

September 7, 2021

Week 2 Seminar Notes—An Overview of the Reading

Introduction.

Russell: “Buried the lede” in the website for this week. It is a 10 paragraph summary of the 800 page *ST*. Today I want to give you the 2-hour version of the conceptual, metaphysical, and philosophical highlights of that book.

Part I. Conceptual Realism and Objective Idealism

I want to start by talking about the elephant in the room: Hegel’s *idealism*.

[Why this is scary.]

Hegel thinks that Cartesian representationalism has at its core the idea that we need to understand separately the two sorts: minds and things, representings and representeds, and that **both could be and be understood to be what they are independently of how the other is**. Our task, then, is to somehow **bolt them together** to yield knowledge *of* the one (objective facts) *by* the other (knowings), and action *on* the one (objective facts) *by* the other (acts of will).

He sees one of Kant’s insights, a founding insight of German *idealism*, as the idea that we must start with the **unity** of the intentional nexus, theoretical-cognitive and practical-agentive that is exhibited in knowing and acting—not just *successful* knowing and action, but even the *intelligibility* of (the *possibility* of) knowing and acting—and understand the subjective and the objective *poles* of that *intentional nexus* **functionally**, in terms of the roles each plays in, the contributions each makes to, that unity.

In fact it is his way of working out the claim that, to use McDowell’s terms, **“the conceptual has no outer boundary.”**

Endorsing this claim is what, more than anything else, distinguishes John and me from almost all of our colleagues in analytic philosophy.

It was not at the center of my concerns before 1991, when I first read the ms. of *Mind and World*. It is a good question to what extent Sellars endorsed it, even though it can be understood as a Kantian claim.

For Kant, *nature*, the law-governed system that is represented and understood by the natural sciences whose paradigm is Newton’s mathematical physics is conceptually articulated, because it is “transcendentally ideal.” But this is not the part of Kant’s view that Kantian’s today typically endorse *in propria persona*.

But John and I join Kant and Hegel in endorsing this basic “idealist” claim (“conceptualist” would be better): “The conceptual has no outer boundary.”

But what does it mean? Here I think Hegel fills in what McDowell leaves indeterminate: a detailed understanding of the conceptual that makes this idealist claim sensible, if not commonsensical. It will *not* be sensible if you think, with Jerry Fodor, that concepts are mental representations.

The claim is that what is thought *about*, no less than our *thinking* about it, is always already (“immer noch”) in conceptual shape. To endorse this, one must understand “conceptual shape” in a way that does not require it to be the product of concept-using thinkers—not even a supposed cosmic super-thinker called “Geist.”

On the ground floor of Hegel’s intellectual edifice is **a non-psychological conception of the conceptual**. This is the idea that to be conceptually contentful is to stand in relations of material incompatibility and consequence (his “determinate negation” and “mediation”) to other such contentful items. The relations of incompatibility and consequence are denominated “material” to indicate that they articulate the *contents* rather than *form* of what stands in those relations. This is his first and most basic semantic idea: an understanding of conceptual content in terms of modally robust relations of exclusion and inclusion.

This understanding of the conceptual is *hylomorphic*. **Conceptual contents**, understood as roles with respect to relations of material incompatibility and consequence, are amphibious: they show up in two different *forms*.

They **have a subjective form and an objective form**.

The subjective form articulates what things are or can be *for consciousness*, and the objective form articulates what things are or can be *in themselves*.

The second is the form of empirical *reality*; the first is the form in which that empirical reality *appears* to knowing subjects.

They are distinguished by the characteristic **kinds of modality** that articulate them.

On the side of thought, these are *deontic normative* constraints: one subject *ought not* to have incompatible empirical and practical commitments and *ought* to acknowledge the consequences of those she acknowledges.

On the side of being, these are *alethic modal* constraints: one object *cannot* have incompatible properties and *necessarily* has the properties that follow from its other properties.

They are related as the two poles of the intentional nexus: what can be *known* and the attempted *knowing* of it, noumena and phenomena.

Subjectivity and objectivity are both conceptually articulated, and the *same* conceptual content can show up both in the subjective normative form of thoughts and in the objective modal form of states of affairs. Genuine knowledge occurs when one and

the *same* content shows up in *both* different forms: the subjective form of thought and the objective form of fact.

I call this view “bimodal hylomorphic conceptual realism.”

The key thing to realize is that according to this view, **if you are a modal realist**, in the sense that you think there really are *laws of nature* (or that some subjunctively robust conditionals are true), then **you must also be a conceptual realist**. For those lawful connections among states of affairs, those modally robust inclusions and exclusions, *are* the conceptual articulation of the objects and properties exhibiting them.

The basic difference between idealists and empiricists is that **idealists take modality seriously**. (This is the idealists’ development of a lesson they learned from their rationalist forebears.)

Here *one* principal obstacle, setting a fundamental criterion of adequacy, is that there *was* an objective world *before* there were any knowing-acting subjects, and there *would have been* such a world even if there *never had been* any knowing-acting subjects. The subsequent tradition has taken the necessity of acknowledging this fact as showing the incoherence-impossibility of any account that is functionalist-analytic-*idealist* in this sense about the intentional nexus. But as a result, they have not sufficiently worried about how Hegel envisaged responding to that criterion of adequacy.

My response to *this* concern is “objective idealism”: invoking the sense-dependence/reference-dependence distinction.

Objective idealism is that idea (reciprocal sense-dependence—chart of referring, claiming, inferring vs. objects, facts, laws), *added to* bimodal hylomorphic conceptual realism, which in turn is based on the nonpsychological conception of the conceptual. So these three claims should be put in place sequentially.

Objective idealism asserts that the nomological and normative aspects of those relations and practices (**what is expressed by alethic and deontic modal vocabulary**), **respectively, are reciprocally sense-dependent**. Understanding these aspects of the two realms is symmetric: each can be understood only as part of a whole that contains the other as well. For the norms articulate what one must *do* in order to count thereby as claiming that the nomological *relations* hold.

It is obvious that one cannot understand anything about **laws, facts, and objects with properties** unless one *can* engage in the practices of **inferring and explaining, asserting and judging, and referring and classifying**. Those are things one must be able to *do* in order to count as thinking about things at all.

The further claim is that one’s grasp of the *concept law* as a categorial ontological feature of the objective world essentially depends on one’s understanding the role statements of laws play in

inference and explanation. Laws are the sort of thing expressed by modally qualified quantified conditionals (in the simplest case, “All As are Bs”).

One’s grasp of the *concept* fact as a categorial ontological feature of the objective world essentially depends on one’s understanding that facts are stables, judgeables, thinkables. They are the sort of thing expressed by the declarative sentences one uses to say things.

One’s grasp of the *concepts* object and property as a categorial ontological feature of the objective world essentially depends on one’s understanding that objects are what one refers to by using singular terms and properties are what one classifies objects as falling under by using predicates.

A necessary condition of understanding the ontological structure of the objective world empirical consciousness is consciousness *of* is that one must also understand the epistemic activities by which consciousness can become conscious of it. That is why there is the reciprocal sense-dependence, but not reference-dependence that objective idealism claims, of concepts articulating the ontological structure of the objective world, such as object, property, fact, and law, on the one hand, and concepts articulating the processes and practices of talking and thinking about that world, such as referring, describing, judging or asserting, and inferring, (and so singular term, predicate, declarative sentence, and subjunctive conditional), on the other.

This is a relation of (reciprocal) *sense-dependence*, **not** *reference-dependence*: it is about the order of understanding, not the order of being. There would *be* objects and properties, facts and laws, even if no-one ever referred or predicated, asserted or inferred. But one cannot *understand* what one is *saying* or thinking when one says or thinks *that* there are objects and properties, facts and laws, without *understanding* in practice what one is *doing* in referring and predicating, stating facts and inferring.

Give example to make clear the distinction between sense-dependence and reference-dependence:

We can define a *response-dependent* concept beauty* by stipulating that some object or situation counts as beautiful* just in case it *would*, under suitable circumstances, produce a response of pleasure in a suitable subject suitably exposed to it. (The use I want to make of the example won’t depend on how these various parametric notions of suitability get filled-in.) Then the property of being **beautiful*** is sense-dependent on that of **pleasure**: one could not *understand* the (amphibiously corresponding) *concept* beautiful* unless one *understood* the concept pleasure. For the one is defined in terms of the other. It does not at all follow that something could not *be* beautiful* unless something responded with pleasure. On this definition, there were sunsets that were beautiful* before there were any suitable, pleasure-capable responders, and they would still have been beautiful* even if there never had been such responders. For it still could be the case that *if* there *were* such responders present, they *would* respond (or *would have* responded) with pleasure. In just the same way, if we define a planet or star as “supraterran” just in case it has a mass more than twice that of the Earth, we are not thereby committing ourselves to denying that a planet could have that property in a possible

world in which the Earth did not exist. Depending on how they are specified, properties can be *sense-dependent* on other properties (as **beautiful*** is on **pleasure** and **supraterran** is on **has at least twice the mass of the Earth**), without being *reference-dependent* on them. That is, something can exhibit a property P that is sense-dependent, but not reference-dependent, on a property P' in a world in which nothing exhibits the property P'.

Conceptual realism and objective idealism are the first two of the 3 nested sub-theses into which I analyze Hegel's Absolute Idealism in the *PG*. The third I call "conceptual idealism," which turns on the notion of recollective rationality Hegel invents. I'll get to that in a bit.

Part II. Normativity: Status and Attitude

1. On the subjective side of the intentional nexus of knowing and acting (doxastic and practical commitments, articulated by conceptual relations of material incompatibility and implication),

Hegel makes 3 crucial, orienting distinctions:

i. Between normative *statuses* and normative *attitudes*.

In his idiom, this is, on the normative side of subjects, the distinction between what those **subjects are in themselves** and what they are **for consciousness**.

ii. Within normative *statuses* (what subjects are *in themselves*), the distinction between **authority** and **responsibility** (entitlement and commitment).

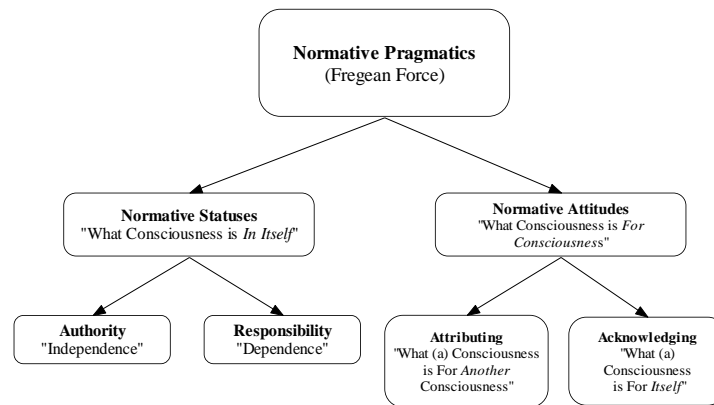
In his idiom, this is the distinction between **independence** and **dependence**.

iii. Within normative *attitudes*, what subjects are *for* consciousness,

The distinction between statuses one *acknowledges* or *undertakes* oneself, and those one *attributes* to others.

In his idiom, this is the distinction between what a subject is *for itself* and what it is *for others*.

[Show Figure 1:]



Elements of the model are in bold.

Modeled Hegelian phrases are in quotes.

This is a **remarkably flexible and powerful normative pragmatic metavocabulary**, as we'll see when we use it to reconstruct the move from Kantian autonomy to Hegelian recognition.

I will use my own terms (those of the model) in articulating the views I attribute to Hegel, but this translation manual is the key to finding Hegel making the key claims that shape the views I attribute.

The Hegelian terms I am translating all express *speculative, philosophical, and logical* concepts for Hegel (in the *PG*, these are essentially synonyms), rather than *determinate* concepts.

They are the terms in which the finally adequate form of philosophical self-consciousness Hegel calls “absolute knowing” is articulated in “the system” [*Das System*].

2. I use my version of this normative metavocabulary to render the basic idea of Hegel’s understanding of **the shift in the normative structure of *Geist* from traditional to distinctively modern forms of life (discursive practice)**. That he is addressing this topic—indeed that this topic was essentially his invention/discovery—is not substantially controversial. That thought is what animates the common characterization of the *Phenomenology* as a *Bildungsroman*, a coming-of-age story about the education, formation, and cultivation of a child through adolescence into full maturity: a full-length working-out of the master-trope of Kant’s “What is Enlightenment?”.

Readers of the long *Spirit* chapter—essentially, the second half of the book—understand Hegel as describing modernity as the advent of a new sort of individual self-consciousness. He says this explicitly.

One of my interpretive contributions is to render Hegel’s understanding of the essence of this change in the structure of normativity in the regimented terms of the normative pragmatic metavocabulary I use to model Hegel’s own terminology.

Put in these terms, the long, slow, still incomplete transition from traditional to modern normative structures is **the transition from a one-sided appreciation of the status-dependence of normative attitudes to a one-sided appreciation of the attitude-dependence of normative statuses**.

Traditional society understood its most fundamental norms as objective features of the natural or supernatural world, as binding on human subjects independently of their practices and practical attitudes. Our job is to conform our attitudes and (so) conduct to those statuses, which determine what is fitting or proper, how things ought to be—to learn, as F.H. Bradley’s title has it “My Station and its Duties.” The purest version of this conception is the medieval *scala naturae*, the Great Chain of Being that arrays objective being into normative relations of superiority and subordination (the authority to command and the responsibility to obey)—metaphysically rhapsodized by Plotinus and the Neoplatonists down to the immortal Ralph Cudworth and the other Cambridge Neoplatonists.

The master insight of modernity is that these normative relations are the products of our practices and attitudes. Its slogan is “We have met the norms, and they are ours.” It is the realization that there were no relations of authority and responsibility apart from our practically taking or treating each other *as* authoritative and responsible, *as* superior or subordinate.

This socially transformative corrosive insight is epitomized in the rude medieval couplet: “When Adam delved and Eve span, who was then the gentleman?”

(In Carlyle's *Sartor Resartus*, retelling Hegel's story in the form of a philosophy of clothes, this thought takes the form of the idea that rather than the costumes and uniforms of Church, State, and office reflecting antecedent statuses, those statuses are *conferred* by the distinctions of clothes, that, as the proverb has it, clothes really do "make the man.")

Hegel sees Enlightenment social contract theories of political obligation as expressing explicitly the realization that the traditional *reifies*, *projects*, and *objectifies* norms. In Marx's useful term, it *fetishizes* them, mistaking the products of our own social practices for external, objective constraints on them and on us. Hegel radicalizes the realization that we make the norms—because, as Marx will put it, "We make our own history—though not always as we would like."

[Maybe save this bit for Part IV?]

Hegel thinks the irreversible insight of modernity into the attitude-dependence of normative statuses, with its concomitant advance in genuine self-consciousness—becoming *for* ourselves what we all along were *in* ourselves—is one-sided. In appreciating that the norms that make us what we are are our own products, it risks losing its grip on the rational bindingness on us of the norms we have made. This is alienation.

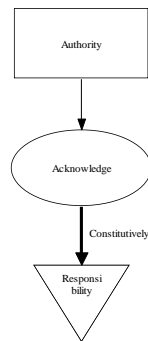
I think Wittgenstein, too, was concerned that the picture we had of norms and concepts put us at risk of losing our grip on the nature of their bindingness on us if and as we came to understand them as contingent products of details of our embodiment, environment, and the vicissitudes of our past applications of concepts. (Sabina Lovibond, one of McDowell's first Oxford students, is good on this issue in her book *Relism and Imagination in Ethics*.)

As I read him—and this is *not* the usual understanding—in the *Phenomenology* Hegel projects a **third, post-modern age of Geist** and form of normativity and self-consciousness, **one that will synthesize the modern appreciation of the attitude-dependence of normative statuses with the traditional appreciation of the status-dependence of normative attitudes.**

3. Two views that are illuminated by rendering them in terms of the regimented normative pragmatic metavocabulary I use to translate Hegel's philosophical vocabulary are Kantian autonomy and Hegelian recognition. Autonomy is a normative status, something subjects are in themselves. More specifically, it is the authority to *make* oneself responsible—to *institute* a further normative status—by *taking* oneself to be responsible, that is, by adopting a normative *attitude*, something one is *for* oneself. In the Kantian slogan, we discursive creatures are autonomous in that we are not, like merely natural creatures, bound by rules that are independent of our attitudes, we are bound rather by our *conceptions* of rules, by our normative *attitudes*. We can *commit* ourselves, in judging and by adopting practical maxims—that is, by adopting practical attitudes.

[Show Figure 2:]

**Autonomy:
The Basic Kantian Normative Status**



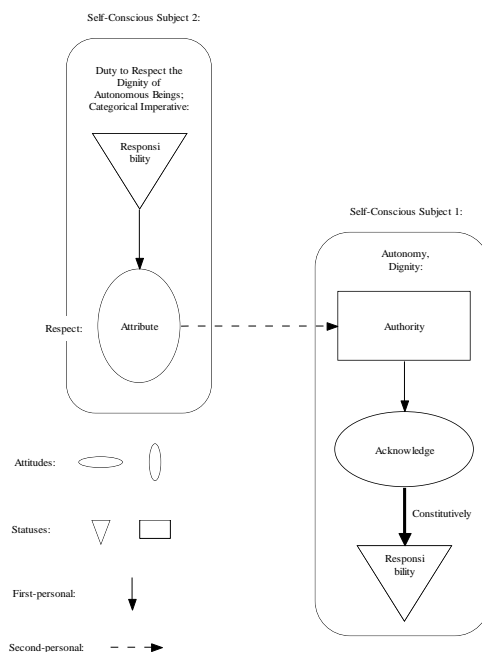
Here is a diagram, in which polygons, with straight sides, are normative *statuses* (which can be of one of two flavors: authority and responsibility), and rounded ovals are normative *attitudes* of acknowledgement or attribution (what one is *for oneself* and what one is *for others*). Autonomy is a distinctive kind of *independence*, namely the authority to make oneself *dependent* (responsible, committed): to *make* oneself responsible by *taking* oneself to be responsible, by acknowledging a commitment.

Of course, Kant *also* aims to reconcile this acknowledgment of the attitude-dependence of normative statuses with an acknowledgment of the status-dependence of normative attitudes. For it is *not* up to us, for him, what is a *reason* for what. We are obliged to conform our attitudes to those we have *reason* to adopt. And he thinks there are severe *attitude-independent* constraints on genuine reasons (for judgment and action).

In fact, Kant's picture is more complicated along another dimension. It involves a crucial *social* dimension, which Hegel will radicalize in his model of normative statuses as instituted by attitudes of reciprocal recognition.

[Show Figure 3:]

The Social Dimension of the Kantian Autonomy Model



Kant *also* thinks that normative subjects as such have the *duty* (obligation, responsibility) to *acknowledge* the autonomy of normative subjects, both their own and that of others. Here I think we can begin to see the flexibility and power of the Hegelian normative pragmatic metavocabulary.

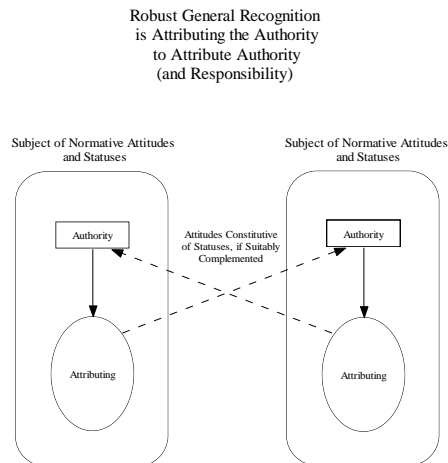
It is a standing issue in Kant interpretation just how to understand the relations between the *authority* that is autonomy and the *responsibility* to respect the dignity, that is the authority, of others.

Hegel notices, and objects, that although Kant has the idea of attitudes instituting statuses, of our making ourselves responsible by taking ourselves to be responsible, *neither* of the statuses at the top of the diagram are instituted by attitudes. Having the authority that is autonomy and the responsibility to respect the autonomy of others are top-level normative statuses: statuses that, as far as Kant is concerned, we just *come* with.

Hegel has the idea that the acknowledgment by others of our autonomy is an attitude that is itself partly *constitutive* of the authority to commit oneself that is autonomy. To institute a genuine normative status of responsibility, to make oneself responsible, one must not only adopt the attitude of *undertaking* or *acknowledging* that commitment (being responsible being part of what one is *for oneself*), one must also recognize others in the sense of *authorizing* them to *hold* one responsible. And, further, they must actually attribute that responsibility: *take* one to be responsible. **Their attribution, what one is for those others one recognizes, is as essential to instituting a genuine normative status as one's own acknowledgement of it, what one is for**

oneself. The basic attitude-status diagram for the institution of norms by mutual recognition is this:

[Show Figure 4:]



4. A good part of the *Phenomenology* consists of Hegel’s penetrating diagnosis of the pathologies that go with social constellations of normative attitudes that are metaphysically defective because they essentially involve **asymmetric recognitive relations**, paradigmatically relations of superiority and subordination, where one has authority to command obedience (institute responsibilities) without correlative responsibility and the other has responsibility to obey without correlative authority. This is **the Master-Slave dialectic** that was so important to Marx, and that was re-emphasized within modern Hegel scholarship by Kojève.

All I’ll say about that here is that one should think of the psychological instability of a Hollywood **celebrity** whose amour-propre is based on *being* a celebrity, that is on being recognized and respected as such by their fans, whom said celebrity has no respect for, regarding them as mouth-breathing morons from states that start with vowels, in flyover country. Genuine self-respect requires respect from those one respects in turn.

5. Instead of pursuing that important line of thought here, I want to begin to turn towards my next topic: semantics. One manifestation of Hegel’s identification with the basic insight of modernity—appreciating the attitude-dependence of normative statuses—concerns the relations between **meaning and belief**. Here my basic claim is that

Hegel : Kant :: Quine : Carnap

Carnap, like Kant, had a **two-stage** picture of discursive practice. First, one settled on a *language*, a constellation of *meanings*. Then, in the context of one’s empirical experience, one *applied* those meanings, to form *beliefs* adding up to a *theory* of how things actually are. Quine (in “Two Dogmas of Empiricism”) thinks this two-stage picture is fine for artificial languages,

but can't help us think about natural languages. All there is to make our linguistic expressions mean what they mean is the way we *use* them, to express beliefs and make claims. That use must determine *both* language and theory, meanings and beliefs, together. What we mean depends on what we believe every bit as much as what we believe depends on what we mean. I hope this is a familiar point. Like Carnap, Kant thought of empirical subjects as coming equipped with a stock of determinate empirical concepts, and only at a second stage applying them, in the context of a manifold of sensuous intuitions, to endorse some judgeable contents rather than others.

If we redescribe the situation in our regimentation of Hegel's normative pragmatic metavocabulary, we can see what this line of thought has to do with *modernity* in Hegel's sense. Meaning and belief are both normative concepts. More specifically, **meanings are norms for the formation of beliefs, that is the adoption of propositional attitudes in the form of undertakings or acknowledgments of doxastic commitments.**

The modern insight into the attitude-dependence of normative statuses counsels that semantic norms are dependent on (affected by, responsible to) propositional attitudes every bit as much as propositional attitudes are dependent on semantic norms in the form of meanings. [I'm afraid this point does not really get made, this connection does not come out as it should, in *ST*.]

One of Hegel's great innovations is thinking in terms of what he will all "the Concept": a holistic constellation of ever-evolving meanings and beliefs, doxastic and inferential commitments, with each sensitive and responsive to changes in the other. Analytic philosophy was innocent of this insight for roughly the first half of the twentieth century, though Quine's American pragmatist predecessors and the later Wittgenstein independently reached it.

6. [Possibly: The story (from "Sketch of a Program for a Critical Reading of Hegel") of Hegel's replacement of Kant's understanding of **how the deliverances of sensuous immediacy necessarily outrun any conceptualization** of them.

Kant understands this in terms of the in-principle *inexhaustibility* of the deliverances of sense by any finite set of judgments. There is no bit that *cannot* be conceptualized, but conceptualizing *all* of it is an infinite task.

Hegel understands it in terms of the in-principle *instability* of any set of determinate empirical concepts. This is the necessity that the result of *properly* and *correctly* applying any set of empirical concepts (norms, meanings) by endorsing judgments will lead us to doxastic commitments (attitudes, beliefs) that are *incompatible* according to those very norms.

Part III. Semantics: Recollection and Representation

1. **Making and finding:** One important dimension of the distinction between the traditional appreciation of the status-dependence of normative attitudes (conforming the statuses we acknowledge and attribute to what we ourselves and others are *really* authoritative about or responsible for) and the modern appreciation of the attitude-dependence of normative statuses is that **on the traditional picture we *find* norms** (as features of the objective world) and **on the modern picture we *make* the norms**, instituting them by the practical normative attitudes we adopt towards each other.

The “making the norms” aspect is clear in Kantian autonomy, where Kant turns Rousseau’s definition of freedom as being bound by laws one lays down for oneself (“makes”) into his criterion of demarcation of genuinely *normative* constraint. (This characterization is complicated by Kant’s combining this strand of thought with the idea of objective reasons that we acknowledge as binding. This is his start at *combining* the modern with a higher form of the traditional insight—an aspiration Hegel will take up and develop further.)

But, we don’t *only* make discursive norms (the norms that determine the contents of concepts by determining what is a reason for what). We also find them. When each of us comes into the discursive community, it is always already up and running, the locus of norms that make us what we are as we come to conform our attitudes towards them. As I indicated earlier, to move forward, we must figure out how to synthesize the modern insight into the attitude-dependence of normative statuses with some version of the traditional insight into the status-dependence of normative attitudes: the sense in which we make the norms with the sense in which we find them. (Note that in his book, Pitt Ph.D. David Finkelstein, now at Chicago, calls these two one-sided views about making and finding meanings “constitutivism” and “detectivism”.)

2. Throughout *ST I* appeal to a particular model to explain how Hegel thinks we should understand the sense in which we make discursive norms with the sense in which we find them as always already binding us as aspects of one ongoing process of determining meanings by adopting beliefs, developing the contents of concepts by our practical attitudes of applying or refusing to apply them in particular circumstances.

This is **the example of judges at common or case law.**

This is law where there is no underlying statute. All there is to provide reasons for (norms governing) judges’ decisions (practical attitudes, judgments) is prior judgments, which are treated as having precedential authority. The rationale (reasons) a judge gives for her decisions consist of similarities and dissimilarities to prior, already-decided cases.

In terms of making and finding, on the one hand common and case law is entirely (as the saying goes) “**judge-made law.**” There is nothing to the law (norm) that was not put there by the *attitudes* of judges, in the form of the decisions they *make*. Some have concluded that for

that reason it is wrong to think of *norms* (determining some things as legal and others illegal) as having been instituted by this process at all. But that is not right.

Each judge is constrained to apply the law as she inherits it, and to rationalize (legitimate) it (display its *authority*) by showing that it is suitably responsive and *responsible* to the norms instituted by prior decisions (which are accordingly treated as having authority as precedents to be respected).

One might object that this is a sham. Does not the present judge in fact have *total* authority? After all, she can tell *any* story about the prior decisions. She gets to decide which of them are correctly decided, and so have precedential authority. And she gets to decide which respects of similarity and dissimilarity are weightiest. After all, any two cases are similar to each other in an infinite number of respects and dissimilar to one another in an infinite number of respects. The deciding judge gets to decide with of the respects of similarity to *privilege*.

But that is an incomplete, literally one-sided view. The deciding judge's responsibility to the tradition of past decisions she inherits is administered on its behalf by *future* judges. For they will decide whether the present judge's decision is correct, and so what sort of precedential authority to accord it (attribute to it), based on their judgment of how responsive the current judge's rationale shows her to have been to the tradition she inherits and in this sense answers to. If and insofar as the future judges take the present judge to have been *unresponsive* to the norms implicit in the antecedent tradition, insofar as they see the judgment as not norm-governed, but responsive to "what the judge had for breakfast" (as the saying goes), they will discount it, and not attribute precedential authority to it.

This means that common and case law are *both made* by judges *and found* by them. Each judge both exercises some authority over the law she inherits, in applying it to a case consisting of novel facts and concrete circumstances, and thereby further determining its content, and is responsible to the law she is applying. For future judges will apportion their recognition of the authority of her decision to their assessment of its fidelity to the prior decisions in which the norm she extracts and applies is implicit.

The constellation of authority and responsibility displayed by such a jurisprudential hermeneutic process is a distinctively *historical* version of the institution of norms by *social* attitudes of reciprocal recognition. The present judge both recognizes the authority of prior judges and, if all goes well, his recognized as authoritative by future judges, just insofar as she has fulfilled her responsibility to those ancestors she recognizes. The historical *asymmetric* form in which each judge recognizes and is recognized in turn defines the temporal perspectives from which *instituting* the emerging norm and *applying* it—*making* it and *finding* it—show up as two aspects of the same process.

Viewed prospectively, we see the judges *making* the law what it is by their decisions.

Viewed retrospectively, from within a tradition rationally reconstructed so as to be norm-governed, that recollection shows up as *finding a norm* that was there all along, governing its application by providing the standard of assessment of those applications as correct or incorrect.

Hegel wants us to **think of the process of recollection in *expressive terms***. A recollective rationalization of a decision retrospectively discerns **an expressively progressive tradition**, in which a norm (law) that was all along *implicitly* guiding the applications of prior judges becomes, through the practical attitudes they actually adopt in applying it, gradually but cumulatively more *explicit*. What the law was *an sich (implicitly, in itself)* appears ever more veridically *for* consciousness as it is expressed by being applied in concrete circumstances.

On the normative side of knowing and acting subjects, the distinction between what something is *in itself* and what it is *for* consciousness is the distinction between normative *statuses* and normative *attitudes*. Those attitudes are *appearances of* the statuses: the authority and responsibility subjects are practically *taken or treated as* having, either by themselves in their acknowledgements or by others in their attributions. The process of recollective rectification that traces within a sequence of actual attitudes an expressively progressive trajectory revealing an underlying implicit norm shows the reciprocal dependence of attitudes on statuses and statuses on attitudes.

Recollection is the distinctive kind of making that is a finding.

It is a distinctive kind of rationalization, and of rationality.

It is the form of **Reason's march through History**, which is lived forward but understood backward.

[Display RussMeme at this point.]

3. This is Hegel's model of **how conceptual content is *determined***, in the dual sense of successively sharpened and made *more* determinate and in the sense of determining that is finding out what is already the case. Adopting this model, rather than the Kant-Frege picture of concepts that are given to us (somehow) with already fully determinate, sharp boundaries, is moving to the dynamic metaconceptual structure Hegel calls "Vernunft" from the static metaconceptual structure of "Verstand." It is here that we find what is for me the crowning jewel in this metaconceptual structure: an *expressive* account of the *representational* dimension of conceptual content.

Recall that last week I said that one lesson Hegel took himself to have learned from Kant is not just the normative character of intentionality generally, but more specifically **the normative character of the concept of representation**.¹

¹ Here is it important that Kant introduces the metaconcept of representing as a genus comprising as species both intuitions and concepts. But if we ask what functional role defines the genus, we get (according to my Hegel) the answer above, in terms of representeds by definition

The idea is that **what one needs to do in order thereby to be understanding something as a representing (as pointing beyond itself to something else in the distinctively intentional way) is to treat it as *responsible* for its correctness (in a distinctive sense) to something that counts as represented by it just in virtue of the *authority* it has as setting the normative standard for such assessments.** Such a normative understanding of semantic representation relations makes it possible to apply to them the model of the historical process by which implicit norms are determined by explicit attitudes. That recollective, rational-reconstructive process now shows up quite generally as the way what things are in themselves emerge as something *for* consciousness in the sense of being represented *by* a knowing subject's attitudes. It is the process by which represented *noumena* are intelligible in terms of representing *phenomena*, objective reality in terms of appearances representing it.

(It is because noumena, how things are in themselves, are to be understood in terms of phenomena, appearances of them *for* consciousness, that the book teaching this lesson is called a "phenomenology.")

In this expressive understanding of the representational dimension of conceptual content, conceptual contents as roles in relations of material incompatibility and implication are understood as appearances (representations) *of* objective things and properties. This is how the semantic metaconcept of **reference (representation)** emerges from the semantic metaconcept of **sense**, where graspable senses are understood as standing in conceptual relations of inclusion and exclusion (mediation and determinate negation) to one another.

That the pragmatic account of the institution of norms by attitudes (compatible, in the end, with understanding attitudes as normatively governed by statuses) determines the account of reference in terms of sense, the intelligibility of the concept of representeds in terms of representings, and of noumena in terms of phenomena is a principal instance of **the pragmatics-first order of explanation** I claim Hegel saw in, and followed from, Kant.

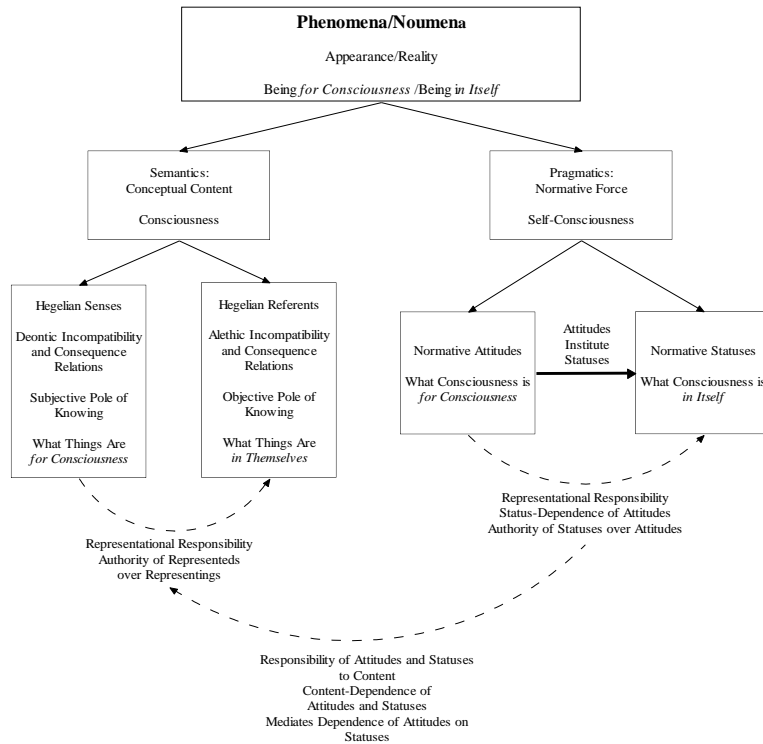
In this final flourish of the story—a sort of *tour de force*—we are now to understand the intentional nexus itself, the relations between objective reality and the appearances that represent it to knowing and acting subjects, in terms of the process of rectifying and (further) determining the conceptual contents of representings of it. Seeing the analogy and identity of these two—norms out of attitudes, noumena out of phenomena—is the final stage in the triadic analysis I am offering of Hegel's Absolute Idealism. I call it "**conceptual idealism**". It is an account in a

serving as normative standards for the assessment of correctness of play the functional role of representing. Then K goes on to understand the species in terms of the (at least) 3 dimension that I have claimed (in *MIE* Ch. 9) get run together under the intuition/concept rubric:

- i. particularity of represented (singular-term likeness),
- ii. particularity of representing (deictic-anaphoric unrepeatability), and
- iii. immediacy as act: passively causally, noninferentially elicited.

normative pragmatic metavocabulary of semantic representation relations. It is built on top of conceptual realism and objective idealism. Together, this constellation of doctrines is how I understand Hegel's idealism in the *PG*.

[Show Figure 5:]



Part IV. Postmodernity: Reconciling the Traditional and the Modern Insights

This story about recollective rationality shows how to reconcile the traditional insight into the status-dependence of normative attitudes with the modern insight into the attitude-dependence of normative statuses. In doing that, it shows the way forward to a third stage in human history, a third form recognitively instituted normativity (and so, self-consciousness) can take, an announcement of the possibility of postmodern *Geist*.

Hegel's story about how determinate conceptual *content* arises out of normative *force*—what it is by recollecting to *take* objective conceptual norms to be acknowledged as binding in the attitudes of discursive practitioners, and thereby to *make* those attitudes properly intelligible as the adoption of normative statuses, the undertaking of commitments and responsibilities that outrun the conceptions of those whose statuses they are—is accordingly supposed to be at once a theory and a fighting faith for the first generation of moderns for whom intellectual history came to seem a central and essential undertaking. It is, remarkably, a *semantics* that is *morally* edifying. For properly understanding the conditions of having determinate thoughts and intentions, of binding ourselves by determinately contentful conceptual norms in judgment and action, turns out to commit us to adopting to one another practical *recognitive* attitudes of a particular kind: forgiveness, confession, and trust.

This is a radicalization of Kant's strategy, of deriving morality from a proper understanding of intentional agency, as a bringing to explicitness of commitments that are always-already implicit in our discursive activity. (Korsgaard, Habermas on this Kantian strategy.). How it works for Hegel.

The sort of Hegelian semantic self-consciousness that consists in understanding our discursive activity according to the categories of *Vernunft* accordingly obliges us to be certain kinds of selves, and to institute certain kinds of communities. In particular, the sort of theoretical understanding he teaches (the explicit acknowledgment of what he shows to be implicit in our discursive practice) obliges us in practice to forgive and trust one another: to be *that* kind of self and institute *that* kind of community. Practicing the recollective recognitive hermeneutics of magnanimity is not just one option among others. A proper understanding of ourselves as discursive creatures obliges us to institute a community in which reciprocal recognition takes the form of forgiving recollection: a community bound by and built on trust.

Recollective rationality is also the key both to understanding the history of *Geist*—all our norm-governed practices and performances, and the statuses, selves, and institutions they produce and are produced by—and to envisaging its next development. For Hegel the turning

point of history so far has been the gradual, still incomplete transition from *traditional* to *modern* forms of life. This was a shift from a metaphysics of normativity structured by the status-dependence of normative attitudes to one structured by the attitude-dependence of normative statuses. The mistake characteristic of the first is *fetishism*: mistaking what are in fact the products of our activities for objective features of the world. Modernity is the advent of a distinctive kind of normative self-consciousness of our own role in instituting norms. The pathology characteristic of modernity is *alienation* from the norms that make us what we are: failure to understand them practically as rationally constraining. When recognition takes the form of retrospective rational reconstructive recollection, the insights of traditional practical and modern theoretical normative self-consciousness will be reconciled and their failures overcome. We will move decisively beyond the normative structure of subordination and obedience to genuine self-conscious freedom: *Geist* with the structure of trust.

This is what happens when recognitive attitudes take the form of reciprocal *confession* and *forgiveness*. This is the norm-instituting recognitive structure I call “trust.” What is confessed and forgiven is that one always does both more and less than is correct according to the norms one has bound oneself by, the commitments one has undertaken and so is properly held responsible for by those one has accorded the authority to do so by recognizing them. Forgiving is a rejiggering of both norm and act (expressing a practical attitude)—here the model is the reciprocal accommodation of meaning and belief—so as to lessen and in the limit remove the disparity between them. Such forgiving always itself falls short of that ideal, and that failure is itself then to be confessed and forgiven in turn. Both self-consciousness and intentional agency take on wholly new forms in such an institutional recognitive setting. [See my Aquinas lecture “Heroism and Magnanimity”, or the Yale Franck lecture video version of it.] The projected progress to a third, post-modern structure of normativity, self-hood, and community is one where, as Hegel puts it at the end of the *Phenomenology*,
“The wounds of the Spirit heal, and leave no scars behind.”