualization needs to be systematically traced in order to develop a concrete sense of its overall significance in this context and its larger macro-implications for the system as a whole. The divergence between the principle of rightness, as Hegel frames it, and its real existence in social reality as the pursuit of contingent ends is therefore an

⁴³² For a clear concise account of how this contingency opens the way to violations of right, see Robert Williams' *Hegel's Ethics of Recognition* (Los Angeles: University of California Press, 1997), specifically Ch.7 "Persons, Property, and Contract" pp.133-151. Williams writes, "...in the intersubjective relation of persons to each other vis-à-vis their possession, the will shows itself to be a particular will in opposition/exclusion to other particular wills. This raises the possibility of a collision of property claims, and some versions of the life and death struggle in the *Jena Realphilosophie* seem to be about property" (148). Repeatedly, in Ch.7 and Ch.8, Williams traces out the importance that recognition plays in the unfolding of the category of right.

⁴³³ Marcuse, p.218.

⁴³⁴ See Knowles, *Hegel and the Rechtphilosophie*, p.136ff.

⁴³⁵ See Wood, pp.106-108.

ambiguous divergence in the system and one that permeates it through and through. On the one hand, it destabilizes the entire domain of right, instantiating a divergence between principle and reality, concept and being; on the other hand, this discrepancy immanently propels the entire domain to more encompassing standpoints that incorporate and overcome the destabilizing lack of previous configurations. In this sense, the lack of stability activated in this divergence is both generative and yet, insofar as it destabilizes right more generally, problematic. We intend to intensify the problematic and destabilizing aspect of the natural dimension as it unfolds in the context of abstract right by way of a systematic analysis of Hegel's writings on the category of wrong, more specifically by way of Hegel's conceptual reconstruction of crime and punishment. The entire domain of wrong makes explicit, in varying degrees, the divergence between the particular and universal dimensions of will as they unfold in the register of abstract right, the intensifying tension between nature and freedom as these terms unfold in the context of personhood.

In light of the significations that follow from the category of personality we discern why it must be respected: not to respect it is to negate the very starting point shared amongst all self-reflexive consciousnesses; it is to negate the very source of right. It would, in essence, be an act of freedom denying freedom and therefore a source of radical self-immolation. Hegel, therefore, writes: "...the imperative of right is: 'Be a person and respect other persons.'"⁴³⁶ Similarly, he says: "'Do not infringe personality and what personality entails.'"⁴³⁷ In this sense, the universal quality of the cogito is the ground common to all personhood, establishing the equality and demand for respect from all and, simultaneously, to all. Therefore, we might say that this universal dimension levels the extimate givens of finitude's facticity; the chaotic incongruities of the individual register are in a sense de-prioritized within the encompassing coordination of reason's universality. As the universal simple unit of free self-referentiality, personhood is the source of freedom. Therefore, a domain must remain open to its articulation. This domain is what Hegel demarcates through the category of *right*. In terms of personhood, then, all persons are permitted rights, the domain constitutive of their expression as persons. When people act in terms of personhood, therefore, they speak in terms of rights, that which they simultaneously assert as their own and respect in others. The problem here, as Hegel is all too well aware, is that individual

⁴³⁶ PR §36.

⁴³⁷ PR §38.

particularities must condition “infinite personality”—it is this conditioning which Hegel mistrusts because it risks collapsing freedom into nature, equality into the inequality of particular individual differences.

Finally, we must note how the opening analysis of personality and the cogito implicate the radically subjective quality of the point of departure of the register of right. It begins with the abstract, negative, internality of the free will, coming well short of concrete existence. However, as Hegel explicitly states, the subject matter of the text as a whole is the *Idea* of right, “the concept of right together with the actualization of that concept.”⁴³⁸ Consequently, the interiority with which free will begins can only be just that: a starting point. The abstract immediacy of the starting-point is limited by a restriction to interiority. This immediate starting-point, therefore: “...struggles to lift itself above this restriction and give itself reality, or in other words to claim the external world as its own.”⁴³⁹ It is the insufficiency of the restriction to internality that propels personhood into the world. Consequently, we have here what we might call the ontology of personhood. Only insofar as personhood finds itself in self-relation when it encounters objects in the world is its concept actualized, only then is the internal counterpoint of the concept affected, or as Hegel would say, only then do we have the *Idea*. This demand to move beyond the interiority of the self-referential structure’s starting point is what introduces Hegel’s analysis of the category of *property*, i.e. freedom expressed as an immediate embodiment which the free will “gives itself in an immediate way.”⁴⁴⁰

Property, then, is the domain of objective expression for personality. In other words, the only way for the atomic structure of personal freedom to be realized objectively, as Neuhausser writes, is: “...when an individual exercises control over a determinate set of willless entities, “or “things”...that constitute his *property*.”⁴⁴¹ It is this exercise of the universal structure of personhood and right, by way of particular material property claims, that constitutes perhaps Hegel’s most unique move in this context. In the following section, we intend to pay careful attention to the material embodiment of the free will because we believe it also further reinforces the natural material dimension that permeates the entirety of the

⁴³⁸ *PR* §1. Emphasis ours.

⁴³⁹ *PR* §39.

⁴⁴⁰ *PR* §40.

⁴⁴¹ Neuhausser, *Hegel and Nineteenth Century Philosophy*, p.206. What this would mean, then, contra standard Marxist criticism, is that one must have access to property in order to assert their status of personhood, as free. Put otherwise, insofar as one is estranged from the domain of private property one is denied access to the realm of property. Therefore, it would seem Hegel would be critical of all such modalities of privation to the populace of a given community insofar it deprives the individual of concrete expressions of their fundamental essence, i.e. freedom.

writings on abstract right and therefore gives us direct insight into the ways in which the problem of nature still permeates the entire register of objective spirit. What we believe we witness is the intensifying way in which the structure of freedom eventually declines itself into the domain of particularity. In so doing, however, the conception of personal freedom that underpins the section on abstract right reveals its internal limitations. This shows us two things: the fundamental role material impulse plays in that declension and the limitations of negative conceptions of freedom. The latter point forcefully demonstrates that while the pursuit of particular ends may be a necessary component in an exhaustive account of freedom it is by no means sufficient. Any conception of freedom that operates *solely* in such terms would then reveal itself to be what it is not, i.e. unfree, or, to frame this in Honneth's terminology, would be to establish a distinct "social pathology."⁴⁴²

At the outset of the discussion of property, Hegel remarks that what comes to confront the immediacy of personhood is the immediacy of the world, the externality of every-*thing*, in it. Hegel writes: "What is immediately different from free mind is that which, both for mind and in itself, is the external pure and simple, a thing, something not free, not personal, without rights."⁴⁴³ Similarly, in the *Encyclopedia's* introduction to objective spirit, Hegel writes:

The free will finds itself immediately confronted by differences which arise from the circumstance that freedom is its *inward* function and aim, and is in relation to an external and already subsisting objectivity...anthropological date (private and personal needs), external things of nature which exist for consciousness...These aspects constitute the external material for the embodiment of the will.⁴⁴⁴

There then we find the individual subject taking a position against the pulsations of what Hegel explicitly characterizes as the material world. The individual finds itself confronted not only by the externality of the natural register, that domain utterly anterior to subjective structuration and therefore characterized by its lack, but also by the manifold of drives and needs etc. constituting the materials for the will's actualization. It is the status of externality which reduces this multiplicity to the barren status of things. Because of the general lack constituting the objective register of externality in the context of personhood, there is a sense in which it need not be respected as having an end in itself, as having the status of

⁴⁴² For the intrinsic limitations of such a standpoint, see also Peter G. Stillman's "Hegel's Critique of Liberal Theories of Right," in *The American Political Science Review*, Vo.69, No.3 (Sept. 1974), pp.1086-1092.

⁴⁴³ *PR* §42.

⁴⁴⁴ *PM* §483.

personhood, with the consequence that one has: “the absolute right of appropriation...over all ‘things’.”⁴⁴⁵

While such an understanding of the natural register might appear restricted from our contemporary perspective it is in no way unique to Hegel or the European natural law theorists who preceded him. Such a restricted view of nature was standard in the thought of both Hobbes and Locke. This is why Riedel writes:

The *Rechtphilosophie* shares with the natural law theories of the seventeenth and eighteenth centuries...[a] definition of nature from which is absent the notion of ‘natural’ ends and their organization towards the realization of an ‘ultimate’ end...[it] knows of no graduated scale of nature each of whose members occupies a natural position in it...It further knows nothing of the doctrine of pre-established harmony between the ‘kingdom of nature’ and the ‘kingdom of ends’, which both obey various causal laws and in which, by virtue of this harmony, the paths of nature lead automatically to the state of grace. The realm of the spirit...presupposes a teleology which is immanent in the free will itself and constitutes that movement of the ‘concept’ which pervades all reality and therein wins its freedom. The graduated scale of the spirit does not fall into the category of natural concepts; it rests upon its own essence, and for Hegel this means: on freedom which only exists as a continuing liberation from nature and the production of a ‘second nature’, of the world of spirit.⁴⁴⁶

To the extent that nature was understood as devoid of its own intrinsic ends it was therefore left open to the exercise of the human will, to be shaped in terms of the will, provide “materials for the will” such that that the infinite productivity of spirit as subjective might have an objective actuality.

If spirit is that which cannot be permanently restricted to the domain of abstract interiority then it is that which must become actual, concrete. In this precise sense, freedom must have an objective existence and insofar as one moves amongst the external world of things one therefore has the right to appropriate them, to exercise one’s free-will over them. The consequence, writes Hegel, is that: “...I as a free will am an object to myself in what I possess and thereby also for the first time am an actual will, and this is the aspect which constitutes the category of *property*, the true and right factor in possession.”⁴⁴⁷

The provocative thesis that Hegel advances, consequently, is what we might call a metaphysical grounding of the institution of property as a precise instantiation, an objective embodiment, of the person’s freedom, their free will. In this sense, property is what shows itself as necessary if the conception of personhood is to have an objective existence that is practicable by all members of the community. Weil gets at the fundamental upshot here: “...the first objective expression of the will, is the empirical

⁴⁴⁵ PR §44.

⁴⁴⁶ Riedel, p.141-42.

⁴⁴⁷ PR §45.

realization of the empirical and natural will of the individual. It is the right of the individual as such, the right to have *property*...Property means the possession of a natural object. With this act natural men make themselves *persons*...the affirmation of individuality, the act of the will...”⁴⁴⁸ It is this metaphysical justification of property that leads Marcuse to write similarly: “Property exists solely by virtue of the free subject’s power. It is derived from the free person’s essence. Hegel has removed the institution of property from any contingent connection and has hypostatized it as an ontological relation.”⁴⁴⁹ Hegel concludes that insofar as property is an objective expression of freedom then it is *not* to be understood as a *means*, i.e. a utility to fulfill drives and desires etc. Instead, property is an essential expression of the free will and freedom; it operates as a precise objective materialization of one’s self. One, therefore, sees themselves as objective in their property and in this sense the object serves as a concrete extensional embodiment of their person.

Here then, there is process that strikes some affinities with that of bodily possession that we encountered in the anthropological writings as instantiated under the category of habit. It is only to the extent that the extimate materiality of one’s body is permeated with the restructive power of spirit that one comes into *possession* of their body.⁴⁵⁰ In this way, the body functions as an objective expression of spirit’s transmogrifying activity. Analogically, property functions, on a more sophisticated socio-political level, as a further expression of that transmogrifying activity. However, property in the juridical sphere is not a self-reflexive form of possession, possessing one’s own body but instead, an extensional possession, taking that which is exterior to one’s body yet making it one’s own. What this development presupposes, however, as Angelica Nuzzo has convincingly shown, is that the subject’s material body functions as an

⁴⁴⁸ Weil, p.35.

⁴⁴⁹ Marcuse, p.193.

⁴⁵⁰ Recall the Anthropology’s discussion of habituation PSS §409ff. See also Weil for this connection between taking possession of one’s body and taking possession of property. Weil writes:

...it is the affirmation of individuality, the act of will, constituting the person to such an extent that my body is me only insofar as I take possession of it (although for another person I am never anything else but my body). On the other hand, nothing that can be individuated is exempt from being taken possession of, nothing is protected from the right that I have to use it as I please, no limit can be drawn to the right of property at the level of abstract right, which is abstract precisely because of the absence of any limitation enforced by a superior positivity (p.35).

While we are hesitant to endorse Weil’s claim concerning the ways in which the other is never anything but their body (it is more accurate to assert that they both are *and are not* that objectivity), we, nevertheless, think he is fundamentally correct concerning the nature of possession as it unfolds in the context of abstract right and the ways in which it is abstract because it perpetually falls outside itself in the absence of a superior standpoint concerning expressions of right.

expression of one's personality such that one might engage with the sphere of material objects. Consequently, it is the condition of such engagement. Nuzzo writes that there is a: "...necessary identification between the person and his/her own body that justifies the dialectical advancement of the first sphere of objective spirit. That identification ultimately puts the body on the same level as the person and thereby guarantees to it a particular ontological status over all other natural things....this ontological status...grounds the juridical privilege of the body over the other "external things."⁴⁵¹ Insofar as one takes possession of the external object, in Hegelian terms, insofar as one "puts one's will into..."⁴⁵² it, it then functions as an immediate expression of the negative power of the free-will; it instantiates its transmogrifying potency; it transforms a thing into an objective extension of the person. This is the core determination of possession. Simultaneously, because possession functions as a precise expression of a distinct individual's will, it is unique to them and in this sense it is private, it is their private possession.⁴⁵³

There is, however, a twofold significance to the objectivity of one's property because not only is it a concrete objectification of one's personhood as such it also operates as a real expression of one's status as a free person to *others*. Hegel writes: "The embodiment which my willing thereby attains

⁴⁵¹ See Angelica Nuzzo's brilliant, "Freedom in the Body: The body as Subject of Rights and Object of Property in Hegel's "Abstract Right" in *Beyond Liberalism and Communitarianism: Studies in Hegel's Rechtsphilosophie* ed. Robert R. Williams (New York: SUNY Press, 2001), pp.111-124. Here, p.113. Nuzzo perceptively nuances the changing significance of "body" from the subjective to the objective register. Nuzzo writes:

In the sphere of objective spirit, the relation between the person and his/her body is placed by Hegel in a dialectical progression that shows how the person in his/her activity is constantly and necessarily bonded to nature as well as the the different forms of social and political life. In this context the relation to the body remains the objective basis out of which the person is going to develop the whole set of conditions that allows him/her to live a really universal "ethical life." However, if the structures of subjectivity vary along the development of spirit, the notion of "body" changes accordingly. Systematically, the "body" that relates to the soul is not the same body that relates to self-consciousness or to the free will (p.112).

We fully endorse this dynamical reading of the Hegelian body and seek to show the ways in which the various natural significations of the body continuously problematize spirit's dialectical movement. In this sense, our project is complimentary to Nuzzo's. While Nuzzo's analysis concentrates on the problem of the body in a very specific context of the *Rechtsphilosophie* there is also an excellent systematic study of the protean significations of "body" as it unfolds in Hegel's *Phenomenology*. See John Russon's *The Self and its Body in Hegel's Phenomenology of Spirit* (Toronto: University of Toronto Press, 1997).

⁴⁵² *PR* §44.

⁴⁵³ Property undergoes an entire array of determinates that we do not need to look at in detail insofar as our objective has only been to develop the most important and general feature of all property, i.e. it functions as an objective material expression of one's free-will. Nevertheless, Hegel dialectically unfolds the category of property: one "takes possession" of a thing, inscribes their will in it (*PR* §54-58); one, then, uses it, negates it (*PR* §59-64); finally, one can withdraw their will from an external thing, give it to another, alienate it (*PR* §65-71). In performing this last act, one closes the circuit, returns to the free negativity of the abstract cogito.

involves its recognizability by others.”⁴⁵⁴ What this tells us then is that personality and property possession are inherently social structures. Property’s intersubjective structure, the way in which it instantiates interpersonal relationships, mitigates some of Marcuse’s criticism of Hegel in this context. Arguing that Hegel’s analysis of property operates as a symptomatic expression of the intensifying reification operating in Hegel’s analysis, Marcuse writes: “The withdrawal of the dialectical element in this discussion shows an increasing influence of reification that sets in among Hegel’s concepts. The *Jena* system and the *Phenomenology* had treated property as a relation among men; the *Rechtphilosophie* treats it as a relationship between subject and the objects.”⁴⁵⁵ Yet, Marcuse’s claim that property is a relationship between a “subject” (singular) and objects cannot be entirely accurate. While there is a sense in which the modality of freedom developed in the section on abstract right, elaborating a theory of personal rights and freedoms, does entail the idea of atomic individuality, such that one might seem solipsistically enclosed in the nihilistic cocoon of one possession’s, this is not all that it entails. As Hegel explicitly states above, the duplicitous signification of property is such that the subject sees themselves in it *as do others and vice versa*.

As Hegel’s subsequent analysis “Contract” suggests (§72-81), property only reveals itself as such, as completely one’s own, insofar as they are able to cede it; release it, as made explicit in the form of intersubjective contract. This is why there is an inherent shortcoming in the section’s opening conception of property that treats it *solely* in terms of possession. Therefore, there is an inherently *intersubjective* structure, at the very least implicit, in the register of property that Marcuse’s allegation of reification does not do adequate justice. To be clear there is some purchase in Marcuse’s point: property *is* an objective expression of subjectivity, a relation of subject to object that is at risk, being solely understood in such abstract terms, of the problems revolving around reification. In this sense, Marcuse is correct. Nevertheless, that same object also instantiates one subject for another and therefore, in our view, there is a way in which the property relation instantiates relations amongst subjects, amongst individuals. It is only insofar as the individual, and others, can recognize a thing as his/her property that it attains this status in the first place. Put otherwise, in terms of our starting point in this subsection, personhood cannot remain a negative subjective interiority: it must become objective. In order to do so, one must have the power to permeate things with their will such that they function as expressions of their freedom, i.e.

⁴⁵⁴ *PR* §52.

⁴⁵⁵ Marcuse, pp.192-93, footnote 40.

property. In turn, that expression must actually be recognizable by others in order to obtain the status of property and this caveat grounds its intersubjective structure.

Simultaneously, it is our intention to emphasize the natural dimension operating throughout entire institution of property. Property involves one engaging with the material impulses of the external world and therefore is, in some sense, a precise instantiation of the ways in which spirit remains caught up in that same world. While we acknowledge, as Nuzzo indicates above, that there is a sense in which the material bodies of the juridical register of right cannot be the same as those one encounters, for example, in Hegel's writings on subjective spirit, there is, nonetheless, a way in which those bodies remain connected to the natural register while, paradoxically, being the result, the consequence, of the restructive agency of spirit's own activity and therefore products of spirit. In this sense, then, the institution of property gives us a duplicitous indication of the ways in which personhood expresses itself in the materials of its own body, and the materials of the objective world. These are most certainly material and natural expressions that have taken on the status of immediacy as a result of spirit's activity. In this sense, natural immediacy permeates property wholesale.

To reiterate, what Hegel's analysis shows us is that there is a unique tension operating immanently within the conceptual parameters demarcating the domain of abstract right. On the one hand, we see that the free self-referential structure of the cogito constituting the ground of the field of right is obtained only to the extent that one negatively distances themselves from all material input such as drive, impulse, desire, sensation etc. Only to the extent that the totality of these determinate finitudes is negated does one arrive at the simple universality constituting the generative core of personhood. On the other hand, what this negative move leaves dirempted from that internal self-referential structure, however, is the entire register of the factual pulsations of extimate nature as instantiated in drive, impulse etc. This leaves us, as Hegel is well aware, within the systematic framework that insists, in the spirit of Kantian moral philosophy, on a gulf between the givens of the material dimension of the subject, on the one side, and the self-legislating dictates of reason and duty, on the other.

Hegel's speculative response is to put such contingent, natural, aspects in the service of the universality of personhood. Doing so, we see that freedom obtains a material translation in terms of the most immediate form of particular property claims of each and every individual (possession). That is to say, personhood's universal structure is instantiated by way of the radically contingent impulses, desires

and needs of actual persons. Hegel writes: “To have power over a thing *ab extra* constitutes possession. The particular aspect of the matter, the fact that I make something my own as a result of my natural need, impulse, and caprice is the particular interest satisfied by possession.”⁴⁵⁶ Similarly, he writes: “...the rational aspect is that I possess property, but the particular aspect comprises subjective aims, needs, arbitrariness, abilities, external circumstances, and so forth...”⁴⁵⁷ In this precise sense, our suspicion is that the rational aspect of free-will’s self expression as manifest in property ultimately involves a dimension that comes to it as natural, as immediate, and that this immediacy, in a fundamental way, destabilizes the entire auto-construction characteristic of objective spirit. The cogito has the power to abstract from all finite determinations and then to exercise its freedom in claims to property amongst a manifold of objects. Nevertheless, and this is the crucial point, objects that one attempts to claim as one’s own are radically influenced in terms of immediacy of the natural register and this is why Hegel frames this aspect of abstract right in terms of arbitrariness, contingency and impulse. The person chooses and therefore exercises their freedom as instantiated under the rubric of personhood; however, they choose from a manifold that in some significant sense is driven largely in terms of the factual, natural dimension of each and every person. Impulses, while in a minimal sense expressions of the transmogrifying power of spirit, ultimately come to the individuated subject as immediate givens, whether it is the content of education, social custom or pure impulse is secondary. What matters is that they are immediate and therefore the natural materials of the new signification of nature in the objective register.

Therefore, abstract right, understood in terms of the juridical person and choice, is not a complete freedom as we see it is haunted perpetually by the immediate contingency of the natural. Hegel’s move to bring the universal into existence by way of the contingent particular simultaneously brings with it the possibility that freedom might come to be strictly identified with, collapse back, into the sphere of necessity (nature). Honneth, in our view correctly, shows how conceptualizing freedom *strictly* in juridical terms of rights and property claims is a necessary yet insufficient condition for the complete actualization of freedom in Hegel’s political philosophy. Consequently, framing the discourse on freedom strictly in those terms is deficient and, for Honneth, results in a form of social pathology. Honneth writes: “Hegel formulates...the pathological nature of a fixation on legal freedom: that is the insights that those who articulate all their needs and intentions in the categories of formal right become incapable of

⁴⁵⁶ *PR* §45.

⁴⁵⁷ *PR* §49.

participating in social life and must therefore suffer from “indeterminacy.”⁴⁵⁸ This inability, ultimately traces back to what Honneth describes as: “...the level of *individual character traits*: only excessively stubborn people are inclined to a dogmatic, rigid insistence on their subjective rights...”⁴⁵⁹ In this sense, it is a matter of one’s character traits, their temperament and inclinations etc. that will ultimately determine the ways in which the domain of right unfolds. However, if this is the case, then, what we witness is the collapse of such a one-dimensional conception of freedom into the factual extimacy of individual features that are contingently connected to one’s agency. The pathological dimension of viewing freedom *only* in terms of personal right is that it is no freedom at all: its internal limitations collapse it into the immediacies largely resulting from the permutations of the factual environment (whether by way of genetic inheritance, enculturation, education etc.).

The strength of Hegel’s thought, therefore, is that it presents us with the conceptual tools with which to think this subtle process of shift in the objective actualization of freedom: the dialectical mutation of freedom into nature, nature into freedom. Indeed, our claim is that this collapse precisely expresses the instability and threat operating immanently within the conceptual parameters set by the very concept of abstract right itself: form and content, freedom and materiality remain in some fundamental sense entangled one in the other, and yet antagonistic and therefore heterogeneous. This divergence between the principle of rightness, as Hegel frames it, and its real existence in social reality is therefore an ambiguous divergence in the system and one that permeates it through and through. On the one hand, it

⁴⁵⁸ Honneth, *The Pathologies of Individual Freedom*, p.305. Elaborating on his central claim concerning social pathologies, Honneth first outlines the tripartite structure of Hegel’s project. Honneth writes:

...first, Hegel is convinced that by distinguishing the three concepts of “free will” he has opened up the entire spectrum of possible models of freedom in the modern world; second, he assumes that all three models of freedom contain a essential and indispensable aspects of the social attitudes and practices and that these aspects must be brought into an explicit theoretically articulated relation to each other if we are to explain the communicative conditions of individual self-determination; third, he believes that all these models of freedom have not remained mere abstract ideas or theoretical concepts but have in their turn already gained so much influence on social processes in the modern world that they must be treated as “manifestations” of the objective spirit and appraised as to their “rights” (pp.20-21).

The consequences that follow from such a move, on Honneth’s hypothesis, is that, Hegel: “...uses a procedure demonstrating the pathological effects that are bound to result for the subject’s relations with itself if either of the two incomplete concepts of freedom becomes detached from its social context and is taken to be exclusively authoritative...” (p.30). Our objective, in line with Honneth’s reading, is to systematically track the conception of freedom that guides the section on abstract right in order to trace the ways in which such a conception immanently exposes its own lack, especially in the phenomena of crime. Moreover, unlike Honneth we intend to emphasize the ways in which the natural dimension exposes that incompleteness revolving around such a conception of freedom.

⁴⁵⁹ Honneth, *The Pathologies of Individual Freedom*, p.305. Emphasis ours.

destabilizes the entire domain of right, instantiating a contradiction between principle and reality, concept and being; on the other hand, this divergence immanently propels the entire domain to more encompassing standpoints that incorporate and overcome the destabilizing lack of previous configurations. In this sense, the lack of stability activated in this divergence is both generative and yet, insofar as it destabilizes right more generally, problematic. We intend to intensify the problematic and destabilizing aspect of the natural dimension as it unfolds in the context of abstract right by way of a systematic analysis of Hegel's writings on the category of wrong, more specifically by way of Hegel's conceptual reconstruction of crime and punishment.

11 Crime as the Immanent Collapse of Right and the Contingent Material Dimension

If Hegel's analysis of property suggests that such an institution functions as objective expression of free will that is generated arbitrarily, where the particular (natural) and common will involved agree contingently, then his analysis of wrong (*das Unrecht*) gives us a precise sense of the ways in which the natural will has the perpetual possibility of undermining the very principle of rightness and, therefore, freedom. We think this perpetual possibility makes explicit one of the problematic ways in which immediate naturalness contributes to the destabilization of spirit's actualization at this level. More precisely, Hegel's analysis of wrong as instantiated under the category of crime makes explicit the defective lack that permeates the domain of right. Though these institutions actualize instances of the universality constitutive of right they are generated by way of the contingency and arbitrariness of impulse, drive and whim of those parties involved. That is to say, there is a way in which, at the level of right, one might act in accordance with the universal principle of right or, conversely, one might *not*. The latter possibility is what Hegel analyzes by way of the concept of wrong and this analysis, in turn, makes overt the *negation* which resides immanently within the domain of right, the ways in which this institution collapses. While the collapse is generated by way of spirit's activity there is, nevertheless, an important, even powerful, natural dimension to this collapse that is often underexplored in the literature. We intend to systematically substantiate this thesis presently.

Playing on distinction in the German language between *Schein* (show or semblance) and *Erscheinung* (appearance), Hegel seeks to illuminate the essential difference between the registers of contract (common agreement between two property owners) and wrong. He writes: "This *appearance* of right [we add "in contract"], in which right and its essential embodiment, the particular will, correspond immediately, i.e. fortuitously, proceeds in wrong to become a *show*, an opposition between the principle of rightness and the particular will as that in which right becomes particularized."⁴⁶⁰ Whereas contract offers what we might call a partial insight into the reality of the concept of right, wrong operates, contradictorily, as an expression of right that simultaneously negates right. It is the intensity of this contradiction, where the objective expression acts as a negation of the very grounding term constituting its own possibility, which demarcates wrong as nothing more than a show, a semblance that misplaces itself, as it were, in relation to the concept whose reality it embodies.

⁴⁶⁰ PR §82.

While Hegel decomposes the structure of wrong into three distinct moments, in what follows we intend to concentrate on its final and most intense expression, i.e. criminality, because we believe it offers the clearest and most intense amplification of the problems that are only partially unfolded in the analyses of what he calls “non-malicious wrong” and “fraud.”⁴⁶¹ Therefore a detailed consideration of either is not necessary to our primary objective which is to develop an amplified sense of the myriad of ways in which natural extimacy permeates and problematizes the entire register of abstract right. In short both non-malicious wrong and fraud, as Tunick rightfully notes,⁴⁶² display varying levels of respect and recognition of the principle of right though they are varyingly misplaced on how they do so. The important qualification is that they ultimately recognize and therefore respect the institution of right. Crime, by way of contrast, not only does away with right as it relates to particular instances (particular property claims, for example) but it operates against the very essence of right itself, the principle of right.

The self-reflexive immolation that constitutes the structure of crime has several analogues within the German Idealist tradition, perhaps most forcefully in Schelling’s conceptualization of the problem of evil, which operates as an expression of the particular individual’s freedom, one’s ability to assert his/her particularity *over all else*.⁴⁶³ Evil, for Schelling, consists in a perpetual inversion of the part-whole relation where the former is asserted and held superior to the latter. Similarly, we would like to suggest that within the coordinates of Hegel’s own system the problem of psychopathology and ‘madness’ constitutes an analogical structure where particular content of the sensible manifold dominates the universal self-referentially unified consciousness with what we have called pathological, regressive,

⁴⁶¹ For a careful reading of the first two determinations of wrong see, for instance, Mark Tunick’s *Hegel’s Political Philosophy: Interpreting the Practice of Legal Punishment* (New Jersey: Princeton University Press, 1992). See especially pp.26-29. See also Knowles’ *Hegel and the Rechtsphilosophie* (New York: Routledge, 2002), pp.141-43.

⁴⁶² See Tunick, pp.26-27.

⁴⁶³ See Schelling’s *Philosophical Investigations into the Essence of Human Freedom*, trans. Jeff Love and Johannes Schmidt (New York: SUNY Press, 2006); consider Schelling’s opaque yet fascinating discussion of the nature of evil where self-will (particular) rules over the general will (universal). He writes:

...this elevation of self-will is evil...The will that steps out from its being beyond nature...in order as general will to make itself at once particular and creaturely, strives to reverse the relation of the principles, to elevate the ground over the cause, to use the spirit that it obtained only for the sake of the *centrum* outside the *centrum* and against creatures; from this results collapse...within the will itself and outside it....a life emerges which, though individual, is, however, false, a life of mendacity, a growth of restlessness and decay. The most fitting comparison here is offered by disease which, as the disorder having arisen in nature through the misuse of freedom, is the true counterpart of evil...Universal disease never exists without the hidden forces of the ground having broken out (p.34).

results for spirit as such. Analogously, then, our thesis here suggests that criminality is inherently destabilizing: one holds fast to his/her particularity against the very substantiality of the universal, with the result that the two remain in antinomic division. However, we do not mean to conflate the juridical sphere with that of the moral or the anthropological. Our point, rather, is that the three operate analogously along only more general points of contact.⁴⁶⁴ This is why Brooks is right to note that *the* problem that the *Rechtphilosophie* confronts is, in some significant sense, the problem of the arbitrary. Brooks writes: “The ability to understand how our free will can will freely, not arbitrarily, is *the* key problem that the *Rechtphilosophie* is designed to solve. Everything that follows has the single aim of charting the development of freedom from the starting point of the free will.”⁴⁶⁵ We believe, by contrast, that crime powerfully reveals the ways in which this move against arbitrariness, the extimate externality of the will, is still vulnerable to those same materials and, in this sense, the general project of freedom is perpetually put in danger. This negation of the very essence of the register of right is what constitutes the dangerous and even scandalous feature involved in criminality: it undermines the entire field of coordinates that right establishes for itself at the outset of its actualization in the world and in so doing shows not only the internal limits of conceptions of freedom grounded solely in personhood and arbitrary choice; it, simultaneously, points out the need for a more comprehensive conceptual perspective from which to view the problem of freedom at the social level.⁴⁶⁶ We find the under-consideration of the

⁴⁶⁴ For the problem of conflation see, for example, J.E. McTaggart’s “Hegel’s Theory of Punishment,” in *Philosophical Perspectives on Punishment*, ed. Getrude Ezorksy (Albany: SUNY Press, 1972), pp.40-55. This is a perplexing exegetical analysis of Hegel’s theory of punishment because in fifteen pages there is only *one* quote from Hegel’s writings. McTaggart asks: “What, then, is Hegel’s theory? It is, I think, briefly this. In sin man rejects and defies the moral law. Punishment is pain inflicted on him because he has done this...” (p. 42). That reading, however, conflates morality with right. Punishment proper concerns violations of right which may, but do not necessarily, coincide with moral violations and therefore McTaggart’s discussion is problematic from the outset.

⁴⁶⁵ See Brook’s discussion of property, pp. 29-38. Here, p.31.

⁴⁶⁶ Schild perfectly frames the problematic mutation of right that we will seek to systematically explore in the following section. Of this mutation of abstract right, he writes that it:

...presents the actualization of the free will merely in an immediate form, that is, only “in itself” and not expressly out of itself: it is merely *personal* will, the will of a person that initially gives itself actual existence [*Dasein*] solely in and through an external thing [*Sache*]. Mediated in this way through the commodity character (and value) of things, the person then realizes himself in a common will, albeit a will that is only superficially common in the final analysis (not a will that is truly universal, and thus not one that is expressly free in and of itself). This insufficiency on the part of the merely personal will, which is nonetheless an actual form of the free will (although precisely in its immediacy), and thus the insufficiency of this immediacy, becomes evident at the level of “wrong”[*Unrecht*] as the denial of right. It is quite true that wrong – as the expression of the particular individual will that challenges all universality of will in general (and even its realization as personal will) – can itself be negated, but only through the agency of “avenging

problem of crime, in the recent works of Pinkard and Pippin,⁴⁶⁷ as striking. To be fair, they would seem to suggest that it is crime's 'dialectical role' to bring about the actuality of freedom through courts and other social institutions (i.e. no crime → no law → no concrete freedom). Granting both thinkers such a move, however, does not undermine the upshot of our concern in this context. Insofar as criminality is that which perpetually has the possibility of jeopardizing freedom's actualization it presents itself as a phenomenon that not only needs to be considered in its own right but, more importantly, in terms of what such a conception of criminality must mean for the system at large. We concede that the constant, disruptive nature of criminality *is* what propels spirit onward to higher forms of concrete freedom (juridical institutions etc.). Nevertheless, our point, as we shall see in our consideration of punishment, is that even so, the ways in which various state apparatuses respond to the problem of criminality create an entire series of problems that, in their own way, destabilize the domain of right as it unfolds in the polis. In this sense, crime, and its concomitant of punishment, still manages to reveal the perpetual threat this problem poses to spirit's actualization.

Concerning crime, Hegel writes: "Wrong in the full sense of the word is crime, where there is no respect either for the principle of rightness or for what seems right to me, where, then, both sides, the objective and the subjective, are infringed."⁴⁶⁸ Hegel's speculative treatment of the concept of *crime*, therefore, is one that essentially concerns violations of right, i.e. freedom. Violations that not only show no regard for particular claims to right but also, more importantly, for the universal principle of right itself.⁴⁶⁹ As Anderson shows us, in the process of wrong a person is treated as a *thing*, i.e. a fundamental violation of what it means to both assert and respect right.⁴⁷⁰ It is this complete disregard for the total sphere of right that separates criminality from the other modalities of wrong, which, in some minimal sense, maintain a regard for the principle of right itself.⁴⁷¹ This moment, then, operates as the dialectical

justice," that is, only in turn through another particular will (namely, that of the injured party) that itself thereby posits a new wrong, and so on. The sphere of the person has thereby encountered its own limit; such immediacy cannot represent the final word in the actualization of the free will; and the contradiction implicit in vengeance must itself be resolved (p.154).

⁴⁶⁷ See Pinkard's *Hegel's Naturalism* and Pippin's *Hegel's Practical Philosophy: Rational Agency in Ethical Life*. Consider, also, footnote 12 of the present chapter for further elaboration on this point.

⁴⁶⁸ *PR* §90, Addition.

⁴⁶⁹ For a succinct account of the ways in which Hegel's approach to the problem of crime employs two distinct methods of analysis, one "static" and the other "dynamic," that dates back at least as far as the Jena *Philosophies des Geistes 1805/1806*, see Williams, p.153ff.

⁴⁷⁰ See Anderson, p.374.

⁴⁷¹ See Tunick, pp.26-29.

mutation of right's actualization through the contingent agreement of wills, in contract, into its antithetical self-immolation, in crime. As R. Williams' notes, here we have: "...the emergence of a separation and conflict between the subjective arbitrary will of individuals and the common will or *Anerkanntsein*."⁴⁷² Therefore, crime makes explicit how one person might refuse to recognize the other's personhood and right more generally. One is denied the status of personhood. As Weil concisely frames the problem: "By denying the person of the other, the criminal has denied personhood itself and therefore his own."⁴⁷³ Crime, as the complete denial of right, consequently, undermines the entire register of personhood and right. The danger that this move poses to the entire register of objective spirit is not always emphasized in the literature and yet the problems it actualizes are dire.⁴⁷⁴ We believe that scrutinizing Hegel's analysis of criminality in terms of the dynamics operative within the criminal will brings us directly into one of *the* crucial problems confronting the section on abstract right as a whole: the unresolved problematic of material nature. Simultaneously, as Honneth and Neuhouser succinctly note, it gives us direct access to the internal limitations of Hegel's first conceptualization of freedom as a negative modality, i.e. freedom from, but simultaneously, a right to choose from within a multiplicity of 'given' drives etc.

In order to systematically develop the problem as it unfolds in the context of criminality we need to develop a reading of Hegel's seemingly conflicting claims that crime originates *only* in the criminal's individual will while, simultaneously, maintaining that it is, in some opaque sense on our view, ultimately a *nullity* [*Nichtigkeit*].⁴⁷⁵ Clarifying this tension will allow us to specify what, exactly, are the component dimensions within the phenomenon of criminality which, ultimately, we believe, will lead us back to the problem of nature. Highlighting the difficulty concerning the nullity of crime, Wood, in his apposite commentary on Hegel's conceptual treatment of crime and punishment, states that it is a: "...baffling claim that the criminal will is "null within itself."⁴⁷⁶ Proceeding within the contours of an analytic methodology, Wood puts forth various possible interpretations that might clarify Hegel's articulations of this point before indicating what he views to be their implausibility. For example, Wood writes: "2. Hegel sometimes implies that the criminal act is "null" because it is inherently self-destructive... This is nothing but an impudent sophistry. When I coerce you or violate your right, *my* will annuls the expression or

⁴⁷² Williams, p.152.

⁴⁷³ Weil, p.35.

⁴⁷⁴ See, by way of contrast, Schild's detailed account of the significant problems crime poses in terms of state stability and recognition of the law, p.160ff.

⁴⁷⁵ *PR* §97; *PR* §97, Addition.

⁴⁷⁶ Wood, p.112.

determinate existence of *your* will; there is nothing self-destructive in that.”⁴⁷⁷ This is an intuitively appealing criticism of Hegel’s position although, in our view, it simultaneously does not sufficiently account for several key qualifications that Hegel’s claim concerning the nullity of crime presupposes.

Wood’s criticism begs the question as it does not take into account the ways in which both particular wills involved in the crime (perpetrator and victim) are expressions of the *universality* of right as it unfolds in the domain of abstract right. This universal dimension of right is crucial as it constitutes the substantial depth that makes all claims to right possible. As we explicitly outlined above, personhood establishes the principle that one respect personhood and rights to all who hold such status as it is what is common to all. Therefore, in a Hegelian turn of phrase, personhood constitutes the substantial basis of those claims as such.⁴⁷⁸ Wood’s criticism, however, does not appear to take sufficient account of this fundamental aspect of the entire principle of right and personhood. It assumes that the two wills are radically distinct when that is the very question at hand.

To be clear, there is a sense in which the two wills are distinct. They each have their own constellation of what we might call a factual history. Nevertheless, they are, for Hegel, united by the universality of personhood and right’s substantiality. It is in the universal sense that Hegel’s assertion regarding the self-destructive nullity of criminality acquires critical purchase. Insofar as right is the substantial basis that grounds the entire possibility of perpetrator and victim there is a way in which the act of coercion violates that very same substantiality unifying both parties. In this precise sense, the perpetrator of the crime, in striking out against the other, harms himself to the extent that the act strikes out against right in general, i.e. that which establishes both as persons. We take the nullity here then to signify this self-reflexive negation—a negation of the spectrum of right *by a very act of right*; the snake that devours its own tail.

Hegel’s analysis shows that crime needs to be understood as a nullity in at least two distinct and interrelated senses. When we consider the criminal act from its inherent social dimension we discover that by examining the crime from the perspective of the victim, and those who witness it, it is experienced phenomenally as a privation: crime breaks the entire structure of contract insofar as the victim receives *nothing* and the perpetrator gives *nothing*. In a second sense, however, the nullity of crime is more

⁴⁷⁷ Wood, p.112.

⁴⁷⁸ For a discussion of “ethical substance,” its history, development and role in Hegel’s conception of punishment, see Tunick’s chapter Four, “4.2. *The Early Vision of Ethical Substance*” (pp.81-91).

problematic and therefore radical. The very structure of any and every criminal act so considered is that which *denies*, negates such right claims *in toto*; it makes no recognition of the demand for the respect of right not only in its specific instantiation, the particular individual, but also *generally*. This is why Hegel characterizes crime not as something positive but, from the speculative standpoint dealing with the very essence of the phenomenon under consideration, i.e. right as universal principle, as a negation. Concerning this comprehensive negation, Knowles writes: "...in the character of the criminal's action, in her rejection of the principle of right, both generally and in the person of the victim, *we can identify a challenge to the regime of right.*"⁴⁷⁹ Crime is that which serves to negate the very principle of right and its instantiation. In this sense, crime flouts right all the way down.

Therefore, given Hegel's analysis, we discover the very real danger that crime poses to objective expressions of freedom as they unfold within the coordinates of abstract right: criminality puts the writing on the wall, as it were, concerning one of the fundamental ways in which the zero-level of objective spirit, the register of right, is put at risk. Crime shows itself as the perpetual possibility of the field's own comprehensive negation. The entire phenomenon of crime serves as this perpetual threat and therefore its status as a real danger to spirit's objective articulation. Crime starkly and defiantly announces that anything that emerges from the grounding register of abstract right and builds upon that conceptual constellation is also perpetually threatened by the destructive impetus staked out by the possibility of crime. This is because sublation (*Aufhebung*) in no way entails abolition but instead *a cancellation that carries forth*. Therefore, the very real consequences of crime are a threat to the autopoietic development of spirit's intensifying structural sophistication and so actualization.

However, as Anderson has argued in his commentary,⁴⁸⁰ the claim that a crime is a nullity is not to assert that it is absolutely nothing. Criminality's nullity, therefore, needs to be understood to involve, paradoxically, features of negation and determinate existence. It is the dialectical tensions immanent within the concepts themselves that elide Wood's analytic methodology and establish, for such an approach, problematic antinomies. Hegel is explicit as to the real existence of crime in the world and he must be in order to avoid confusion and more serious charges of obscurantism or even mysticism. In this

⁴⁷⁹ Knowles, p.144.

⁴⁸⁰ See Jami L. Anderson's "Annulment Retributivism," in *Legal Theory*, Volume 5, Issue 4, December 1999, pp.363-388. Anderson writes: Although wrongs are "semblances" or "nullities," this does not mean that they are unreal or imaginary...Since crimes are willful actions, they exist as rights claims...a crime exists only insofar as it is a negation...The criminal...denies that his victim is a free being and asserts that she is instead a *thing*...But a person is not...a thing. Therefore, the criminal will is contrary to what is right, and it is, consequently, a "nullity" (p.374).

sense, Hegel's political thought shows itself as firmly in the tradition instigated by Machiavelli insofar as he is a political realist who does not hold that there will ever be an ideal state in which crime is abolished absolutely. Not only does this reside explicitly in what Hegel has to say about the inevitability of war, for example, or even history's "slaughter bench," but more generally, it results from the very significance he assigns to contingency, especially as it pertains to the living reality of right. Therefore, as the analysis of abstract right shows, this contingency entails the perpetual possibility of crime. This realism works in direct opposition to allegations by Flechtheim et al. that Hegel is too idealistic or not utopian enough.⁴⁸¹

While, in the case of the contract, we have the appearance of right (*Erscheinung*), in crime we have the mutation of that appearance into a show (*Schein*), semblance, insofar as the contractual structure is broken. Hegel writes: "In wrong...appearance proceeds to become a show. A show is a *determinate existence* inadequate to the essence, the empty disjunction and positing of the essence..."⁴⁸² Elaborating, Hegel states: "*the infringement of right as right is something that happens and has positive existence in the external world*, though inherently it is nothing at all."⁴⁸³ In this sense, then, we need to understand that Hegel is not asserting some mystical premise concerning the complete non-reality of crime for to do so would be absurd. Moreover, interpreting Hegel in this way one fundamentally misreads Hegel's analysis. Therefore there is a way in which crime is constituted as both a nullity *and* a positive existence.

Not only does crime have a "determinate existence," a "positive existence" in the world, it is also constituted as purposeful existence in terms of the criminal's will. Hegel revealingly writes: "*The sole positive existence* which the injury possesses is that it is the particular will of the criminal."⁴⁸⁴ While we will take up the ways in which this sole positive existence unfolds under the rubric of Hegelian punishment, our objective here will attempt to reconcile Hegel's claim that the *only* positive dimension to crime is in the criminal's particular will and his apparently conflicting assertion that crime has a "determinate existence" in the world. Crime as existing in the world as a fact amongst others, or as Knox notes, an "event," is in no way differentiated from other facts and contingencies and, therefore, it has yet to be isolated in its *diffentia specifica*.⁴⁸⁵ The interiority of the "criminal event", however, on the reading we are attempting to substantiate, finds its positive aspect, therefore, *nowhere but in the particular*

⁴⁸¹ For the latter charge, see, for instance, Ossip Flechtheim's "Hegel and the Problem of Punishment," in *Journal of the History of Ideas*, Vol.8, No.3, (June 1947), pp293-308. Here p.303ff.

⁴⁸² *PR* §82, Addition. Emphasis ours.

⁴⁸³ *PR* §97. Emphasis ours.

⁴⁸⁴ *PR* §99. Emphasis ours.

⁴⁸⁵ See "Translator's Notes" to *PR*, note 86, p.331.

criminal will itself. This positive dimension is constituted, more precisely, by the criminal's purposeful will that distinguishes it from the mere externality of contingent facts. This is why, we believe, we might suggest that for Hegel the ultimate positivity of the criminal act, its autogenetic ground, is nowhere but in the criminal's will because this dimension is what constitutes its uniqueness within the matrices of positive facts and events.

By implication, Hegel's emphasis on the criminal's *particular* will means that there is another constitutive dimension at work in criminality, i.e. the will's *universal* component. Ultimately the problem with crime revolves around the ways in which these polarities remain heterogeneous one to the other *within* the domain of the criminal will itself. On the one hand, it is the "principle of rightness, the universal will,"⁴⁸⁶ that constitutes the essential ground of both criminal and victim as persons as holders of rights in property claims etc. It is the universal will, therefore, that establishes the entire network of right and it is only within the parameters of this universal dimension that the possibility of rights and their coercion, i.e. crime, become active. Nevertheless, Hegel maintains that this universal will, this substantiality, is *internally* connected to the particular wills of any and every person. More, it is only by way of particularity that the universal will comes into concrete existence.⁴⁸⁷ Indeed, this universal will is implicit throughout the entire register of right and made explicit in the objectified property claims of all involved. Crime makes explicit the diremption between these two constitutive dimensions of the will and, simultaneously, the myriad of threats that such a diremption poses to the entire register of objective spirit. As we will discover, subsequently, it is crime that activates, in a sense, the entire apparatus of justice, that which is designed to overcome the radical particularity of criminality.

Often, however, these destabilizing instances of diremption are downplayed in their significance with the result that the real trauma and dangers that spirit's dialectical development encounters are made to look like simple "moments" in spirit's sublative progress.⁴⁸⁸ Moreover, such readings not only tend to

⁴⁸⁶ *PR* §82, Addition.

⁴⁸⁷ See, for instance, *PR* §82, Addition.

⁴⁸⁸ For this emphasis on the *unity* that permeates spirit's activity see, for example, Houlgate's discussion of theoretical and practical reason in Hegel's political philosophy in the former's "The Unity of Theoretical and Practical Spirit in Hegel's Concept of Freedom," in *Review Of Metaphysics* June 1, 1995; 48, 4: Philosopher's Index, pp.859-881. While we do not deny such unity, we do maintain that overemphasizing it diminishes the real ways in which spirit is threatened with collapse by way of traumatic diremption. It is our contention that one of the great merits of Hegel's thought is that it offers us the conceptual tools that establish sensitivity to such problems and dangers. Emphasizing unity, we believe, tends to obscure those real problems confronting the life of spirit and the ways in which Hegel's thought allows us to think through them with precision. Consider the following:

trivialize real problems that face the *living* in the intersubjective domain (crime, poverty, alienation etc.) they also tend to obscure the ways in which Hegel's thought gives us the tools with which to think those same problems with precision and accuracy. Placing repeated emphasis on the unity involved in dialectical method makes opaque not only the disruptive movements of both spirit and dialectical method but also the ways in which spirit is vulnerable to instances of traumatic division that have real, lasting, and concrete consequences.

Because the universal only comes into actuality through the particular there is a way in which that particular may radically diverge with the universal whose instance it is. This is what happens in the problem of the particularity of the criminal will: it holds itself as antinomic to the principle of right and in this precise way maintains itself as self-grounding essence which is, to use Hegelian terminology, what we might call an inversion of the relations between essence and appearance.⁴⁸⁹ This inversion is why Hegel refers to wrong more generally as a show, the isolated particular taking itself for the totality which, when more systematically considered, serves as only a moment within a larger relational totality. Not only does this strike affinities with the problem of the divisions immanent in the phenomena of biological pathology that we developed in Part I, this inversion, the diremptive tension it establishes, also strikes affinities with the protrusion of particular determinations from the sensory manifold that we argued is crucial to the genesis of psychopathology which plagued the emergence of finite consciousness, which we tracked in Part II. The problem of crime operates on similar lines: a protrusion insofar as it is the particularity of the will masquerading as the very essence of personal freedom, a conflation of effect with cause. Again, this leads us back to the negation characteristic of crime: it is a nullity because it functions as a negation of its very essence, i.e. the universal right, its grounding condition. Hegel writes: "The nullity is that crime has set aside right as such. That is to say, right as something absolute cannot be set aside, and so committing a crime is in principle a nullity: and this nullity is the essence of what a crime

...if theoretical and practical spirit are both modes of thought, then human beings will be required by their nature as thinking beings to engage in both theoretical and practical activity and not to neglect one for the sake of the other. In fact, the fully developed human spirit will be the explicit unity of theoretical and practical activity: the will which knows itself as will, understands all that it means to be will, and will (or lets itself be determined by) what it understands will to entail (p.861).

⁴⁸⁹ Decker gives a concise reference to this tension at the heart of crime and connects it to ethical life (universal) and necessity (natural). He suggests that the criminal comes closer to the later polarity in a move that strike affinities with our central thesis here; see, p.307ff.

effects.”⁴⁹⁰ In other words, the particularity of the will involved in the criminal act is an expression of right which in some fundamental sense undermines the entire principle and register of right itself. This total disregard for the entirety of the domain of right is what Hegel describes as the “negatively infinite judgment” involved in criminality.⁴⁹¹ It precisely instantiates the contradictory tensionality situated immanently within the criminal will.

However, if the sole positivity in the criminal act is the particular will then we think there is a way in which it is permeated, we employ the passive construction with a purpose here, with the immediacy constituting the natural dimension of the subject. If the universal dimension of the will is that which grounds right, is that which is primarily concerned with willing freedom, then, the particular will, that which is *not* the universal dimension of the will, has to do solely with the radical particularity of the individual. Nonetheless, if this is the case, what then are the contents of such particularity? They cannot, by their very definition, be the contents of the universal, the form of freedom, so, by the process of elimination, this means that such particularity must be constituted by the contingent wants, desires,

⁴⁹⁰ PR §97, Addition.

⁴⁹¹ PR §95. See also *The Science of Logic* ed. and trans. George Di Giovanni (New York: Cambridge University Press, 2010) where Hegel explicitly connects the “infinite negative judgment” with crime, he writes:

The negative judgment is as little of a true judgment as the positive. But the infinite judgment which is supposed to be its truth is, according to its negative expression, the *negative infinite*, a judgment in which even the form of judgment is sublated. – But this is a *nonsensical judgment*. It ought to be a *judgment*, and hence contains a connection of subject and predicate; but any such connection ought not *at the same time to be* there. – The name of the infinite judgment does indeed occur in the common textbooks of logic, but without any clarification as to its meaning. – Examples of negatively infinite judgments are easy to come by. It is a matter of picking determinations, one of which does not contain not just the determinateness of the other but its universal sphere as well, and of combining them negatively as subject and predicate, as when we say, for example, that spirit is not red, yellow, etc., is not acid, not alkali, etc., or that the rose is not an elephant, the understanding is not a table, and the like. – These judgments are *correct* or *true*, as it is said, and yet, any such truth notwithstanding, nonsensical and fatuous. – Or, more to the point, they are *not judgments at all*. – A more realistic example of the infinite judgment is the *evil* action. In *civil litigation*, when a thing is negated as the property of another party, it is still conceded that the same thing would indeed belong to that party if the latter had a right to it. It is only under the title of right that the possession of it is challenged; in the negative judgment, therefore, the universal sphere, “right,” is still acknowledged and maintained. But *crime* is the *infinite judgment* that negates, not only the *particular* right, but the universal sphere, the *right as right*. It has *correctness*, in the sense that it is an effective action, but since it stands in a thoroughly negative fashion with respect to the morality that constitutes its sphere, it is nonsensical (p.567-68).

impulses, objectives etc. that constitute the radically factual, immediate dimension of the will. The particular contingency of the criminal will would be permeated, therefore, with factual content that comes to it as an upsurge of its natural ground. In crime, moreover, that natural drive would be pursued to the utter disregard for what is right: universality, i.e. concrete expressions of freedom. While the mode of choosing is one of freedom, the content that is chosen is, in a provoking and fundamental sense, that which comes to the individual as natural determinacy, impulses etc. Choice then collapses into the materials of the factually given in such a way, contradictorily, that undermines the very conditions of that choice itself, i.e. personhood and right. We believe, consequently, that in criminality the problem of nature continues to haunt the very autopoietic upsurge constituting spirit's objective articulation.

This is not to venture, however, a reductive move. What is natural and extimate in the context of abstract right is in some significant sense different than the material externality of, say, the domain of biology, or the bodily inputs that we charted in Hegel's analysis of the anthropological body. Here the contents of personhood are in large part social products of spirit's activity. However, insofar, as they come to one as *immediate* they are in a crucial sense still materials of the natural as this term unfolds in the context of personality and right. These shifting significations of exteriority and materiality are connected in the important sense that they denote content that comes to spirit as immediately determined and, as such, perpetually retain the possibility of clashing with the universality of the principles of right and property. Therefore, they retain the possibility of both destabilizing and undermining spirit's reconstructive project that aims at a self-grounding system of universality. In other words, the individual's contingent, natural, dimension perpetually retains the possibility of contradicting that universality to the utter detriment of the latter.

Although the criminal is immersed in contradiction, Hegel does not see him/her as completely dirempted from their willful act as, for example, in the case of an individual suffering from an extreme psychopathological state where there is a potentially irrecoverable break between the two spheres.⁴⁹²

⁴⁹² This is not to claim, however, that there are no similarities between the two problems. All too often the connection between what we might call these two modalities of pathology is completely ignored in the literature. One of the exceptions concerning this connection is found in Alexandre Kojève's "In Place of an Introduction," in his *Introduction to the Reading of Hegel: Lectures on the Phenomenology of Spirit*, assembled by Raymond Queneau, ed. Allan Bloom and trans. James H. Nichols, JR (Ithaca: Cornell University Press, 1969). Connecting the problem of madness and crime to the category of work, Kojève writes:

Without work that transforms the real objective World, man cannot really transform himself. If he changes, his change remains "private," purely subjective revealed to himself alone, "mute," not

While there are analogues between the problem of psychopathology, which we outlined in the writings on subjective spirit, and the problem of criminality, that we are developing here, we maintain that they are not reducible, nor are they identical in their anatomical composition. This difference is why Hegel views the criminal act as a moment of internal contradiction on the part of an implicitly *rational* creature. Hegel states that the criminal action: "...is the action of a rational being and this implies that it is something universal and that by doing it the criminal has laid down a law which he has explicitly recognized in his action..."⁴⁹³ The Kantian overtones in this passage are important because they accentuate one of the problematic dimensions of the criminal subject's activity. There is a tension here between their negation of the principle of right and, simultaneously, their desire to *keep* or maintain the gain that has resulted from the criminal act itself.

The problem here then is that the criminal's particular will asserts a proposition (one wants *x* and so takes it from another) that contradicts their implicit universal will (one keeps *x* and no one should take *x* from them). Here, however, the contradiction reaches an untenable intensity in the field of rights insofar as there is an expression of right that both affirms and negates the very principle on which it stands. This contradiction is what we take as the moment of irrationality in the otherwise rational criminal. Yet, more

communicated to others. And this "internal" change puts him at variance with the World, which has not changed, and with the others, who are bound to the unchanged World. *This change, then, transforms man into a madman or criminal, who is sooner or later annihilated by the natural and social objective reality.* Only work, by finally putting the objective World into harmony with the subject idea that at first goes beyond it, annuls the element of madness and crime that marks the attitude of every man who—driven by terror—tries to go beyond the given World of which he is afraid, in which he feels terrified, and in which, consequently, he could not be satisfied (p.28. Emphasis ours).

We take Kojève's remark here to get at a fundamental point of contact between crime and madness, a radical fissure between the subjective and objective dimensions constitutive of subjectivity proper. While Kojève insists that work is essential to the reformatory transformation of this diremption, a point we have no substantial issue with, our point is, by way of contrast, to trace this diremption to the problem of nature that we see as permeating the entirety of Hegel's writings on spirit. This central concern is one that, among many others, radically differentiates our project from Kojève's own. Flechtheim makes a very skeletal and somewhat crude connection between the two, p.307. Timo Airaksinen also connects madness and crime in Hegel's system. See, "Insanity, Crime and the Structure of Freedom," in *Social Theory and Practice*, Vol.15, No. 2 (Summer 1989), pp.155-178. However, Airaksinen seems to downplay the perpetual dangers that these phenomena pose for spirit's development as he seeks to criticize how, for Hegel, "...no personally individuating characteristics may survive the processes of socialization" (p.175). While we are sensitive to the "totalizing universal," as developed in Adorno's criticisms of Hegel, we think there is a sense in which we must maintain that crime and psychopathology still serve as a threat to stabilized spirit. Our project problematizes these modes, while also attempting to show how Hegel repeatedly assigns importance to radical contingency and therefore radical particularity, especially in the sphere on abstract right, even through to those writings on ethical life. This assigned importance to contingency undermines some of the force of Airaksinen's criticism.

⁴⁹³ PR §100.

radically than Kant, Hegel's point as Tunick aptly notes, is not just that the criminal wills inconsistently; instead, the problem is that he wills against his own *self* in such activity; the criminal establishes a rule that affirms the negation of property *and* yet they still desire to maintain the institution of property claims.⁴⁹⁴ Moreover, again as Tunick notes, such a performative contradiction on the part of the criminal undermines the customs and institutions of the community, one's ethical substance, which has shaped the individual in question. In this sense, in contradistinction to Kant, Hegel maintains that crime is to violate one's second nature.⁴⁹⁵ On this reading, then, the criminal act is not so much radical irrationality as it is a contradictory, irrational moment activated by the otherwise rational entity which Hegel presupposes is the constitutive essence of the individual in question.⁴⁹⁶

We believe this instance of irrationality brings us to the epicenter of the conceptual problems that unfold under the rubric of abstract right and criminality. In one sense, due to the very structure of personhood and the conception of freedom that it presupposes, this whole dilemma must involve the way in which one is able to abstract from all factual determinations, to disengage from the causal nexus of desires and impulses, in order to assert the interiority of the self-referential structure of the cogito as radically independent of the push-and-pull of such extimate factors. In this sense, it is a problem of the negativizing power of spirit, its freedom to negate the given, transform it.

Nevertheless, what crime also makes explicit are the ways in which the criminal's universal will, implicit internally, and the universality of right as instantiated in the right claims of others (personhood and property) marks a radical divergence with the criminal's particular will which, however knowingly,

⁴⁹⁴ Tunick, p.33.

⁴⁹⁵ Tunick, p.33.

⁴⁹⁶ Part of the problem with Tunick's interpretation, however, concerns the ways in which he frames the criminal's conscious awareness concerning the significance of the criminal act. Consider, for example, when Tunick writes: "...the criminal in effect says "your right to property is no right"; but really the criminal is so utterly ignorant of what a right is, flouts it to such an extreme, that he could not understand what it would mean to say something is not a right..." It is not at all clear that the criminal in any way *must* be ignorant of what he/she does in terms of the criminal act. Indeed, it is much more likely that, if we are not operating in terms of a naïve almost stereotypical image of criminality—which Tunick's interpretation seems to presuppose, the criminal has, like the most acute forms of psychopathology, an acute sense of what it is that they are doing and continues with it despite this awareness. The problem with crime, its real intrinsic danger, is that it disregards right all the way down. In this sense, the most pressing and dangerous dimension of crime is downplayed, or erased, if we attribute it to ignorance. We might also frame this in terms of "Reason as Lawgiver" as it unfolds in the *Phenomenology*. Here there is a persistent disconnect between the universal declaration of thought and reason and the particularity of individual content. Hegel writes: "...in the very act of saying the commandment, it really violates it. It *said*: everyone ought to speak the truth; but it *meant*: he ought to speak it according to his knowledge and conviction; that is to say, what it said was different from what it meant; and to speak otherwise than one means, means not speaking the truth" (p.254). We can change the content of the maxim here (from one concerning truth to one concerning theft) without altering the implications regarding the problems that accompany this formal structure.

entails the violation of the entire institution of right and this feature, simultaneously, reintroduces the register of nature into this very same problem. Not only does the conception of freedom that the entire section on abstract right maps explicitly manifest its insufficiency at this point, what Honneth refers to as its “indeterminacy”⁴⁹⁷ and what Neuhaus characterizes as its “arbitrariness,”⁴⁹⁸ we also want to maintain that it gives us direct insight into the ways in which the arbitrary particularity of will, which we have argued is the determining component of the criminal will and action, the objects and ends which the free-will chooses from, are in an important sense threatening to the free autopoietic agency of the individual.

We believe that what the contingent dimension of the criminal’s will shows us is not only how the *Rechtphilosophie*’s opening conceptualization of freedom places fundamental internal limitations on the ways in which the universal dimension of right might come to be united with the particularity of wills that give it objective existence it also shows us how this limitation in some important yet opaque sense connects to the entire domain of extimate nature. We believe that Hegel’s analysis shows us that there is a way in which the particularity of the criminal will, while obviously imbued with the free decision of the criminal to pursue a given end, must also break with the project of willing freedom. Insofar as, for Hegel, the criminal holds fast to the particularity of his/her constitution, holds fast to that dimension over all else, he/she is, in a fundamental sense, unfree. In such a situation, the objects and aims from which the criminal chooses are largely stemming from a manifold of arbitrary drives, impulses, desires and objectives that come to him/her as an immediate upsurge of their natural immediate ground. However, that contingent, arbitrary, natural base has the potential, as manifest in crime, to come into direct opposition to articulations of freedom in personhood, right, and property because they have the ability to utterly disregard the universality of this domain of rights, i.e. the inherent sociality and universality of these concepts as applicable to *all* persons in the community. The criminal refuses, in a fundamental sense, the shifting nature of property, its vanishing quality, as made manifest in the structure of contract. For Hegel, crime *refuses* not only the necessity of the “vanishing” inherent in property itself but also seeks to hold on to it as mere *possession*, i.e. the most primitive, immediate form of property. In so doing, the criminal confuses a moment of property, its immediate determination as a “thing possessed,” for the totality of the

⁴⁹⁷ See Honneth’s *The Pathologies of Individual Freedom*, especially the discussion of indeterminacy in Section II, “Suffering from Indeterminacy: Pathologies of Individual Freedom”, pp.28-41.

⁴⁹⁸ See Neuhaus’s, “Hegel’s Social Philosophy,” in *Hegel and Nineteenth Century Philosophy*, p.206.

universally mediated structure of property that is its 'truth' (respect for others by way of contract). The dialectical mediation of property by way of contract, crime and, as we shall see, punishment, shows the demand for the *universal* respect for the principle of right. However, this very demand is what criminality refuses in its entirety. Instead, the criminal depends on asserting his own contingent wants and desires, i.e. its natural immediate dimension, over all else in the sphere. However, in asserting himself as *beyond* the demands of personhood, i.e. respect for expressions of right, the criminal implicitly seek to assert *his* right while denying it to others. This is the performative contradiction of crime and also reveals why we can view it as a form of regression for spirit in this sphere. It can be viewed as a regression insofar as the individual criminal here seeks out his distinct, immediate interests, his naturally given ends, over all else in the register of right. He clings to a (mis-)conception of property as possession which utterly refuses to recognize the shifting nature of property that entails the recognition and respect for others' property and rights claims. Insofar as this respect and recognition is ignored in order to assert the criminal's individual particular interests over the universality of the domain of abstract right it can be considered a regression. Radical particularity, immediate contingency, threatens the interconnected whole.

Therefore, we can view crime as a regressive moment in spirit's dialectical movement insofar as universal free-will collapses back into what we might call the natural, immediate, contingent will. While Eric Weil is not at all concerned with this regression, he, nevertheless, gets at the problem of what such a collapse might look like when he differentiates between the natural and human will. Weil writes: "...the individual will...is properly speaking not yet a human will since it seeks to obtain its goal immediately and is therefore not mediated by an active reason, by the conscious organization of life in common...it is *natural*. A further step must be taken for the will to grasp itself as a will that does more than simply will, but *wills freedom*."⁴⁹⁹ Resembling the regressive nature of psychopathology, crime demarcates a regressive collapse by spirit not only because the criminal acts strictly in terms of their particular impulses and desires above all else but also because such a move operates strictly in terms of *possession*, the most rudimentary determination of property. However, insofar as the criminal acts strictly in terms of possession they undermine the totality of significations that the domain of abstract right as property entails. Therefore, the criminal wills against the very institution of freedom as it unfolds in terms of juridical personhood and choice. The individual's natural impulses are crucial in the threat that

⁴⁹⁹ See Eric Weil's *Hegel and the State*, trans. Mark A. Cohen (Baltimore: John Hopkins University Press, 1998), p.32.

criminality poses to the register of right as a whole. They are the materials by which, and through which, the criminal violates the entire register of right; the criminal asserts his/her immediate interests, wants and desires in such a way, a strictly possessive modality, that undermines the entire universal, intersubjective structure that is implicit in the very concept of possession. This regression, where this unrestrained pursuit of the contingent will annihilates the very institutions of objective freedom as embodied in personhood and right, is a collapse into immediate, contingent materials of the individual's constitution, i.e. the features we have continually argued stem from the matrices of the individual's natural dimension. We cannot overemphasize the importance of this regression at this point: it is that which transforms expressions of freedom back into the pulsations of pure impulse. It is a move the regressively straightjackets freedom in terms of natural necessity. While the majority of commentators readily acknowledge the deficiency in abstract right's conception of freedom framed in terms of individuality and the right to choose, it is not traced back to the problem of nature and naturalness that we have been tracking since the outset of this project. This lacuna has been one of the motivations driving this project in its entirety.⁵⁰⁰

Our interlocutor objects, at this point, and asks: is it not the case that it is *only* by way of crime that freedom is made concrete? In other words, it is only insofar as right is violated, as in crime, that spirit comes to generate more objective, concrete structures and institutions (e.g. system of justice etc.), designed to deal with the problem of crime and therefore also generate more concrete expressions of freedom. While we, in a sense, agree with this claim, we also want to maintain that the ways in which the more concrete forms of the polis come to deal with criminality also generate their own intrinsic problems. Most importantly, these approaches also have the potential to undermine spirit's free self-actualization in ways that precisely connect to what we have called the problem of the natural. In this sense, the problem of nature is not fully overcome by way of the necessity of crime and its concomitant of punishment in spirit's actualization. Instead, the coordinates of the problem shift. This shift, on our reading, introduces Hegel's controversial analysis of the category of punishment.

⁵⁰⁰ See Tunick, for instance, in this regard, pp.29ff.

12 Surplus Repressive Punishment, or, Spirit's Regressive (de-)Actualization

Alfredo Bergés brings us to the very heart of Hegel's theory of punishment and, at the very least, offers us a sense of its controversial implications when he writes: "The main question in a philosophical theory of punishment concerns the legality of punishment. With this initial question Hegel thematizes the existence of "Freedom's coercion." This genitive is to be interpreted as objective as well as subjective. Freedom can be forced and, at the same time, punishment is a requirement of freedom's productive logic."⁵⁰¹ Bergés succinct phrasing forces us to think two points. First, what it would mean to suggest that punishment is supposed to operate as the annulment (in strict Hegelian terms, crime's determinate negation) of crime. Second, it forces us to consider how punishment (coercion) produces freedom ("freedom can be forced"). If crime is a negation of right, then, punishment is the coercion (negation) of crime's primary negation and therefore it forges an internal connection between crime, coercion (negation) and freedom. It is our objective here to systematically think through what such a conception of punishment must mean in terms of Hegel's speculative analysis and our overarching concern regarding the problem of nature.

Punishment's 'double negation' is well documented in the literature.⁵⁰² And, yet, despite its recognition, it has been widely debated as to its overall meaning.⁵⁰³ Similarly, debate continues in attempts to situate Hegel's position in terms of different theories of punishment (retributivist,

⁵⁰¹ See Alfredo Bergés' "Der dreie Wille als Rechtsprinzip. Untersuchungen zur Grundlegung des Rechts bei Hobbes und Hegel," in *Hegel-Studien*, Beiheft 56 (Hamburg: Felix Meiner Verlag, 2012), p.258. The original reads: „Die Hauptfrage einer philosophischen Straftheorie ist die Frage nach der Rechtmäßigkeit der Strafe. Von dieser Frage ausgehend thematisiert Hegel die Existenz eines „Zwangs der Freiheit.“ Dieser Genitiv ist zugleich als objektiv und als subjektiv zu interpretieren. Die Freiheit kann gezwungen werden und der Zwang ist zugleich eine Forderung der Produktionslogik der Freiheit“ (Translation ours).

⁵⁰² Here we list only a few of the many that accentuate this feature of Hegel's theory of punishment. This list is informed, in part, by Brooks' scholarship in this context. See his Ch.3 "Punishment" (pp.52-62) and note 1 in that chapter, pp.194-95. See, for instance, Jami L. Anderson's, "Annulment Retributivism: A Hegelian Theory of Punishment," *Legal Theory* 5 (1999, pp.363-88; David E. Cooper, "Hegel's Theory of Punishment," in *Hegel's Political Philosophy Problems and Perspectives: A Collection of New Essays*, ed. Z.A. Pelczynski (Cambridge: Cambridge University Press, 197), pp.151-67; Angelo Corlet, "Making Sense of Retributivism," *Philosophy* 76 (2001); Getrude Ezorsky, "Retributive Justice," in *Canadian Journal of Philosophy*, Mar 1, 1972; 1, 3; *Philosopher's Index*, p.385; Jean Hampton, "The Moral Education Theory of Punishment," *Philosophy and Public Affairs* 13 (1987); Andy Hetherington, "The Legitimacy of Capital Punishment in Hegel's *Rechtsphilosophie*," *The Owl of Minerva* 27 (1996), pp.167-74; Charles Taylor, *Hegel* (Cambridge: Cambridge University Press, 1975), p.429; Tunick; Williams, pp.152-77; Wood, pp.108-24.

⁵⁰³ See, for instance, the competing interpretations between Cooper, Feinberg, Houlgate, Steinberger and Wood concerning the significance of "the restoration of right," and the way in which logical and empirical concerns inform this justification; Joel Feinberg's "The Expressive Function of Punishment," in *Philosophical Perspectives on Punishment*, ed. Getrude Ezorsky (Albany: SUNY Press, 1972); Peter G. Steinberger's "Hegel on Crime and Punishment," in *American Political Science Review* vol.77 (1983), pp.858-70; See also Houlgate's "Hegel's Ethical Thought," in *Bulletin of the Hegel Society of Great Britain*, no.25 (1992).

consequentialist etc.).⁵⁰⁴ It is not our purpose to enter into all the details of debate revolving around classification as they would take us too far afield from our primary objective of tracking the problem of nature in Hegel's political philosophy and the protean ways in which it continuously reappears. Instead, our potentially provocative thesis will insist that while naturality constitutes a fundamental component of criminality the most problematic dimension of this phenomenon only becomes explicit by way of the category of punishment. More precisely, we will suggest that insofar as crime is a problem of the unruly and natural dimension of the subject, so, also, is its concomitant concept of punishment. It is our belief that the most dangerous feature of the crime-punishment dialectical is what we will call, in the spirit of Marcuse, a form of surplus repression. The blunt force of this surplus, ultimately, manifests itself not in the rehabilitation of the individual, their reintegration within the matrices of the polis' substantial whole, analogically resembling the case of (re-)habituating subjectivity in the problem of madness, but in the persistent potential for the radical *alienation* of the subject from the intersubjective register of the polis. The proliferation of this alienating process, moreover, risks estranging an entire portion of the populace from meaningful interaction within the matrices of the body politic. Such comprehensive alienation serves to not only de-actualize the individual at the finite, subjective level, but also de-actualize the very freedom of the social whole, i.e. at the objective, concrete, level. This problem we denote by way of "spirit's regressive de-actualization." That Hegel was somewhat aware of this potential problem, we believe, is, at the very least, implicit in what he has to say about civil society's genesis of a 'rabble' class, systematically estranged from the movements of civil society. But this is to anticipate.

In attempting to stake out our interpretation of what it might mean for Hegel to claim that punishment is *internal* to criminality, we will argue that such a reading requires two interrelated dimensions grounding the justification of punishment: the subjective and objective. In so doing we intend to further intensify and refine the problem of nature that we have been tracking throughout the encyclopedic system. While the subjective-objective distinction is deployed in some sense by both Primoratz and Tunick⁵⁰⁵ neither traces the deployment of this distinction back to the problem of nature

⁵⁰⁴ For the strict retributivist reading see, for example, Cooper's "Hegel's Theory of Punishment," in *Hegel's Political Philosophy Problems and Perspectives: A Collection of New Essays*, ed. Z.A. Pelczynski (Cambridge: Cambridge University Press, 197), pp.151-67; By way of contrast see Brooks more comprehensive approach in his *Hegel's Political Philosophy: A Systematic Reading of the Rechtsphilosophie*, pp.39-51; Similarly, see Schild's "The Contemporary Relevance of Hegel's Concept of Punishment."

⁵⁰⁵ See, Primoratz pp.71-78; similarly, see Tunick pp.24-36.

nor the concept of surplus repression. These moves constitute our unique and humble contribution in this context.

Concerning the way in which the criminal act has punishment transcribed within its internal constitution, and therefore dialectically mutates into this other, Hegel's thought is repeatedly opaque and difficult to follow. Consider the following: "The injury [the penalty] which falls on the criminal is not merely *implicitly* just—as just, it is *eo ipso* his implicit will, an embodiment of his freedom, his right; on the contrary, it is also a right *established* within the criminal himself, i.e. in his objectively embodied will, in his action."⁵⁰⁶ Hegel firmly maintains that punishment resides within the very permutations of the criminal will itself, more precisely its universal dimension. Hegel, therefore, shows his indebtedness to his philosophical precursors, as several commentators have noted,⁵⁰⁷ specifically Kant's moral philosophy and the implications following from the categorical imperative and the 'universalizability'⁵⁰⁸ of maxims adopted in terms of practical reason. This Kantian dimension is what we will refer to as the subjective justification of punishment. Regarding the subjective dimension of the grounding of punishment, Hegel writes: "his action [i.e. the criminal's] is the action of a rational being and this implies that it is something universal and that by doing it the criminal has laid down a law which he has explicitly recognized in his action and under which in consequence he should be brought as under his right."⁵⁰⁹ In essence, then, we have a contradiction instantiated by the law-giving force of the criminal's rationality. The criminal maintains, by way of its action, that, on the one hand, another's property should not exist as such; however, on the other hand, it simultaneously holds that the object in question should be maintained as *his/her* possession.

Perhaps here, then, we can begin to make some sense of Hegel's claim concerning the ways in which the embodiment of the criminal act contains punishment within it. It is crucial to note here that it is only by reading the criminal act as essentially rational, as embodying rationality within it, that Hegel grounds the claim concerning the universal dimension involved, at least implicitly, in that same act. Although we have argued above that the criminal act is nothing other than an actualization of the

⁵⁰⁶ *PR* §100.

⁵⁰⁷ See, for example, Tunick, p.33.

⁵⁰⁸ See, for instance, Kant's famous "Groundwork of the Metaphysics of Morals (1785)," in *The Cambridge Edition of the Works of Emmanuel Kant: Practical Philosophy* trans. and ed. Mary J. Gregor (New York: Cambridge University Press, 2005). See especially the following formulation of the imperative: "...act only in accordance with that maxim through which you can at the same time will that it become a universal law" (4:421), p. 73.

⁵⁰⁹ *PR* §100.

criminal's particular will; it nevertheless must contain at least an aspect of universality which is its status as an expression of will, i.e. *right*, which is, simultaneously, radically self-immolating. The fact that the act embodies a maxim, an end etc. that is radically antinomic to reason does not leave it utterly devoid of rationality.

What Hegel would seem to be arguing, then, is that punishment makes explicit the universal aspect involved in the criminal act; it expresses the precise way in which the maxim guiding the criminal's practical project is *self*-reflexively pushed back upon the criminal and in so doing the criminal is no longer outside or beyond the law they establish but is brought within the matrices of that maxim that was generated by the perpetrator of the crime. Here then we get a sense of the retributivist overtone to Hegel's analysis, as Wood and Knowles rightly note, insofar as it attempts to show that punishment is justified insofar as it is inherently just.⁵¹⁰ For Hegel, the inherent justice of punishment resides in treating the criminal as a rational being. The criminal is only respected as a rational being to the extent that the standard established in his crime is forced back upon him because in this way it is an autonomous self-regulating activity, that is, an expression of rationality that in being auto-generated and universally applied adheres to the skeletal tectonics of reason itself.⁵¹¹ Without this, as in utilitarian justifications of punishment, the criminal is used as a means—which is entirely antithetical to Hegel's at least partial sympathies towards Kant's justification of punishment.⁵¹² The controversy surrounding such a move is as old as the move itself. Marx, for instance, viewed Hegel's justification of punishment in this regard as nothing more than an ontological grounding of existent social conditions. Marx writes: "There is no doubt something specious in this formula, inasmuch as Hegel, instead of looking upon the criminal as the mere object, the slave of justice, elevates him to the position of a free and self-determined being. Looking, however, more closely into the matter, we discover that German idealism here, as in most other instances, has but given a transcendental sanction to the rules of existing society."⁵¹³ While such a criticism has real purchase, perhaps even more in our contemporary present, it is not our objective to insist upon the

⁵¹⁰ See Wood, p.115. See also Knowles, "Hegel on the justification of punishment," in *Beyond Liberalism and Communitarianism: Studies in Hegel's Rechtsphilosophie*, p.133.

⁵¹¹ This is not, however, a justification of *lex talionis* systems of justice. On the contrary, Hegel explicitly states that punishment must equal the crime in *value* and that it is the role of positive legislation to make this determination. This caveat prevents the community from going toothless.

⁵¹² In this regard see Igor Primorac's "Punishment as the criminal's right," in *Hegel-Studien* 15 (1980), pp.186-198. See especially, p. 195.

⁵¹³ See Marx's "Capital Punishment," in *Marx and Engels: Basic Writings on Politics and Philosophy*, ed. L.Feuer (Garden City: Anchor Books, 1959), pp.487-89.

correctness of Hegel's approach to the phenomenon of punishment in terms of what we have called its subjective justification. While acknowledging the purchase of Marx's criticism and the dangerous and controversial implications of Hegel's thought in this context, we, instead, intend to concentrate on what Hegel has to say concerning the objective justification of the institution of punishment and the consistent problems that follow from that grounding of punishment. In this sense, we will look to develop the potentially problematic implications of Hegel's analysis, not within its subjective justification as in the case of Marx's criticisms, but instead in terms of those that reside immanently within that analysis of punishment's objective justification.

To recapitulate, Hegel's concern is that if punishment is not conceived as internal to crime itself then the dialectical link between the two categories is inseparably dirempted with the consequence that punishment loses its internal justification. As such, the phenomena of crime and punishment remain radically external to each other with the ultimate consequence that the institution of legal punishment cannot be sufficiently justified, adequately grounded—radically destabilizing the entire fabric of the modern judicial framework. In this sense, Hegel anticipates Marx's criticism, though differs in his response to the dilemma, insofar as the former refuses the possibility that society could be coherently structured in the absence of some form of penological, disciplinary apparatus. The result then, for Hegel, in the absence of such a coherent justification, is that punishment becomes nothing more than a threatening coercive force that reduces the free individual to a determined series of uncontrollable natural pulsations, which must be forced into the acceptable parameters of the existing social order by way of various external mechanisms. As Marx notes, such a society holds that: "...punishment is nothing but a means of society to defend itself against the infraction of its vitals conditions, whatever may be their character."⁵¹⁴ One could only ever be threatened not to act in certain ways instead of understanding the coherence of the process of respect for the domain of right, which punishment itself seeks to (re-)establish. Of such a deterrence model Hegel writes: "To base a justification of punishment on threat is to liken it to the act of a man who raises a stick to a dog. It is to treat a man like a dog instead of with the freedom and respect due to him as a man."⁵¹⁵ What this would mean then is that the criminal must be understood as free if he/she is to be assigned any meaningful sense of guilt. Without the presupposition of this freedom, its actualization as such, there could be no meaningful discussion of criminality and guilt.

⁵¹⁴ Marx, pp.487-89.

⁵¹⁵ *PR* §99, Addition.

The unacceptability of such a move, one that destroys the autopoietic freedom of the individual, drives Hegel towards alternative conceptions and therefore his adopting a conception that situates a concept of punishment as grounded in the freedom of the individual himself, intrinsically just and rational by way of its very own rational agency. He can conceive of such internal coherence only, at least in part, by way of the self-reflexivity of the criminal act that itself grounds the very upsurge of punishment. Punishment, from the standpoint of subjective justification, and in a strikingly Kantian tone, is this auto-reflexive return.⁵¹⁶ The problematic complications here are worthy of an entire investigation in their own right. Unfortunately, however, such a study is well beyond the scope of our current investigation.

There are, nevertheless, fundamental ways in which Hegel's analysis of punishment makes a decisive break with Kant and, from the Hegelian perspective, the abstract concern of willing consistently. This divergence introduces what we will call the objective justification of punishment. Hegel's divergence with Kantian thought has been well documented in the literature as, for instance, in the insightful commentaries of Tunick and Primoratz.⁵¹⁷ One of the conceptual advances that Hegel's analysis makes over his predecessor concerns the entire array of *social* complexities, institutions etc., involved in the living actuality of the modern disciplinary apparatus—a dimension that remains inaccessible from

⁵¹⁶ We believe that Hegel's arguments for the internal dialectical relationship between crime and punishment shows surprising affinities with Dostoyevsky's thought as developed in *Crime and Punishment* (1866)—a connection that has remained shockingly unexplored in the secondary literature. For the rare exception, see M. Zarader's « La dialectique du crime et du châtement chez Hegel et Dostoïevski, » *Revue de Métaphysique et de Morale*, 81 Année, No.3 (Juillet-Septembre 1976), pp.350-375. In a sense that we find strikingly compatible with Hegel's claim concerning the dialectical internality between the two categories, we read Raskolnikov's crime to instigate an *internal* conflict within him such that it is ultimately he himself who brings himself before the law; moreover, in a sense that is entirely compatible with Hegel's thought, we read Dostoyevsky's conceptualization of punishment as something which does *not* produce *only* misery, suffering, evil etc. Instead, it is viewed as crucial to the genesis of Raskolnikov's redemption and therefore development as an individual. Consequently, we might suggest that both thinkers present the concept of punishment and the disciplinary matrices that this concept entails, in their respective ways, as crucial to the genesis of free-self referential subjectivity. By way of contrast, consider Flechtheim. Of the internal relationship that both Hegel and Dostoyevsky subtly argue for in this context, Flechtheim turns to Hegel's young theological writings and states: "In that initial collection of manuscripts, it is already made clear that there exists an unbreakable relationship between the criminal act and its penalty, the act containing its punishment, hence the punishment inevitably following the act. *This primitive belief in a causality of crime and punishment* came to Hegel by way of classical tragedy" (p.297. Emphasis ours). Given the force of Hegel and Dostoyevsky in this context, the subtlety of their argumentation, it is quite striking that Flechtheim characterizes such an internal connection between crime and punishment as "primitive." Flechtheim's move, to view the two as externally related, moreover, leaves unexplained in some significant way the *internal* sense of wrong one might feel when one commits certain acts. Moreover, one may disagree with Hegel and Dostoyevsky in this context but to do so in terms of "the primitive" is crude in its own right.

⁵¹⁷ See Tunick, p.35, see also his discussion of ethical substance, pp.81-90; similarly, see Igor Primoratz's *Justifying Legal Punishment* (London: Humanities Press International, 1989), pp.71-78; See also Knowles, "Hegel on the justification of punishment," in *Beyond Liberalism and Communitarianism: Studies in Hegel's Rechtsphilosophie*, p.128.

within the parameters of a strictly Kantian moral philosophy. It is this socio-political background that, for Hegel, substantiates the objective dimension involved in the institution of punishment and one of the critical aspects involved, therefore, in its justification. The problem here is that in the section on abstract right itself Hegel only obliquely mentions the objective dimension involved in punishment as it is not until the third section of the *Rechtphilosophie* that he has generated the adequate conceptual framework that can comprehensively engage the ways in which positive law and the institutions of civil society (penal code, justice system etc.) come to concretely deal with the problem of crime, irrevocably distancing it from arbitrary exercises of retribution and revenge (as outlined in the section on abstract right). This lacuna forces us to look outside the section in order to refine that which, within the section, is only a nascent indication of the institutions that will later come on the scene to address the entire issue of crime. Consequently, this lacuna is also why Hegel first discusses punishment in terms of revenge, the subjective, contingent enactment of ‘justice’ lacking the required conceptual parameters for justice proper.⁵¹⁸

Operating under the continued presupposition of the criminal’s freedom, Kevin S. Decker has convincingly shown that Hegel’s analysis reveals a concern, dating back to some of his earliest writings, with the ways in which criminality in some sense operates as a violation of the *living* standards codified and actualized within the community in question.⁵¹⁹ Consequently, we can say that, for Hegel, contrary to the immediate certainty of well-being that Hegel attributes to the citizen of the Greek polis, as developed in *The Phenomenology*, the criminal, in some significant yet opaque sense, violates the very substantial totality of which they are a constituted and constituting member, simultaneously. The criminal acts, therefore, against the very factual environment constituting his vital actuality. Punishment, then, forms an analogical connection not only with the method of treatment outlined in Hegel’s writings on nature, where the entire objective of medication etc. is to overcome the division resident within the corporeal body (totality),⁵²⁰ but it also connects with Hegel’s analysis of psychotherapy as denoted under the category of habit. Punishment, then, if we are permitted the analogy, like habituation, is designed with the purpose of bringing the contingency of particular willing in accordance with the substantial totality (the *body politic*,

⁵¹⁸ *PR* §102.

⁵¹⁹ See Kevin S. Decker’s “Right and Recognition: Criminal Action and Intersubjectivity in Hegel’s Early Ethics,” in *History of Political Thought* 22, no.2 (Summer, 2001), pp.300-316. Decker makes good use here of Hegel’s *The System of Ethical Life*, showing how this text lays the groundwork for a series of problems that are not fully worked out, for Hegel, until rather late in his socio-political writings.

⁵²⁰ See, for instance, *PN* §373.

in the spirit of Russon) of both the community and the universal dimension of the criminal will. This forces us towards a more systematic consideration of the paradoxical implications of the category of punishment. Doing so will, simultaneously, bring us into direct contact with the real problems surrounding it.

Punishment is the conceptual device by which the negation of freedom, instantiated in crime, is in turn negated thereby reactualizing the authority of right. Primoratz gets at right's "reactivation" by way of punishment's "concrete negation" when he writes:

The infringement [involved in punishment], the negation of the positive existence of crime, is the restoration of right [*des Rechts*]. Here, then, is the point of annulment [*der Aufhebung*]. Without this annulment [*Aufhebung*] having happened, then crime would pertain, not the right [*das Recht*], but the crime would remain in its positive existence. If the crime would not be punished...then the right is not restored, as the crime remains in its positive existence, as the will of the criminal is not posited as a negated will.⁵²¹

The upshot of Hegel's speculative conception of punishment suggests that it functions paradoxically; the criminal is only made free to the extent that one submits to the objective disciplinary forces realized in the state's institutional apparatuses. It is this rendering of the individual in terms of institutional force that brings us into the very centre of the problems surrounding this objective justification of punishment. It prompts us to consider the question: to what extent does such an institutional apparatus reactualize both the individual and polis' freedom? Conversely phrased: to what extent might this apparatus actively undermine such a (re-)integrative process? We get a sense of the potential problem here by way of reference to Primoratz's framing of punishment in terms of infringement [*Verletzung*]. Some have gone so far as to argue that punishment is nothing more than an inflicted evil (see e.g. McTaggart)⁵²² while

⁵²¹ See Igor Primoratz's "Banquos Geist. Hegels Theorie der Strafe," in *Hegel-Studien*, Beiheft 29 (Bonn: Bouvier Verlag Herbert Grundmann, 1986), p.47. The original reads:

Die Verletzung, Negation dieser positiven Existenz des Verbrechens ist die Wiederherstellung des Rechts. Hier also ist der Punkt der Aufhebung. Geschähe diese Aufhebung nicht würde das Verbrechen gelten nicht das Recht, das Verbrechen bliebe in seiner positiven Existenz. Werden Verbrechen nicht bestraft, obwohl schon ersetzt, so ist das Recht nicht wiederhergestellt, denn das Verbrechen bleibt in seiner positiven Existenz, indem der Wille des Verbrechers nicht als negiert gesetzt wird (Translation ours).

⁵²² See McTaggart, p.42. For a concise criticism of McTaggart's interpretation of Hegel's justification of punishment, see Michael H. Mitias's "Another Look at Hegel's Concept of Punishment," in *Hegel-Studien* 13 (1978), pp. 175-85. For an exploration of the differences and relations between legal and moral responsibility, see also Mark Alznauer's "Hegel on Legal and Moral Responsibility," in *Inquiry* Vo.51, No.4 (August 2008), pp.365-389.

others have argued that Hegel's position is more robust than a strictly retributive reading (e.g. Schild)⁵²³ in order to emphasize the ways in which it allows for a concern with moral rehabilitation through a process of education or *Bildung*.⁵²⁴ As Flechtheim indicates, though in a way that he does not exactly intend, Hegel places repeated emphasis on the rationality and freedom of the criminal.⁵²⁵ Not only does such a move resemble the emphasis Hegel places on the rationality and dignity of persons suffering from mental illness and the way in which this must be focused on in treatment, but Flechtheim acknowledges that at least part of the overcoming of the "social disease" of crime will involve "re-education" or "readjustment."⁵²⁶ We think it is a more comprehensive move to follow Schild's lead, in light of the implications of Flechtheim's remarks, in order to suggest that punishment is not synonymous with only inflicting evil on crime. The primary objective of punishment is the restoration of the principle and actualization of right and, to our knowledge, there is nothing explicit in this grounding aim that necessitates inflicted evil. Moreover, Hegel explicitly states that as society advances punishments becomes less severe, making room for, as Brooks has succinctly argued, a rehabilitative component in Hegel's conceptualization of punishment and this has to do with the *rule of law* as it pertains to the disciplinary apparatus.⁵²⁷ Moreover, Hegel argues that punishment must match the crime in terms of equal *value*;⁵²⁸ but just how this emphasis on equality involves the infliction of a similar coercion or evil is not

⁵²³ See Schild where he writes: "The prevailing order and security of society also gives rise to a further feature of punishment: *the moral improvement of the criminal*. Generally, this aspect of Hegel's theory of punishment is entirely overlooked, and although Hegel himself did not express it so clearly in the *Philosophy of Right*, it is certainly suggested there" (p.168). He also goes on to cite the Griesheim transcript of Hegel's lecture that makes this moral dimension explicit (p.168).

⁵²⁴ For a sense of one of the many commentaries on the nature of *Bildung* in the political sphere see, for instance, Todd Gooch's "Philosophy, Religion and the Politics of *Bildung* in Hegel and Feuerbach," in *Hegel on Religion and Politics* ed. Angelica Nuzzo (New York: SUNY Press, 2013), pp.187-212.

⁵²⁵ Flechtheim, p.294.

⁵²⁶ See Flechtheim, p.294.

⁵²⁷ Brooks, *Hegel's Political Philosophy: A Systematic Reading of the Philosophy of Right*, p.44; see p.49 also. One of the strengths of Brooks' reading is that it outlines how Hegel's theory of punishment is not exhausted by his writings on Abstract Right. It is completed, rather, by what Hegel has to say in his writings on Civil Society; see Brooks, p.44. By way of contrast consider Cooper's retributivist reading of Hegel in this context and the way in which he also rejects any kind of systematic reading of Hegel, concerning the first point, see p.151; for the second, consider p.160ff. Similarly, see Wood's strong retributivist reading where all kind of utilitarian elements are ruled out of bounds, he writes: "Hegel is a genuine retributivist. He rejects as "superficial" all theories that try to justify punishment by the "good" which is supposed to come of it..." (p.109).

⁵²⁸ Consider Knowles, "Hegel on the Justification of Punishment," in this context. He argues that Hegel's attempts to justify punishment in terms of "programmatic, objective and subjective" reasons fail as they result in the conclusion that: "...the criminal himself cannot complain if he is treated in roughly the way he has treated others" (p.125). However, such a move does not appear to take into consideration the emphasis Hegel's places on equivalence in *value*. However, if equivalence in value is the standard for just punishment then this in no way entails that the criminal must be treated as they have treated the victim. Moreover, to overcome the alleged shortcoming in Hegel's

at all clear. In many ways it would seem that the emphasis on equal value is what makes room for the possibility of viewing punishment in terms other than that of evil or a direct one-to-one correlation between damage inflicted and received along the lines of *lex talionis*. Finally, Hegel's thought more generally lends itself to a comprehensive and dynamical perspective, incorporating and relating, several heterogeneous elements simultaneously. If that is the case then there is a sense in which it would be characteristically *un-Hegelian* to insist that there is only a retributivist dimension involved in his concept of punishment or, if only retributivist, that there is only a static reading of what retribution must mean in this context, i.e. inflicted evil.

Nevertheless, what McTaggart's concern regarding inflicted evil would seem to suggest is that punishment might be actualized in such a way that is antithetical to its very concept; that is to suggest, it might be realized in a way that undermines both the individual and the polis as concrete articulations of freedom. If crime itself is subjective negativity operating in terms of natural immediacy, then, we believe there is a real sense in which punishment can unfold in terms of a natural immediacy which is, ultimately, antithetical to both the polis and individual as concrete articulations of freedom. In line with this claim, the real danger of crime would not only be crime itself but, simultaneously, what we call a surplus of repressive punishment—and the striking consequences that follow from it. Establishing this claim with greater precision, we introduce conceptual terminology from Marcuse who insists on a fundamental distinction concerning the repression of instincts in the formation of any/every polis. If we accept Marcuse's largely Hegelian thesis that a distinct degree of instinctual repression (what we have framed in terms of the reconstruction of drives in terms of second nature) is necessary to the formation of civilization, i.e. the varying formulations of the 'reality principle' as they unfold in distinct historical epochs, then we are in a position to pursue his further claim that a surplus of such repression is, simultaneously, dangerous to that very same project. Marcuse contends that beyond a certain quantitative point there is a distinct qualitative transformation of repression that actually problematizes "human association" (i.e. what, for Hegel, is concrete freedom). Marcuse writes:

justification of punishment Knowles attempts to ground it in terms of contract theory. The problem with this method of advance is Hegel's absolute rejection of contract theory as evidenced in his repeated criticisms of Rousseau. While aware of this concern, Knowles proceeds as if this is unproblematic. Granted, this might work in the context of punishment. However, it is not clear how this modification could be incorporated into Hegel's overarching political philosophy without significant complications.

...any form of the reality principle demands a considerable degree and scope of repressive control over the instincts, the specific historical institutions of the reality principle and the specific interests of domination introduce *additional* controls over and above those indispensable for civilized human association. These additional controls arising from the specific institutions of domination are what we denote as *surplus-repression*.⁵²⁹

While Marcuse's thesis unfolds with the context of what he calls a critique of 'domination' in certain forms of social organization, our appropriation of the concept of "surplus repression" need not encompass the entirety of the objectives constituting that project. We need only accept that a reconfiguration of the natural dimension of the subject is necessary to the formation of the social body (second nature) and that a surplus of the forces at work in such a reconfiguration might have an entirely negative affect not only on the individual receiving such treatment but also on the stability of the social whole in which such a practice occurs. Accepting this thesis allows us to pursue what such surplus repression might mean when framed in terms of Hegel's speculative analysis of the disciplinary apparatus. In other words, we are here attempting to think through some of the problematic implications that might follow from Hegel's provocative thesis that involves punishment producing freedom. Hegel's conception of punishment can therefore be read as a surprising precursor to Foucault's thesis in *Discipline and Punish* (1975): free subjectivity being formed via complex matrixes of disciplinary structures.⁵³⁰

Punishment is a "coercion of coercion" which means that, from the criminal's subjective perspective, it consists in an institutional force working⁵³¹ on the criminal in order that the self-contradictory nature of the crime is sublated and the priority of right and law is, consequently, reestablished. At least, this would be the institution of punishment fulfilling its conceptual significance within the Hegelian standpoint. However, what the analysis also leaves open as a real possibility is that

⁵²⁹ See Herbert Marcuse's *Eros and Civilization: a Philosophical Inquiry into Freud* (New York: Vintage Books, 1962), p.34ff.

⁵³⁰ See Foucault's *Discipline and Punish: the Birth of the Prison* trans. Alan Sheridan (New York: Second Vintage Books, 1995). See also Žižek's, "Discipline between Two Freedoms—madness and Habit in German Idealism" in *Mythology madness and Laughter: Subjectivity in German Idealism* (New York: Continuum, 2009) for a parenthetical reference to this connection, p. 96.

⁵³¹ Kojève is fully aware of the importance of work in this context that often goes under accentuated in the literature, see p.28. Consider, by way of contrast, Antonio Negri's "Rereading Hegel: The Philosopher of Right," in *Hegel and the Infinite: Religion, Politics and Dialectic* eds. Slavoj Žižek, Clayton Crockett, and Creston Davis (New York: Columbia University Press, 2011), pp.31-46. Negri argues that what is crucial to liberation from the state is a *rejection* of labour. Such a move, Negri argues, emphasizes, perhaps in the spirit of Adorno, the particular over the universal. Negri's argument has more to do with the social and economical space of labor in the system as opposed to work in the context of individual pathology. What is striking here, however, is the contrast in the evaluations of the respective thinker. Kojève sees the liberating potency of work whereas, for Negri, there is liberation in the rejection of labour.

such ‘concrete negation’ might, in living fact, *not* turn out to be the case. This possibility, we believe, is made explicit insofar as we understand the process of punishment as a form of disciplinary *work*. Punishment as work allows us to suggest strong affinities with the process of treatment, and the category of (re-)habituation, that we first encountered in our reading of Hegel’s theory of psychopathology. Doing so directly reintroduces the ambivalence of the category of habituation that we traced in Part II.⁵³² Recall that habituation is, simultaneously, liberating (spiritual) *and* necessitating (natural, mechanical). Therefore, to the extent that habituation is mechanical and natural there is a sense in which it is distinctly “not free.”⁵³³ Insofar as we justified in connecting punishment to (re-)habituation, then, we have a real sense of the potential problems accompanying its actualization within the polis. While previously, in the problem of psychopathology, we emphasized the liberating dimension of habituation in terms of the ways in which it shapes and contextualizes the unruly content of natural exteriority, it is also important to note that the concomitant possibility of habituation is a collapse into natural immediacy and necessity, mechanical repetition, in such a way which undermines, perhaps even serves to destroy, spirit as autopoietic upsurge, concrete freedom. This problematic ambiguity inherent in the category of habit itself is why Hegel, in the writings on nature, explicitly connects the mechanical repetition of habituation to the onset of death.⁵³⁴ Insofar as disciplinary practice, for whatever reasons, be they those of social domination or misdirected attempts at retribution or even rehabilitation, ventures too far in the direction of immediacy, mechanical repetition, then, it has the potential to collapse into a practice that in some crucial sense is antithetical to the very concept’s signification as assigned within the parameters of the speculative analysis, i.e. a rehabilitation of freedom at both the individual and community levels. This potential collapse is what we mean to signify by way of “surplus repressive punishment.” Not only would it be antithetical to its supposed purpose of reestablishing the right of the community but it would serve to radically mutilate the individual which, at least, in part, it is supposed to serve, respect, as a free, autonomous agent. Such a surplus of repressive punishment, then, we believe, would connect directly, though in ways entirely unanticipated by him, to McTaggart’s concerns regarding the potential problems accompanying the category of punishment. In the form of surplus repression, it has the persistent potential

⁵³² For a discussion of habit and second nature as they unfold in Hegel’s writings on objective spirit see, for instance, Simon Lumsden’s “Habit, *Sittlichkeit* and Second Nature,” in *Critical Horizons* 13.2 (2012), pp.220-243. Though, we might add, Lumsden makes practically no mention of habituation as it relates to the problem of punishment.

⁵³³ PSS§410.

⁵³⁴ PN§275.

to undermine concrete freedom at both the individual and communal level and, in so doing, to operate as a very real threat to spirit's essence as the unruly activity of self-articulating freedom.

If we are to take seriously the possibility that surplus repressive punishment undermines the concrete freedom of the individual and the community, then, we might say that such practices have a potentially *inverse* signification to those outlined in the analysis, i.e. the potential to de-actualize the individual, alienate them from the substantial totality of the community. Conversely, such de-actualization threatens the stable totality of the polis itself to the extent that individuals are unable to participate in various structures necessary to the very functioning of the state as such (i.e. the work of civil society, exchange, participation in government etc.). Taken together these two internally related poles constitute a problem we might demarcate simply as spirit's regressive de-actualization. Indeed, it is this double destabilization inherent in the very activation of surplus repressive punishment that allows us to characterize it as duplicitous. The question becomes: what does such a process of alienation mean in terms of the larger social whole, its stability as a complex process of living freedom?⁵³⁵ While Hegel's discussion of 'the rabble' functions as a direct consequence of the immanent unfolding of what economic activity must mean within the matrices of civil society—*surplus* production leading to mass unemployment—we think there is a sense in which the structure of this economic problem connects directly to the potential problems inherent in practices of surplus repressive punishment to the precise degree that both potentially alienate an entire array of individuals from the register of right, generating a complex set of social conditions that function to destabilize the very registers which generated them.⁵³⁶ Hegel writes: "When the standard of living of a large mass of people falls below a certain subsistence level...and when there is a consequent loss of the sense of right and wrong, of honesty and self-respect which makes a man insist on maintaining himself by his own work and effort, the result is the creation of

⁵³⁵ That there might be a form of recognition which is alienating is compatible with the thesis we here advance. Consider, for instance, Patrice Canivez's "Pathologies of Recognition," in *Philosophy and Social Criticism* 37 (8), pp.851-87.

⁵³⁶ There has been considerable literature devoted the complexities revolving around Hegel's conception of poverty and Marx's reaction (or lack thereof) to it. Our project cannot engage this debate as it is too far afield of our current objectives. Nonetheless, to our knowledge there is practically no commentary connecting the issue of poverty to that of surplus repressive punishment and the destabilizing consequences that follow from both when framed in light of the polis and freedom. For Hegel and Marx on the issue of poverty see, for example, Yitzhak Y. Melamad's "Leaving the Wound Visible: Hegel and Marx on the Rabble and the Problem of Poverty in Modern Society," in *Iyyun: The Jerusalem Philosophical Quarterly* 50 (Ja 01), pp. 23-39; see also Frank Ruda's *Hegel's Rabble: An Investigation into Hegel's Philosophy of Right* (London: Continuum, 2011).

a rabble.”⁵³⁷ Insofar as this populace is deprived of certain structural necessities they are unable to participate in the workings of civil society; therefore, it is estranged from it, does not identify with it, and, so, accordingly, becomes alienated from the “broader freedoms and especially the intellectual benefits of civil society.”⁵³⁸ More distressingly, it is not at all clear how this radical alienation is to be overcome. Here, then, we have a real sense of the internal limitations of the speculative moment of sublation. The collapse of the ‘rabble’s’ ability to participate in civil society accentuates the problem of attempting to reintegrate it within the workings of civil society. For instance, in charity: “...the needy would receive subsistence directly, not by means of their work, and this would violate the principle of civil society and the feeling of individual independence and self-respect in its individual members.”⁵³⁹ More problematically, even if work were ‘provided externally,’ the problem of surplus production reasserts itself—a lack of a sufficient number of consumers for recently produced commodities reactivates the problem of mass unemployment with which surplus production began. Therefore, Hegel writes: “it...becomes apparent that despite an excess of wealth civil society is not rich enough.”⁵⁴⁰

Insofar as practices of surplus repressive punishment might generate social conditions of de-actualizing exclusion, then, we believe similar consequences follow from both surplus production and surplus punishment. The real problem of this perennially alienated populace is particularly evident in Hegel’s proposed ‘solutions’ to these dilemmas, i.e. the perpetual expansion of economic markets, and colonization via exportation of vast portions a state’s populace to ‘new,’ ‘undeveloped’ territories. Hegel writes: “This inner dialectic of civil society thus drives it...to push beyond its own limits and seek markets...in other lands which are either deficient in the goods it has overproduced, or else generally backward in industry, &c.”⁵⁴¹ He then states: “Civil society is...driven to found colonies...it is due in particular to the appearance of a number of people who cannot secure the satisfaction of their needs by their own labour once production rises above the requirements of consumers.”⁵⁴² Similarly, Hegel writes: “...the colonizing activity...to which the mature civil society is driven and by which it supplies to a part of its population a return to life on the family basis in a new land and so also supplies itself with a new

⁵³⁷ *PR*§244.

⁵³⁸ *PR*§243.

⁵³⁹ *PR*§245.

⁵⁴⁰ *PR*§245.

⁵⁴¹ *PR*§246.

⁵⁴² *PR*§248, *Zusatz*.

demand and field for its industry.”⁵⁴³ The upshot here, from our perspective, is that such unchecked expansion and colonization must have its own intrinsic limitations in terms of the very *finitude* of potential territories and markets.⁵⁴⁴ In this sense, the problem of radical alienation involved in surplus repressive punishment is only displaced, not resolved, when its solution is framed in terms of colonial market expansion. The displacement, however, cannot be considered, in any meaningful sense, an adequate sublation of the problem at hand because the initial problem must inevitably be revisited: how are these individuals to be brought back into meaningful engagement within the internal structures of civil society once the potential for expansion is exhausted? The inadequacies of the solutions proposed offer us, ultimately, a sobering indication of the radically destabilizing implications that follow from the problem of surplus repressive punishment, an immediate force involved in a deformative modality of (re-)habituation. It perpetually retains the possibility of generating a displaced, dependent portion of the populace, the exclusion of which from civil society, in the guise of colonization, only establishes the fact that the promise of ‘new countries’ has a finite shelf-life, after which, the problem of this alienated class only reasserts itself with renewed urgency. These, then, are the very real problematic consequences that we believe follow from forms of surplus repressive punishment that assert an overly natural repetitive force on the unsuspecting subject which, ultimately, alienates her/him from the matrices of the polis’ substantial whole. In this sense, such a practice can be considered, in a sense analogical to the problem of psychopathology, a significant regressive moment in spirit’s autarkic self-actualization. Therefore, we call it a potentially regressive de-actualization of both the finite subject *and* the substantial totality of the social totality. The lack of denouement is quite palpable, Hegel writes: “The important question of how poverty is to be abolished is one of the most disturbing problems which agitate modern society.”⁵⁴⁵ The same concern, in a special sense, would also be true of the issue of surplus repressive punishment.

In line with our concern of the problem of surplus repression, we acknowledge those commentators who have sought to criticize Hegel in terms of what we might call the ‘the tyranny of the universal’—where the factual particularities of the individual are excluded such that concrete differences

⁵⁴³ PR§248.

⁵⁴⁴ One might suggest the possibility of spirit’s *infinite* colonial expansion (space exploration etc.) However, to the extent that such capabilities are utterly inaccessible to spirit in its current historical development, then, there are grounds to claim that such expansion is still qualified in terms of the finitude of the earth’s resources. Such a qualification reinforces our current argument.

⁵⁴⁵ PR§244, *Zusatz*.

amongst individuals are negated.⁵⁴⁶ Adorno, for instance, writes: “In law the formal principle of equivalence becomes the norm, everyone is treated alike. An equality in which differences perish secretly serves to promote inequality.” Similarly, recent commentators such as Airaksinen, for example, argue that Hegel’s position negates all personal differences with unacceptable results.⁵⁴⁷ While our above concern regarding surplus punishment operates along similar lines, we also wish to differentiate our concerns from those raised by both Adorno and Airaksinen. While it is true that Hegel, in the writings on abstract right, argues that the individual cannot be permitted to *entirely* dismiss the universality or right, this is not, simultaneously, to say that Hegel makes no room for contingent particularity. In a sense, one might argue that in both the sections on abstract right and civil society Hegel repeatedly insists upon the play of personal whim, choice and fancy as crucial to the dynamical movements of those respective registers. We read one of Hegel’s key philosophical advances in this context to assert that freedom only comes into the world in this context by way of the contingent, factual dimension of each and every individual. In this sense, we read Hegel as completely open to what we might call the necessity of contingency. However, simultaneously, Hegel, like Hobbes, Locke and Rousseau before him, is attempting to articulate a framework that can also account for the social unity that is necessary to a coherent political organization that must, in some sense, both affirm and structure the chaotic atomic interactions of its members. In this sense, there is a problem concerning the contingencies grounding the necessity ruling the framework. Airaksinen’s criticism does not take sufficient account of this aspect of the problem and therefore misses the ways in which contingency is crucial to the very genesis of the universal and the ways in which universal structures in the social whole are problems not just for Hegel’s system but for all political theory. Our central claim here is that it is Hegel’s very conceptual analysis that allows us to think with precision the myriad of issues at stake in the complexity of these social configurations, and the potential problems accompanying such a project which seeks to genetically map the social actualization of various models of freedom.

We believe, furthermore, one of the fundamental problems accompanying Hegel’s speculative analysis arises when commentators (over-)emphasize the apparent ease with which the dialectical

⁵⁴⁶ See Theodore W. Adorno’s *Negative Dialectics* trans. E.B. Ashton (New York: Continuum, 1973), p.309ff. While we have not yet reached Hegel’s analysis of the legal sphere proper, we believe that Adorno’s insight concerning the category of equality’s unfolding in Hegel’s writings on law also has purchase for the latter’s analysis of personhood.

⁵⁴⁷ Airaksinen, p.175.

transition from punishment to the reactualization and stabilization of right transpires at the level of *logical* analysis. Our concern is that in overemphasizing the speculative unity that emerges out of the dialectical antinomy of abstract right, crime-punishment and the register's sublation in terms of moral subjectivity, and not tending to the potential difficulties revolving around punishment, which Hegel's analysis shows to be the case, one fails to sufficiently explore the fundamental insights, and warnings, Hegel's thought offers us in regards to the complexities of our social world. Consider, for example, Houlgate's exegesis of the transition from punishment in abstract right to the opening section of morality. Houlgate writes: "Through the punishment of the criminal the authority of right is re-established: right is accorded clear priority over the individual will. When this priority is explicitly recognized and internalized by the individual will itself, the latter becomes a *moral* [*moralisch*] will...Moral freedom is thus the next form of freedom that we encounter in *The Philosophy of Right*."⁵⁴⁸ Notice how Houlgate's commentary presupposes that this transition *will* take place. It is, therefore, on his reading, not a matter of *if* but rather *when* such a move will occur.

To be clear, there is a sense in which Houlgate is correct and that has to do with the level of analysis on which his commentary operates. He very perceptively charts the conceptual trajectory of Hegel's analysis of both crime and punishment. This perceptive and accurate reconstruction is the merit of his analysis. Nevertheless, there is a way in which it simultaneously fails to sufficiently accentuate the problematic implications that Hegel's difficult analysis entails at the level of living actuality. Our concern, then, does not conflate the level of logical analysis with that of the empirical. Rather, it insists on investigating, and making explicit, the ways in which that very same logical analysis gives us clear indications of the problematic and even dangerous consequences that it entails for the life of the social world.

If, as Houlgate suggests, the primary objective of punishment is the reintegration of the particular dimension of will within the parameters of its universal counterpoint (universal as both subjective and

⁵⁴⁸ Houlgate, p. xxv. See similarly Houlgate discussion of the 'sublation' of the problem of poverty in the writings on civil society (pp.xxx ff.). What is striking here, in analogous form, is the way in which Houlgate takes the *logical* analysis as the decisive factor on the *problem* at hand. Our concern, rather, is that Houlgate does not appear to show sufficient sensitivity to the very fact of a problem in these contexts. That the actualization of the problematic modalities of objective spirit that Hegel's analysis maps might disintegrate in ways that remain antinomic to sublation are not nuanced in his analysis or even addressed as actual possibilities. Our aim, at least in part, is to address this lacuna and offer a reading such that the problems confronting the *living* dynamic of spirit at the objective level are placed at the forefront of the analysis.

objective) and, concomitantly, if we are correct in our thesis that the particular dimension of the will that breaks loose in criminality is an expression, at least in part, rooted in the immediate, natural register of the individual, then, there is a very precise sense in which we can say that punishment is directly connected to the problems surrounding the unruliness of natural materiality that we have systematically tracked since our starting point in the philosophy of nature. As we have suggested, the concept of punishment then strikes an immediate connection with psychotherapeutic treatment and habituation that we detailed in Part II. It is only insofar as the unruly particular can be brought into accord with the social whole and the universal dimension of the criminal's will that the actuality of freedom, in the Hegelian framework, is secured as such. Our contention, then, is that not only is the criminal act directly an explosion of the problem of extimate materiality, on the reading we are proposing, but that the concept of punishment is also a symptomatic consequence of that problem insofar as it is a conceptual attempt to overcome it, to stabilize the fissures in the social fabric that criminality initiates. What the problem of surplus repressive punishment reveals, however, is that such an attempt, by way of the very ambivalence immanent in the concept of habit itself (spiritual and natural), might radically fail at such a process of reintegration, might over-engage, as it were, the very content which it meant to reactivate within the parameters of spirit's free self-actualization. What such a problem does, as we have suggested is manifest by way of the 'rabble,' is establish an entire set of problems that are not simply sublated in terms of moral subjectivity. What this ultimately reveals, on our reading, is that while crime is always punished, therefore remaining a feature of the domain of right, this in no way guarantees that the possibility of surplus repressive punishment does not simultaneously establish an entire array of problems that are not so easily overcome within the coordinates of right itself (i.e. the problems of colonization and perpetual market expansion, for instance).

Our primary objective, therefore, has not been to accentuate the threat of criminality in order to assert the necessity of punishment and state institutions in some kind of repugnant display of subservience to authority. Rather, our aim has been to use criminality as a reflexive heuristic device that makes explicit the protean problem of the natural that permeates the entire section on right as a whole but which is not always explicitly at the forefront of the analysis' immanent developments. The consequence of this lack of explicitness is that this problem, *that there is a problem here*, often goes underexplored in the literature. Criminality, then, on the reading we are attempting, precisely instantiates the ways in which the problem of nature poses a perpetual danger to the Hegelian concept of spirit and its actualization in

terms of personhood, rights and the concept of individual freedom that both presuppose. More importantly, there is a way in which punishment, while designed to overcome this threat, and propel the speculative analysis onward to a more comprehensive standpoint from which to engage the complex enigmas surrounding the actualization of freedom, shows itself as intrinsically limited in its productive functionality—and this is a crucial upshot of Hegel’s analysis. That is to say, punishment can only generate a limited functional structure, i.e. the moral subject, and therefore it does not operate as *the* solution to the problem of contingent materiality that the *Rechtphilosophie* as whole must repeatedly engage in an almost nauseating, symptomatic process of repetition whether it be in terms of abstract right, the moral subject, the dynamics of civil society, or even the figure of the monarch, and the perpetual foreclose on a ‘kingdom of ends’ (peace) constituting the international register (conflict).

Hegel shows that contingency, and therefore the unruliness of extimate impulse, *must* have its say within the parameters of abstract right and, more importantly, that the entire register of abstract right is a necessary component within the dynamical auto-actualization and conceptualization of freedom as a whole. The problem, as we see it, is that this internal necessity generated by the conceptual analysis simultaneously opens itself to the radical contingency of that which it necessitates. In a sense, it is that contingency that makes possible the very necessity of the logical analysis. This contingency constantly threatens the latter. These implications following from Hegel’s analysis provide firm grounds upon which to substantiate our claim concerning the brilliant purchase of the speculative standpoint: it offers us the sophisticated conceptual tools with which to precisely think the problem of nature’s unruliness, and how this problem permeates the entirety of abstract right, in its subtle complexity, while neither reducing the problem to the status of an insignificance and therefore doing it the injustice of mutilation, nor sublating it and therefore (re-)contextualizing it within the contours of a different level of logical analysis. This problem, again, becomes most clearly manifest in the baffling complex problem of the ‘rabble.’ That Hegel’s position is able to address these problems with such sensitivity without collapsing into simple solutions concerning the very nature of the dangers at hand constitutes its extreme merit. In this sense, a lack of a definitive answer, in the sense of the rigidity of crude thinking or worse dogmatism, is the power of such a sophisticated standpoint. Exploring the fullness of the implications that such a standpoint generates, the very real *problems* lurking here, is what simultaneously distances our reading from Houlgate’s otherwise excellent exegesis.

Considering the problem of punishment from within the immanent unfolding of the concept of right, we can say that what Hegel's analysis shows us are the ways in which the register of Lockean and Humean atomistic conceptions of personhood and right function as a necessary developmental moment in the conceptual analysis of freedom's actualization in the social world. It is the opening, most abstract and rudimentary determination of freedom that opens up the entire possibility of freedom's actualization. Nevertheless, the dialectical mutation of right into crime and, subsequently, punishment indicates what we might call the conclusion of generative potentiality latent in abstract right. Punishment establishes the conceptual conditions for moral subjectivity's emergence. Right, in its reemergence from its negation as a 'negation of the negation,' by way of punishment can now take itself for an object; it grasps that in crime the will is particular and opposes itself to the universal. More precisely, the subject emerges as a self-related negativity because the tension between universal and particular is now realized internally. In Foucauldian terms, the discipline of punishment literally produces individual self-regulating autonomy or, in other words, subjectivity.

While this developmental emergence proves a controversial yet fascinating conceptual genesis within Hegel's *Rechtphilosophie* it must remain out of bounds for the parameters of the current study. Our primary objective has been to track the immanent unfolding of the concept of right within the context of the section on abstract right in order to pursue the problem of nature within the coordinates of that conceptual constellation. Having achieved that objective we cannot further pursue how this problem might unfold within the context of Hegel's writings on the moral subject. We might, however, venture the suspicion that our problem might show itself again, most forcefully, in the problem of radical evil. That, however, is an idea that will require elaboration in a project other than our current investigation and therefore we demarcate it as such.

Retrospect allows us to detail some of the features connecting the conceptual topography we have covered to this point in our investigation. Considering the radical lack of structural stability that, in Part I, we argued characterizes Hegelian nature and the way in which this instability, by way of Part II, informs and traumatizes finite consciousness' emergence from the natural register has allowed us to pose the question as to whether this problem might in fact further unfold within the coordinates of Hegel's

writings on objective spirit. Contra Güven,⁵⁴⁹ who insists that Hegel attempts to marginalize the problem of madness from the register of spirit (i.e. the issue of nature) we have attempted to venture an alternative thesis. By concentrating on Hegel's conceptual rendering of the domain of abstract right, particularly by way of crime and the problem of surplus repressive punishment, we believe we have developed sufficient grounds by which to substantiate our thesis concerning the problem of nature, and its thorough going presence, within the context of the objective register.

Not only is the presence of the natural register manifest in the very title of the work, *Naturrecht und Staatswissenschaft im Grundrisse* and *Grundlinien der Philosophie des Rechts*,⁵⁵⁰ but a careful analysis of the structure, content and signification of the very concepts found in the opening section, i.e. personhood and right as possession, property, and contract, has forced us towards the affirmation of our central thesis concerning the problem of nature within the context of Hegel's socio-political writings. Our analysis shows, at the most general level, that the opening of Hegel's writings on right is concerned with the actualization of freedom, the translation of the abstract self-referentiality of the free will into materiality in the institution of private property (and its respective permutations). In this sense, the entire opening expression of freedom is bound to both the body of personhood and the materiality of property. Moreover, what our analysis has revealed is that from the very outset the self-referentiality of the will is only achieved by way of the complete negation of the individual's factual dimension which we have shown is nothing other than the material impulses and drives that come to each immediately (naturally), whether in terms of biological inheritance or sociological enculturation or a unique combination of the two. Therefore, from the very outset of our analysis of personhood we received the distinct impression that the natural dimension of individuality was not entirely removed from the context of analysis but, in a crucial sense, operated as the very materials through which the entire register of right comes into living activity.

⁵⁴⁹ See Ferit Güven, *madness and Death in Philosophy* (New York: SUNY Press, 2005). See, for instance, when he writes: "...Hegel is trying to remove the possibility of madness from the domain of spirit. This exclusion is possible only if one accepts the claim that madness is necessarily tied to immediacy and corporeality" (p.35). It is not at all clear that if we are to operate *within* the parameters of Hegel's analysis of 'madness' and psychopathology that there is a way in which we could say that it is not connected to the issue of corporeality and the body. To do so would be to commit violence against the text itself. But if we have repeated textual support to think that the problem is, at least in some sense, tied to the problem of nature then there are good reasons to think that this problem persists in the context of spirit. Spirit is nothing, after all, other than the construction of its own second nature which necessarily means grappling with the terms of immediacy in which it finds itself as a late arrival, factually immersed.

⁵⁵⁰ Here our emphasis falls on "*Naturrecht*."

Our thesis concerning the problem that nature must cause in the context of freedom's actualization at the intersubjective level of personhood was reinforced, moreover, when set against the historical backdrop and philosophical precursors making Hegel's analysis possible. Insofar as Hegel's rendering of personhood and property operates, at least in part, as an extension of the Hobbesian portrait of atomic individuality, where freedom is framed in terms of the individual's pursuit of self-interest, our thesis gained further traction. To the precise extent that the Hobbesian-Lockean view necessarily involves individual choice in terms of one's desires, aims, and goals, we think that such a conception of freedom, negative freedom to choose, must necessarily involve the material, factual dimension of the individual that we have attempted to accentuate throughout the entirety of Part III. One of the key philosophical insights Hegel offers in his analysis of the problem of negative freedom is to argue that it is not enough for freedom to be framed in terms of a regulative, strictly subjective ideal, as Hegel sees it unfold in the works of Rousseau and Kant. Instead, for Hegel, freedom must have, and has, actuality in the world and one of the ways in which it comes into the world is by way of the impulses and desires that people pursue in terms of juridical personhood. In this sense, Hegel does not disagree with Hobbes: atomic individuality and the conception of freedom it presupposes is, in some fundamental way, accurate and crucial to the active vitality of freedom as such. This is why we think Riedel is entirely accurate when he claims, similar to Stillman, that Hegel's political philosophy in no way abandons natural law but, instead, especially in the context of abstract right, operates as an "...enormous intensification of it."⁵⁵¹ However, Hegel radically diverges with Hobbes to the extent that freedom, for Hegel, could never *only* be framed in terms of the negative freedom constitutive of personal choice. Indeed, as Honneth forcefully argues, one of the merits of the Hegelian position is that it reveals the intrinsic limitations of various conceptions of freedom and their internal dynamical relations of mutual reinforcement and limitation; insofar as one takes a *dimension* of freedom, here personal choice, and construes it as the totality of freedom one commits a violence against the very concept itself, turning it to sand in one's hands, as it were. The consequence, when one modality of freedom is promoted to the detriment of the others, for Honneth, is various modes of "social pathology," conditions antithetical to the very life of freedom.

⁵⁵¹ Riedel, p.144; See also Stillman in this regard where he writes: "'Abstract Right' is, in short, a condition not dissimilar to the state of nature of Locke and the eighteenth century, except that its beings are not natural men but abstract persons, with not natural rights but abstract rights" (p.170).

One of the lasting insights of Hegel's thought in the context of juridical personhood and the conception of freedom it requires revolves around the way in which he seeks to materialize freedom, give it a living body, an actual existence within the parameters of the social world. We developed an acute sense of this in Part III by systematically tracking the ways in which Hegel asserts that the drives of individuals etc. are in a sense crucial to the actualization of personal freedom. Westphal gets at the implications of Hegel's thought in this context quite forcefully when he writes:

...Hegel argued that the free, rational, spontaneous human will cannot generate or specify its own principles, aims, or objects *a priori*...The content of the will thus derives from nature, but it must be transformed into a self-given content: "the drives should become the rational system of the will's determination; to grasp them thus in terms of the concept [of the will] is the content of the...science of right"...This statement is crucial, it indicates that the issue of avoiding natural heteronomy by rationally integrating our needs, desires, ends, and actions is basic to Hegel's whole argument in the *Philosophy of Right*.⁵⁵²

In this sense, it is not that the drives etc. need to be excluded from the domain of freedom—the Kantian approach. Instead, Hegel's move is to argue that they need to be incorporated, reconfigured, within the larger whole constituting the social actualization of freedom, i.e. the entire objective actualization of spirit as second nature. This is one of the brilliant, if also provoking and even potentially dangerous, moves in Hegel's political writings insofar as they attempt to systematically trace how the move from individual natural needs to their (re-)contextualization, and assertion, at the social level transforms the very naturality of those needs. In this transformation the needs become restructured in terms of objectives and goals that the community gives itself (self-actualization, autopoietic regulation). The transmutation of natural impulses strikes strong connections with the transformative potency of the individual body, which we developed in Part II focusing on the anthropology. It is points of contact such as these which have prompted us to our suspicion regarding fundamental affinities between the anthropological writings and the opening movement of Hegel's science of right with the objective of further problematizing nature and, by extension, spirit—to the extent that the latter is nothing but the construction of a second nature out of the materials in which it always already finds itself—*in media res*.

Nevertheless, the brilliance of Hegel's move, the way in which he forcefully argues that natural impulse, drive etc. must play a crucial role in the objective actualization of freedom also entails certain dangers—which we attempted to accentuate throughout Part III by way of our emphasis on wrong,

⁵⁵² Westphal, p.245.

criminality and punishment. The dialectical mutation of the category of abstract right into wrong spells out, in no uncertain terms, how the natural dimension of personhood plays a crucial role in the immanent unfolding of this category—the pursuit of immediate interest to the detriment of the larger social whole. However, our reading has insisted that the most dangerous dimension of criminality resides not within the matrices of individual impulses and drives but instead within the very apparatus of punishment, its potentially problematic configuration as a surplus repressive force. Insofar as this apparatus connects to the category of habituation, which it unavoidably does, it is connected to the problem of the natural. Consequently, a risk of excessive naturalness by way of punishment might serve to undermine spirit's autarkic freedom, bringing it into contact with habit's dulling dimension which operates antithetically to spirit's spontaneous upsurge. Unlike the modality of habituation in psychopathology, however, which we have shown to constitute the stabilizing moment in the issue of 'madness,' our reading of the problem of surplus repression emphasizes the other possible feature of (re-)habituation, i.e. its mechanical, natural, aspect. This move is not entirely of our own making, rather, this problematic ambiguity resides immanent within the category of habit itself. Although we emphasize one dimension of habit in Part II (potentially liberating), and another in the present (potentially de-actualizing), such emphasis only serves to heighten the sense of promise and danger that accompanies the deployment of this category more generally. Ultimately, what this shows us, we believe, are the ways in which an excess of repressive force, by way of the disciplinary apparatus, might undermine the very actualization of freedom at both the individual and social level. We can uniquely deploy Westphal's thought to emphasize our concern:

Typically it is supposed that...either individuals are more fundamental than or are in principle independent of society or vice versa: society is more basic than or "prior to" human individuals. Hegel realized that these two options form a false dichotomy...Hegel argued that there are no individuals, no social practitioners, without social practices, and vice versa, there are no social practices without social practitioners...The issue of the ontological priority of individuals or society is bogus.⁵⁵³

This symbiotic reinforcement of the micro and macro, when considered in the context of surplus repression, shows us that, instead of rehabilitating the conditions crucial to spirit's objective actualization, it generates conditions that serve to regressively de-actualize spirit, as evidenced in the problem of the 'rabble' and its insufficient 'solution' (viz. colonial expansion). In a twist of Marcuse's reminder, then,

⁵⁵³ See Kenneth Westphal's "The basic context and structure of Hegel's *Philosophy of Right*," in *The Cambridge Companion to Hegel* ed. Frederick C. Beiser (Cambridge: Cambridge University Press, 1993), pp.234-269. Here pp.236-237.

we note that the very real stake at hand in Hegel's political thought is that it might surrender "...freedom to necessity, reason to caprice..." with the consequence that the social order might fall "...in pursuit of its freedom, into a state of nature far below reason."⁵⁵⁴

We believe, therefore, the very real threat that surplus repressive punishment perpetually poses to spirit's actualization is what allows us to frame it in terms of a traumatic *regression* analogically resembling the problem characterizing psychopathology. Recall that the natural unruly dimension of spirit's anteriority, which we traced over the course of Part II, must be reconfigured within the coordinates of finite spirit's activity for the latter to assert itself as free actuality. Similarly, the natural, immediate, dimension of juridical personhood must be realigned in such a way that makes its compatible, in some significant sense, with the principle, and actualization of, right. The crucial difference, in the context of abstract right, however, is the location, as it were, of such a regressive force. In the problem of psychopathology, regression is finite spirit's submersion in strictly immediate, external, determinations which undermine its spontaneous agency. In the context of abstract right, however, it is not so much the individual's willing from natural immediacy that constitutes the *sole* problem. Instead, we see the real threat for spirit, in this context, as residing within a surplus of repressive force by way of punishment that problematically alienates an entire array of subjects from the register of civil society which, simultaneously, might serve to undermine the very social totality itself. This excess of natural force, by way of the disciplinary apparatus, operates as a real regression for the social whole because it undermines the actualization of objective spirit at the individual *and* societal level. In place of a mediated totality operating in terms of freedom's self-actualization, surplus repression instantiates a traumatic diremption which separates individuals from the social totality, therefore, it de-actualizes concrete freedom in a precisely correlate manner. The converse upshot here is that precisely insofar as the internal life of the individual remains fundamentally alienated from the social world, the problem of regressive de-actualization becomes a real possibility, this threat is only heightened to the extent that it comes to demarcate an entire section of the state's populace. Another implication here is that if disciplinary habituation is to have meaningful purchase in a project concentrating on the social actualization of freedom, then, it must be fundamentally concerned with re-actualizing the individual's and community's freedom. Anything short of this aim makes it immediately suspect. Therefore, in accordance with Schild's

⁵⁵⁴ Marcuse, p.218.

reading of the category of punishment, we believe that there are good reasons to think that Hegel's position is best understood in terms that are *not* strictly reducible to the jargon of *lex talionis*. While Hegel's position does have retributivist overtones we, simultaneously, believe that it is not strictly so. There are good reasons, again when we frame Hegel's account of punishment in terms of habituation and *Bildung*, to think that there are rehabilitativist dimensions to his position. We need to remember that Hegel is, if nothing else, a holistic thinker, and therefore, in many of his approaches to certain problems we can expect to find an integrative stance seeking to adequately contextualize and relate various competing positions to specific problems, here the perplexing problem of disciplinary matrices.

We believe that what our series of analyses reveal is that these traumatic crises, at both the individual and the communal level, that psychopathology and criminality demarcate, remain formal possibilities for spirit as it unfolds as human agency in its various temporal, social and political contexts. Because spirit is in a sense always-already immersed in the externality constituting its most immediate origins in the natural register, there is a specific sense in which the construction of a second nature in terms of various social institutions, shaping the emergence and sustainment of finite subjectivity, is perpetually dealing with the nature of those origins, the realignment of them within the contours of spirit's autopoietic upsurge and temporal projection of freedom. What this shows us is the precariousness of spirit's position. Its potential re-submersion in the condition of its anteriority (madness) or an articulation of surplus repressive force in response to those conditions (punishment) which, quite problematically, alienates the individual from the social and vice versa. Both are, in some significant sense, an upsurge of the problem of the natural. While, simultaneously, we can say that the problems of surplus punishment and 'madness' are constant possibilities of human (spirit's) reality.

This immanent and essential tension, moreover, constitutes the generative and yet volatile non-synchronicity that we argued comprised the dynamical interpenetration of the natural and self-referential structure of spirit's restructive activity. Spirit finds itself immersed in immediate material givens which, in a sense, if it is to operate strictly in their terms, as in the case of the juridical person, undermine the very possibility of free actualization; however, as a *result* of spirit's own transformative activity, it comes to reconfigure those materials as its own, in choice, in the activation of certain practical aims over others etc. However, there is always a disjunctive gap in this process and this gap constitutes the very non-synchronicity of the dynamical interpenetration of the two registers. In this sense, the nature-spirit

dynamic is not at all resolved at the end of the anthropological writings but rather reactivated within the context of another level of complexity and spirit's autopoietic actualization. Therefore, nature's unruly extimacy remains a problem for spirit's project of auto-actualization. Concerning this problem, Riedel peripherally states: "The impulse issuing from the individual will—and this is often overlooked—*permeates the whole system.*"⁵⁵⁵ We believe this natural dimension that permeates the political writings marks out one of *the* problems confronting the objective actualization of spirit a problem that nevertheless remains underexplored, in terms of a systematic study, in the secondary literature. Again, the perpetual danger that Hegel's writings repeatedly indicate, as Marcuse notes, is that the system might surrender "...freedom to necessity, reason to caprice..." with the consequence that the social order might fall "...in pursuit of its freedom, into a state of nature far below reason."⁵⁵⁶ The systematic unfolding of this non-synchronistic instability and its perpetually threatening quality has been our point of concentrated focus throughout our analysis of both Hegel's anthropological and socio-political writings. We now wonder where else it might lead, how it might inform any reading of Hegel's writings on the absolute, or even in terms of the logic of the system of the whole. We now leave these questions in order to pursue them, if only briefly, in the conclusion of our current investigation.

⁵⁵⁵ Riedel, p.143. Emphasis ours.

⁵⁵⁶ Marcuse, p.218.

Conclusion: Freedom between Two Natures, or, the Nature-Spirit Dialectic in the Final System

A potentially problematic objection to our interpretation of Hegelian nature, and its consequences for the final system, needs to be addressed at this point. The supposed problem asks whether such a reading presents *nature* as the driving force in Hegel's thought—a move which would be acutely at odds with the entire upshot of his speculative philosophy of freedom. After all, it was Hegel who described a constellation of stars as nothing other than a gleaming leprosy in the evening sky. The central concern being that we have conflated nature with the power of spirit because the disruptive quality that our investigation has genetically mapped and assigned to nature is, in actuality, the first inarticulate stirrings of *spirit* only dimly, vaguely aware, and in possession, of itself. In this way, our entire reading is misplaced: it confounds nature with spirit and proceeds by way of confusion.

The force of this criticism shows itself insofar as it claims that the entire project we have generated constitutes nothing more than the trajectory of an error. Acknowledging the force of this criticism, however, does not reduce us to accepting its central assertion: i.e. we have conflated the two registers. Instead, we reassert and amplify what we have maintained and systematically developed since the outset of our current investigation: Hegel's speculative system conceives of nature as (1) minimally conceptual, therefore indeterminate (impotent) and (2) as radical exteriority. However, both of these features are antithetical to the very essence of spirit and, therefore, there must be some fundamental sense in which the two registers are qualitatively distinct, if still dynamically interconnected, in important, even inseparable, ways. It is not enough to say that what we witness throughout the entirety of Hegel's philosophy of nature is nothing other than thought, the power of spirit in its most inchoate forms, all the way down the line. Such a move tends to reduce the real qualitative difference that Hegel systematically maintains holds between the two spheres and it generalizes across contexts in a manner that is entirely un-Hegelian. Indeed, one might legitimately ask why there would even be a philosophy of nature if it was nothing other than the movement of thought. Moreover, a careful analysis of the mechanical register in the writings on the philosophy of nature does not permit such an assertion. Our interpretation has shown by way of careful and repeated textual reference that the mechanical register is, at the most, skeletally conceptual—and that characterization in itself would be a generous description—which is still distinct from the determinations characteristic of spirit proper. The entire analysis of the space-time dynamic has shown us the thorough prevalence of externality at that basal level of the natural register, its chaotic-

spurious infinity. As we have argued, there is nothing there other than external connection (*Beziehung*) which is qualitatively distinct from the internal self-differentiating relation (*Verhältnis*) characteristic of conceptuality and spirit more generally. However, if this in fact is the case, which we believe the text repeatedly suggests, then, there is a distinct sense in which the base level of the natural register cannot be framed in terms of the relationships constituting spirit's self-referential activity.

True, there is unruliness, instability, at this zero-level of the natural domain, but it is not at all evident that from that instability we might deduce the unruliness of spirit. Such a move, on our view, seems decidedly un-Hegelian for it would be to disregard speculative dynamics as they unfold *within* a specific context of inquiry in order to transpose the significations from an entirely different context onto the coordinates of the initial point of concern. Such analytic reification not only does violence to the initial terms under consideration but is decidedly at odds with Hegel's speculative method of immanent critique. The mechanical register is constituted by conditions that are, quite strikingly, external and devoid of the types of internal self-referentiality that would be characteristic of both conceptual thought proper and the life of spirit. Therefore, there is a precise sense in which the instability of the mechanical level of the natural register must, in some key sense, be attributed to the very instability inherent in radical exteriority itself. As per our thesis, it is this exteriority which poses a problem for the living actualization of the concept and hence the problematic dimension of Hegelian nature more generally—especially when framed in terms of the life of spirit. To the extent that nature is radically exterior, there is a sense in which it maintains a set of conditions that are antithetical to that which must be interior and self-referential. But, insisting on such a distinction is not to conflate the two registers as our interlocutor claims and therefore our thesis concerning the unruliness of the natural register maintains its critical purchase as a real problem within the coordinates of Hegel's final system.

Nevertheless, one might shift the domain of applicability of the objection and claim that while the mechanical register does not display the disruptive upsurge characteristic of spirit, the organic realm in fact does, as evidenced in the various self-referential phenomena of the animal organism, and therefore it is in the organic realm that we witness the disruptive upsurge of spirit and conceptual thought. Consequently, the disruptive quality assigned to nature itself is really only an expression of spirit's upsurge in this most inchoate form. It is in the context of organics, consequently, that we proceed to conflate nature with the activity of spirit. We respond that there is nothing in our position that suggests

that the self-referential activity characteristic of thought, and even to a degree spirit, is entirely *absent* from the natural register. To insist on such an absence results in the pain of dualism which Hegel rejects *in toto*. Rather, our claim has been that there is nothing if not a distinct qualitative difference in the types of conceptuality found in the two that both separates and connects the natural and spiritual registers within Hegel's final system. Such a claim, however, appears entirely in accordance with the basic upshot of Hegel's thought which insists upon a relationship and difference between nature and spirit. Throughout the entirety of our investigation we have attempted to place emphasis on the real differences between the two while also tracking how, by way of spirit's own activity, identity between the two emerges. We believe this is where it is most important to read Hegel's philosophy of nature on its own terms and not commit the tempting error of reading it by way of early Schellingian *Naturphilosophie* which would tend to downplay the differences between the two registers insofar as it reads both nature and culture as varying configurations of the potencies.

Our claim within the analysis of the animal organism has *not* been that there is no expression of freedom there, i.e. conceptual self-referentiality. Quite the contrary is, in fact, the case. Recall that from the outset of our reconstruction of Hegel's analysis of organics we drew attention to the fact that Hegel describes organic life as "the idea-concept having come into existence." In this sense, our interpretation insists that the concept does, in some minimal sense, exist within the parameters of the natural register. Our point, however, has been to argue that to the degree that the organism is beset with the perpetual exteriority that fundamentally characterizes the natural register, its life as conceptual, its freedom as actual, was perpetually threatened with annihilation by conditions that were hostile to its very life as self-relating conceptuality. However, this is to suggest that there is a way in which conceptuality activates itself *within* the coordinates of material nature. Nevertheless, in some important sense, it is different than the type of conceptual actualization that we witness in the context of spirit. One of the key differences between the two, we have argued, consists in the prominence and priority assigned to the determination of exteriority. To a degree that is qualitatively distinct the determination of exteriority is dominant within the parameters of what Hegel demarcates by "nature." This is not to say that exteriority is not a problem or a dimension for conceptuality within the parameters of spirit but it is to suggest that exteriority is much more dominant within the natural register and can in no way be characterized as the essential determination of the concept and spirit.

If we are to allow that there is a form of conceptual activity in the natural register we are still able to distinguish it from more liberated, and complicated, conceptual actuality we discover within the parameters of spirit. This just is what Hegel means by his differentiation of the realm of nature from spirit. In this way, we would still be able to reinforce Hegel's distinction while also maintaining the ways in which the two are intimately and even inseparably connected. However, to argue that the externality characteristic of the material environment, even nature more generally, functions as a perpetual problem for the concrete existence of the concept and freedom is nothing other than to endorse our thesis: the lack of conceptual structuration characterizing Hegelian nature is a problem for the actualization of the concept in such conditions. To the degree that our interpretation insists upon a natural conceptuality and a more stabilized spiritual, even liberated, version we are able to accommodate the criticism our interlocutor advances by highlighting that there is a way in which material nature is only capable of certain forms of conceptuality which it is challenged to advance beyond. However, such a limitation demarcates the very parameters of nature as such and it also suggests that within those parameters there is both an unpredictability and exteriority that is dangerous to the actualization of the concept. This danger, in other words, would constitute nature's lack.

Nonetheless, our interlocutor might recalibrate their objection further in order to suggest that the unruly and problematic quality of the natural register can only be understood insofar as one reads it in terms of the self-referentiality of the animal organism, i.e., insofar as we frame the problem of nature in relation to the vantage point of the concept. In so doing, consequently, we are forced to acknowledge that the problem really only has to do with the upsurge of freedom, spirit in its most minimal form, and therefore the charge of conflating the power of spirit with that of nature appears to regain traction., each and every *philosophy* of nature must begin from within the parameters of thought and therefore conceptuality. In this sense, the analysis cannot be anything other than conceptual and consequently must be a rendering of nature that is irrevocably connected to the concern of conceptuality. But, acknowledging this is not to suggest that the natural domain, which that conceptual investigation scrutinizes, does not have qualities and features that are antithetical to the very existence of conceptuality as such. It has not been our sole objective to say that nature alone is unruly. Yet, we might add that there is some accuracy in claiming that we seek to assign a certain uniqueness, and therefore autonomy, to the natural register in the Hegelian system that does not radically reduce it to a strict identity and subservience to the movement of

thought and thought alone. Our analysis of psychopathology has shown that what breaks loose of spirit's transformative control in such instances is the natural dimension of the subject itself, i.e. nature. Furthermore, our objective has been to show the ways in which nature's exteriority and indeterminacy pose a problem for spirit as actualized freedom. In this sense, our project has not been just a reading of nature but also, and fundamentally, what nature must mean when considered in relation to Hegel's concept of spirit and its project of freedom. What our interpretation has shown, by way of careful analysis of the philosophy of nature and spirit, is that nature as such remains a problem with which spirit is perpetually engaged and cannot help but be otherwise. Our primary objective in this project has *not* been concerned with assigning nature a problematic status in *isolation*. Instead, it can only really be a problem in active relation, in relation to the life of spirit and the actualization of freedom. Consequently, our interlocutor's criticism functions as a potential misreading of what we have attempted to achieve over the course of our entire investigation.

Second, although our project focuses mainly on the problem of nature in terms of a project of freedom this does not mean that there are absolutely no implications for nature "in and of itself." As our analysis of the mechanical register has shown, because the mechanical sphere is not bound by a strong *a priori* conceptual determinism it has the potential to generate novel configurations that are both irreducible and non-necessitated by the conditions which were nevertheless crucial to their genesis. This insight, by extension, must have implications for the natural register more generally—i.e. aside from the project of freedom (i.e. spirit). Consequently, the natural register retains an unpredictable dimension by way of this indeterminacy which it, moreover, retains quite independently of what it might mean in terms of the organism and, by extension, the concept, and even spirit. This generative capability is not, strictly speaking, a production of the internal necessitating force that conceptuality proper displays, say within the context of logic, and therefore the natural register retains an unpredictability that is distinctly its own. There is nothing in our reading that demands we have conflated the power of spirit with the indeterminacy and exteriority (lack) that we have argued characterizes Hegelian nature.

By way of contrast, we have argued that Hegel's analysis suggests that nature has unique dimensions which demarcate it as such. Moreover, these distinct dimensions, i.e. indeterminacy and exteriority, we have argued, are both (a) the precondition for the emergence of spirit proper and (b) a problem for that very upsurge. Radical exteriority in particular threatens to destroy the actual life of the

concept. Consequently, it is the very determination of nature, what we have described as the unruliness of nature itself, which operates as a necessary precondition, yet problem, for the life of the concept and spirit. However, to argue that the exteriority and indeterminate lack of nature operate as a problem for the life of spirit is not to suggest that they are the driving forces in Hegel's philosophical system. Rather, it is to maintain that nature has a distinct place within the architecture of the final system and that it forges an ambiguous yet problematic union with the register of spirit. Taking seriously what nature means within Hegel's encyclopedic system has forced us towards these interpretive claims. As per our reading, the life of spirit is nothing other than the unfolding of this ambiguous problem. We believe that framing Hegel's thought in this way offers an entire array of conceptual tools to not only think the problem of freedom but with which to, simultaneously, think the problem of nature from which, in a special sense, the former emerges.

Less often, in our view, has Hegel's thought been applied to the distinct problem of nature and this potential application might constitute one of the ways in which Hegel's system has purchase within the topography of our living present. However, these interpretive claims appear not only to be confirmed by a careful analysis of the relevant texts but there is nothing in them that maintains that nature is the *determining* element in the final system. Rather, these claims maintain nothing more than that nature is a problem for this system and its attempt to conceptually generate the coordinates of a holistic, self-grounding system of freedom—a perpetual problem through which it must bloom. That nature constitutes a problematic dimension of the system is only to reaffirm that the nature-spirit dialectic, its unstable and incessant dynamical unfolding, ultimately takes place within the enigmatic totality that Hegel demarcates by way of the category of “the absolute.” That nature as a problem must, in the last analysis, take up its position within that larger whole serves to show that our reading does not construe it as *the* determining dimension of the system. Again, our argument has only maintained that nature presents a unique constellation of challenges to the life of spirit. In this key sense, our project remains well within the limits it established for itself: to activate and unfold the problem of nature in Hegel's encyclopedic system. It did not set itself the distinct, though related, task of exploring, in its entirety, what Hegel's system means when framed in terms of the absolute. That is a question that must remain underexplored in terms of our current investigation.

Consequently, we believe that while our analysis has restricted itself to the writings on nature, and the connections they forge with subjective and objective spirit, it is crucial to note that our position has implications for not only Hegel's writings on absolute spirit, but even the domain of logic. In this sense, further inquiry would begin from where we conclude. In the most general terms possible, we might say that insofar as art and religion have to do with various modes of a *sensuous* rendering of the absolute, then, we believe there is a sense in which the problem of nature that we have tracked in this project must appear in those contexts as well. It must appear in at least two senses: first, it seems quite likely that it would have to manifest itself, in some form, in both the subjective and objective materials crucial to the upsurge and actualization of such a rendering, and; second, the very unruliness of nature itself must be present in the aesthetic, spiritual, product itself. A continuation of our current efforts, therefore, would track the immanent details of the problem of nature in these specific contexts.

More importantly, insofar as our project has concentrated on the relation between nature and spirit, being and mind, we believe that our reading of the philosophy of nature would also require a specific reading of Hegel's speculative logic and the ways in which it makes the very thinking of the world possible. Such a complicated topic, however, requires its own distinct study which can only be skeletally sketched in these concluding remarks. In order to complete the circle, which Hegel claims constitutes his speculative science, in order to show the ways in which each dimension of the system opens onto and reinforces the others, further study would develop the details of how our reading of nature informs, and is informed by, a specific interpretation of Hegelian logic. While we have explored the ways in which mind (*Geist*) has arisen from the material matrices of nature a continuation of our project would concentrate on the ways in which those material matrices can, in turn, be comprehended by thought. The importance of the mutually reinforcing quality of the two lines of inquiry proposed by Hegel's system is clearly stated by Grier who writes:

...the first [line of inquiry] attempts to explain how mind can be understood to have arisen in the context of the natural world, while the second attempts to show how *that world* can be comprehended as such *by* the mind depicted in the first branch of the argument...The first branch of argument is accomplished...if one commences reading his system at the *Philosophy of Nature* and follows it through at least as far as the emergence of subjective spirit in the first part of the *Philosophy of Mind*...The second branch of the argument...proceeds through the *Logic*, and culminates in the *Philosophy of Nature*....The circular nature of this system ultimately guarantees the strongest possible

coherence between the outcomes of the first branch of the argument and the second: namely a subject-object identity of mind and nature.⁵⁵⁷

Having completed the details of the “first branch,” from the philosophy of nature through to subjective and objective spirit, further study would necessarily inquire along the “second branch” of the argument, moving from a careful reading of the logic that would make possible our current interpretation of Hegelian nature as its logical consequence. We have, if only in a most rudimentary manner, offered some indication of what such a corresponding reading of Hegelian logic might look like. Remember that in “Part I,” particularly in our reconstruction of Hegelian mechanics, we outlined the ways in which speculative thought, in its analysis of nature (more specifically, in its analysis of the findings of the empirical sciences), first generates a conceptual category that it then seeks to have confirmed by the relevant empirical data. Responding to that empirical input, thought refines its speculative categories accordingly (generates new ones). This detailed process of the speculative genesis of categories, which are subsequently refined in light of empirical data, is nothing other than the methodology of a distinctly Hegelian philosophy of nature and demarcates the type of relationship that would transpire not only in the domain of thought (logic) but how thought ventures critical purchase on the world it confronts.

What such a method tells us is that while thought itself generates an entire array of conceptual categories in terms of its own immanent activity which it, in turn, brings to its investigation of the natural and social worlds it confronts, it is the very fabric of those worlds themselves which either confirm or disconfirm those categories. In this sense, the actuality of the world is not exhausted by the *a priori* determinations of thought as developed in the domain of logic. What we would find in experience of the world would have some purchase in the speculative analysis. In the context of nature, thought is repeatedly forced to consider the evidence offered by the natural sciences in its quest to generate a comprehensive, integrated conceptual rendering of the natural world. Simultaneously, however, in another sense, thought has nothing other than the categories which it itself generates with which to encounter the world—these categories in a way open up the very possibility of inquiry, and therefore, the very possibility of error and confirmation. Such a reading, however, would break with Stone’s reading of nature and logic, for instance, insofar as she insists on a strong *a priori* reading of Hegelian logic that not only necessitates the emergent categories of thought itself but also those that hold for the domain of

⁵⁵⁷ See Grier’s “The Relation of Mind to Nature: Two Paradigms” in *Essays on Hegel’s Philosophy of Subjective Spirit* ed. David S. Stern (New York: SUNY, 2013), pp. 223-246 (p.225-6 cited).

nature. Stone, therefore, insists on a strong correlation between thought and the world, one that is ultimately necessitated and exhausted by the *a priori* determinations of thought (logic).

Our reading, by way of contrast, would come closer to certain features of Burbidge's reading of Hegelian logic that insists on an *a priori* dimension of thought when considered strictly in terms of logic but one that, when it comes to applying those categories to nature, is not "strong." In this sense, we might call our reading of the connection between thought and the natural world a "weak" *a priorism* which would directly connect to our thesis concerning a weak nature, i.e. one lacking some of the precision of conceptual and logical determinations proper and therefore lacking the strict necessitating force found within the register of pure logic. In this sense, we hold that there is a distinct difference in the *a priorism* of thought, i.e. weak and strong, between the logic of nature, on the one hand, and the logic of thought, on the other. Burbidge gets at a dimension of how we are to understand Hegelian logic as it relates to the problem of nature by differentiating between pure logic and its application in investigations into the natural world, he writes:

As in logic, thought is required to analyse the starting-point for any stage in the philosophy of nature. We need to understand what we are looking for. And thought is required to integrate the results of its investigation to produce a new kind of concept. There needs to be a speculative synthesis. The two disciplines, however, differ in their intermediate stage. In the logic, dialectic passes over to an antithesis or contrary in the very process of understanding its initial concept. In the philosophy of nature, in contrast, thought "declares itself redundant", looks to see what in nature corresponds with its analysed starting-point and then incorporates the results of these observations into its final reflections.⁵⁵⁸

We view our position as largely in accordance with Burbidge on this point: pure logic is isolated and self-relating in a way the deployment of those categories in the natural and social world is not. A philosophy of nature, for example, must incorporate material conditions, and the findings of empirical science, in a way that is entirely foreign to the internal developments of concepts as they unfold in the register of pure logic. This is why Hegel explicitly differentiates between the category of life as it would unfold in the logic and that same category's unfolding not only in terms of nature but also in the context of spirit.⁵⁵⁹

⁵⁵⁸ Burbidge, "New Directions in Hegel's Philosophy of Nature," p.182.

⁵⁵⁹ See Hegel's *Science of Logic* trans. A.V. Miller (New York: Humanity Books, 1969). Hegel writes:

...the *Idea*, that which is true in and for itself, is essentially the subject matter of logic; since it is at first to be considered in its immediacy, it must be apprehended and cognized in this determinateness in which it is *life*, in order that its treatment shall not be an empty affair devoid of determinate content. All that we need perhaps to remark is how far the logical view of life differs

In this sense, there are disparate, qualitatively distinct spheres of application, highlighting the differences that separate a strictly logical unfolding of a category and its actualization in the world (natural or social or both). Consequently, the contingency and exteriority of the natural world is what would separate determinations of pure logic from a philosophy of nature. Pure thought, in other words, cannot exhaust in advance the developments of material nature. Insofar as the natural world shows itself as unruly, antithetical to the necessitating determinations of thought, it has, on our view, the perpetual possibility of upsetting and destabilizing thought. It is the contingency of the natural register, its lack of a strict correspondence with the movements of pure thought, which repeatedly poses a problem for thought, demarcating it as a source of perplexity and infinite inquiry. Our reading of Hegelian logic, therefore, would have to make room for the real differences resident between thought as it unfolds in the context of logic and the way in which that same thought encounters the natural world. A study dedicated to reading Hegel's logic in a way that would reinforce our interpretation of Hegelian nature, and thought's emergence from those material matrices, is one of the more pressing needs established by the very resulting developments of our current project.

Finally, we believe that the insights that we have generated over the course of this study have direct implications for the nature-spirit dialectic as it unfolds in the final system and it is with these that we wish to conclude. We believe that Hegel's system is designed with the express purpose of genetically mapping the nuances and complexities revolving around the living reality of both the natural and cultural worlds. Consequently, is not just concerned with discourse analysis and the interconnections existing between various forms of inquiry. We believe that it is this dimension of Hegel's system that constitutes

from any other scientific view of it; this is not the place, however, to concern ourselves with how life is treated in the unphilosophical sciences, but only with differentiating logical life as pure Idea from natural life which is dealt with in the *philosophy of nature*, and from life in so far as it stands in connection with *spirit*. The former of these, as the life of nature, is life as projected into the *externality of existence* and having as its *condition* in inorganic nature, and where the moments of the Idea are a multiplicity of actual formations. Life in the Idea is without such *presuppositions* which are in the form of shapes of actuality; its presupposition is the *Notion* as we have considered it, on the one hand as subjective, on the other as objective. In nature life appears as the highest stage, a stage that nature's externality attains by withdrawing into itself and subsuming itself in subjectivity. In Logic it is simple inwardness [*Insichsein*], which in the Idea of life has attained an externality that genuinely corresponds to it...(p.762).

Continuing, Hegel then differentiates the life of spirit from both life in nature and the domain of logic. These important nuances, however, are threatened in terms of a strong *a priorism* that strongly identifies the logical unfolding of the category of life with its actualization in nature's externality—not to mention the differences that both strike with the life of spirit, as per Hegel's very own words.

its danger and its merit: its seemingly unending quest to navigate, relate, and understand disparate domains of the complexities of the natural and social worlds, not only in a phenomenological or linguistic sense, that in many ways are the assumed starting points of inquiry for our contemporary philosophical world, but in the spirit of a non-dogmatic, critical, realism. Therefore, while Hegel is understood to be one of the prime instances of the excesses of “absolute idealism” we might also add that a careful reading of his system suggests that there is an inherent realism operative in his speculative thought. By “realism” here we mean quite simply the ability of thought to come into contact with the world in which it finds itself immersed and engaged and to think the various connections, relations, and levels of complexities constituting various dimensions of that world. If we were to describe Hegel’s thought as a “critical realism” then we would mean to get at the dimension of the system that articulates what he would most certainly would call *real* features of the natural and social worlds that spirit itself confronts, and inhabits, a realism that is self-grounding and therefore critical (i.e. non-dogmatic).

Therefore, the reading that we have generated over the course of our investigation forces us to return once more to consider the ultimate implications of what we have characterized as the logical non-synchronicity of the nature-spirit dialectic. This non-synchronicity we believe can now be read in terms of a dynamical sense of freedom that unfolds between two distinct senses of nature. We might even go so far as to suggest that spirit has shown itself to be nothing other than a freedom which fluctuates in the parameters it itself establishes between the two. On the one hand, as the analysis of the neonate and the problem of psychopathology have shown us, spirit, in its primordial configuration, is nothing other than a being rendered by the immediacy of its external environment, the material-maternal. More precisely, the neonate and the problem of psychopathology have revealed finite subjective spirit as a being rendered by that which it is *not*; consequently, in such situations, spirit was being rendered mainly in terms of the radical exteriority that we have shown to constitute Hegelian nature proper. Insofar as spirit was overdetermined by such exteriority it was not free, not, in a special sense, itself. It was therefore, alienated from itself. The upshot of this interpretive move is that insofar as spirit remains determined by whatever immediate condition it finds itself in, insofar as it finds itself as immediately determined *and remains as such*, there is a sense in which it is naturally determined and therefore not free; it itself is determined by those conditions which it itself did not generate, nor reconstruct within the horizon of its own activity. For Hegel, spirit’s freedom cannot be framed *strictly* in terms of its primary immediacy for to do so is to

frame its essence as radical self-referential freedom in terms of external determinacy, a framing condition antithetical to that essence. In this sense, there is a way in which spirit must be understood as freedom which remains connected to its initial point of departure as naturally rendered and, yet, as somehow irreducible to the immediacy of that originary point of departure. Spirit as free, therefore, must always be beyond its material-natural origins.

This outstripping of origins is what we characterized as the non-synchronicity of the nature-spirit dialectic. Spirit is always logically delayed when framed in terms of any initial determination it might have. It must always show itself, in a sense, as beyond its initial determination and such a revelation can only show itself in the consequent result of the starting point's unfolding, its immanent exhaustion. While spirit *is* the process of its own unfolding that very unfolding simultaneously alters what spirit is—not only in the world but for itself. This process of evolutionary (qualitative transmogrification of any starting point) self-unfolding (transmogrification by way of its own activity) is the incessant activity constituting the life of spirit; it is a process that cannot be captured by way of the category of logical simultaneity. Spirit, in this precise sense, must remain unsynchronized. It is this non-synchronicity that perpetuates its incessant self unfolding. This revelation, therefore, cannot be framed in terms of simultaneity; instead, it requires logical unfolding, a logical non-synchronicity where the starting point and the result of the immanent unfolding of that starting point cannot be exhausted by way of the category of identity. There is a sense in which, therefore, origin and result are non-identical. Indeed, the irreducibility of spirit to its origins, the way in which it is beyond the exteriority of the natural register is why, as our analysis has shown, that spirit is nothing other than the construction of a second nature. This is exactly what we witnessed not only over the entirety of the anthropological writings but also in terms of its penultimate category, habit. Habituation is the construction of a second nature that operates as a concrete, bodily, expression of spirit's autogenetic self-actualization. Bodily habituation, in other words, showed itself as the way in which spirit is beyond its initial starting point as a being rendered by nature, by externality. Habit shows spirit as the self-construction of both an interiority and exteriority that mutually reinforce each other. In the construction of such a second nature, spirit liberates itself from strictly natural, immediate, and strictly external determinations, to the precise degree that it is a nature that spirit itself has generated. Spirit as freedom, therefore, must always be beyond its rendering as immediately nature, as

eternally determined. It is this rejection of immediate origins, surface gloss as it were, that gives Hegel's thought its critical purchase.

On the other hand, when we consider the problem of nature from within the context of Hegel's socio-political writings we are able to see the ways in which spirit's activity in terms of the genesis of a second nature poses a unique challenge to its very status as free. The problem becomes immediately more complex: it then becomes a dynamical problem not only of origins but of spirit's own response to those origins. This would be to assert, problematically, that spirit's own reconstructive activity, its genesis of a second nature, might be actualized in such a way that is antithetical to its very essence as free self-actualization. Spirit itself, therefore, can be self-mutilating. While the treatment of psychopathology, which we characterized as a (re-)habituation, serves to liberate individuals from their immersion in external determinations, the other side of habituation has shown us that second *nature* is just that, a natural determination which spirit itself has generated. To the extent that second nature is a merely natural phenomenon, it has the potential to collapse into the realm of the mechanical and immediate, and, therefore, in an important sense, the realm of unfreedom.

We believe that we were able to generate a real sense of the potential problems lurking in spirit's disciplinary practices, social apparatuses dedicated to reconstructing the immediate (natural) impulses of the individual, by way of a careful reconstruction of Hegel's internally related concepts of crime and punishment. We have argued, more precisely, that the problem of surplus repressive punishment, understood as spirit's reactivity to the natural drives and impulses operative in criminality, might unfold in such a way that operates antithetically to spirit's objective actualization, i.e. to its freedom. In an excess of mechanical conditioning and repetition which spirit itself enacts by way of its objective disciplinary institutions it has the ability to alienate an entire array of subjects from the register of civil society and such a form of alienation problematizes spirit's actualization at the objective level because it dirempts the synthetic totality constituting spirit's self-generated body (polis). Not only does this move constitute a regressive de-actualization of freedom at the objective level (intersubjective) it also undermines the freedom of the subjects who must undergo such regressive, even if reconstructive, treatment. This then, would mean that not only is primal nature, understood as the material conditions from which spirit must autogenetically assert itself, a problem for the upsurge of spirit's freedom but that, concomitantly, spirit's very reactive reconstruction of those material conditions in terms of a second nature might also be a

problem for spirit's very essence as freedom. In this sense, spirit's very reaction to the unruliness of its natural, immediate, dimension constitutes a potential problem for spirit itself.

In this way, we immediately have a sense of the duplicitous depth that the problem of nature poses for the project of spirit because it is at once a problem of nature *and* spirit's reaction to that same nature in its reconstructive activity. Insofar as spirit might employ a surplus of force, i.e. repressive force, against its natural dimension, it risks collapsing its autopoietic project of freedom into brute external determinations that it has in some sense forced onto that natural dimension in a way that is not synthetically generated (i.e. an external determination). Such a forceful, external, constitution of a second nature would therefore ultimately serve to undermine spirit's very essence as free self-actualization; it would work to irrevocably put spirit and nature at odds when the entire upshot of Hegel's project is to generate a position of their syllogistic integration. Spirit, therefore, must be beyond not only the external determinations which constitute its original position as naturally determined but it must perpetually attempt to navigate the pitfalls revolving around specific constitutions of second nature which would operate by way of domination and force, moves that do not operate by way of real speculative synthesis, moves that therefore actively undermine spirit's very essence as free.

In this sense, spirit cannot be strictly and forcefully reduced to the immediate dimensions of its second nature. This is why we suggest that Hegel's concept of spirit articulates a project of freedom that dynamically and incessantly fluctuates *between* two modalities of nature. On the one hand, it must realign the natural material origins of its anteriority within the parameters of its own self-actualization while, on the other hand, it must be sensitive to the ways in which it reconstructs those very same materials. Insofar as spirit operates by way of practices of domination (including jargon of domination) concerning its material origins it risks mutilating those materials in such a way that undermines its very own project of free self-construction. This is why we have attempted to accentuate a reading of Hegelian habit that frames it in terms of *Bildung* instead of brute force.

To the extent that Hegel's speculative system offers us the conceptual tools with which to think in its complexity what the various levels of a project of freedom might look like from its origins in material nature, through to the construction of finite subjects and the upsurge of socio-political activity, and into the complicated expressions of thought as outlined in art, religion and philosophy, it constitutes one of the real highpoints in nineteenth century European philosophy. Simultaneously, however, to a degree that is

increasingly becoming more evident, his system also offers us the conceptual tools with which to think how such a project of freedom, in all its complexity, must inevitably be bound to the problem of nature. In a sense, our entire investigation has been nothing more than an attempt to rethink Hegel's philosophy of freedom from the perspective of nature, what it must mean when repeatedly framed in terms of nature. Doing so has not only unlocked one of the hidden possibilities of Hegel's system but it has also provided us with a real sense of the ways in which spirit not only operates as the 'triumph of freedom' in the world but also, and perhaps more importantly, how it expresses repeated failures and defeats accompanying those very same 'triumphs.' Things can go wrong for spirit: it can collapse into determinations and configurations that threaten not only its life but, what amounts to the same thing, its actualization as freedom. In this sense, the project tracks the fragility of spirit. In a surprising sense, it is Hegel's system that announces the ways in which spirit might be annihilated by those material conditions which it confronts in terms of the natural world. Such emphasis is not, however, to participate in fear-mongering or a pejorative rendering of the natural register. Rather, its modest aim has been to generate a precise sense of all that is at stake in a project of self-grounding, self-articulating freedom, especially when we consider it against the ever increasing information sets relating to the age, depth, complexity and even violence resident in the natural register.

Considering this problematic from a historical perspective, then, we might even go so far as to venture the suspicion that what Hegel's analysis ultimately reveals are the ways in which the entire project of the Enlightenment is perpetually confronted with what haunts the very contours of self-relating and grounding thought, i.e. reason: the silence of irrationality as expressed in trauma and breakdown and instigated not only by the problematic of the monstrosity of nature but by spirit's very own reaction to those very origins. Whether Hegel is ultimately an Enlightenment figure or not is a secondary question because what his analysis of the emergence of subjectivity shows us, irrespective of the answer to that question, is the ways in which nature, understood as that which has the persistent possibility to traumatize spirit and subjectivity, operates as an opaque source which has the ability to annihilate conceptual discourse, the very substance, as it were, of reason's activity. Without hyperbolically overstating the important implications at hand, our suspicion is that what Hegel's analysis shows us, at bottom, are the ways in which the entire project of spirit, understood in terms of human freedom and reasonable self-determination, is perpetually threatened with collapse, silence and ultimately annihilation by the

exteriority constituting the natural register. Simultaneously, his writings show us, by way of the problem of surplus repressive punishment, that spirit's own reaction to naturality might also constitute an entire array of problems that actively undermine spirit's self-actualizing freedom. This two-way problem highlights the precariousness and complexity that must accompany any and every project of freedom, if it is to gain real traction at all. In a sense, nature and its spectral haunting of the entire endeavor of spirit, then, mean the very possibility of freedom and reason's destruction. Nature's abyssal quality instantiates the struggle which reason must somehow carry on in perpetuity: attempt to render coherent that which potentially annihilates the entire rendering. More: the very way in which spirit might react to the problem of nature has the potential to instantiate an entire series of conditions that are also antithetical to the life of spirit itself. The problem of nature is therefore multifarious and complex and permeates the project of spirit all the way down. This is not, however, a call to submit to irrationality and the like; instead, it is to insist that what Hegel's system offers us is a sensitivity to the very real fragility permeating the human project, a sensitivity that is too often forgotten in our contemporary renderings of one of the high points of German Idealism. Sensitivity to this problematic is anything but surrender. Ultimately, this reading has attempted to develop one of the ways in which Hegel continues to have untimely purchase for real concerns confronting subjectivity's and, by extension, culture's living present particularly as it unfolds in relation to the enigmatic and complex series of problems we demarcate by way of "nature." If the problem of nature, and culture's position in and relation to it, is a concern for our living present, as our contemporary knowledge would most certainly appear to suggest, then, there are good reasons to think that Hegel's thought might have unexpected, even illuminating, contributions to make to such a relevant, even pressing concern.

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