

# The Problem of Nature in Hegel's *Philosophy of Right*

Simon Lumsden

## Abstract

The notion of being-at-home-in-otherness is the distinctive way of thinking of freedom that Hegel develops in his social and political thought. When I am at one with myself in social and political structures (institutions, rights and the state) they are not external powers to which I am subjected but are rather constitutive of my self-relation, that is my self-conception is mediated and *expanded* through those objective structures. How successfully Hegel may achieve being-at-home-in-otherness with regard to these objective structures of right in the *Philosophy of Right* is arguable. What is at issue in this paper is however to argue that there is a blind spot in the text with regard to nature. In Ethical Life the rational subject's passions and inclinations are brought into the subject such that she is 'with herself' in them; with regard to external nature no such reconciliation is achieved or even attempted. In Abstract Right external nature is effectively dominated by and subsumed into the will and it is never something in which one is with oneself. It remains outside the model of freedom that Hegel develops in the *Philosophy of Right*. There is something troubling about this formulation, since it excludes nature from freedom, but also something accurate, as it reflects the unresolved attitude of moderns to the natural world.

## Introduction

To examine the role of nature in Hegel's *Philosophy of Right* on the face of it seems to demand that the text address an issue that does not properly fall within its purview, like criticising his philosophy of nature because it proposes no developed conception of the state. That nature has a limited role in Hegel's *Philosophy of Right* is hardly surprising given that nature is not the primary object of inquiry in a work of social and political philosophy. But nature has at least two important roles in that text: firstly, in the development of personhood and property in Abstract Right, where it is a key aspect of the development of freedom; and secondly, in Ethical Life, where it has a critical role in the way that feelings and sensations become embodied as second nature ethical dispositions. The question this paper examines is where

and if nature fits into the picture of freedom that Hegel develops in the *Philosophy of Right*. Nature has a crucial role in the early structures of right, but it is neither folded into the notion of concrete freedom, nor does the text develop anything like an ethical attitude towards it.

The core notion of freedom in Hegel's thought is the idea of being-at-home-with-oneself, also known as concrete freedom (PR: §7Z; see Pippin 2008: 208–9).<sup>1</sup> To be at-home-with-one-self [*Beisichsein*] requires seeing that which is other as in some sense an expression of ourselves, something that we recognize as our own, that mediates our self-relation and that expands the possibilities of our existence. In Hegel's social and political thought this notion allows us to see rational institutions as objective structures of right through which we inhabit the world and they are, as such, expressions of human freedom. Given these institutions are collective human achievements this is not a difficult notion to understand—we can be at home in them, under certain conditions, when we see them as our own and ultimately as concrete expressions of how we understand ourselves. But being at home in otherness is not just seeing the products of human history as our own, it also involves the natural determinations of the subject. This has its clearest articulation in Hegel's account of habit in the subjective spirit and in Ethical Life in the objective spirit. In both these contexts 'natural determinations' are brought into the immediacy of the subject's self-relation, such that these aspects of the subject belong to it as features that it inhabits as its own.

What is more difficult to conceive is how we reconcile the notion of freedom that animates his social and political thought—being-at-home-with-oneself—with another core claim that Hegel makes in numerous contexts: that spirit's self-production requires a liberation from nature. If spirit, initially, determines itself by liberating itself from nature then one can argue, at least with regard to the way Hegel conceives of ethical life in the *Philosophy of Right*, that Hegel in some sense can reconcile these two claims. In ethical life an agent's natural features, what I am calling 'internal nature',<sup>2</sup> are brought together with autonomous action. Normativity is embodied as a posited second nature in ethical life (see Merker 2012). Hegel makes no such attempt to reconcile autonomy and the whole edifice of his social and political thought with external nature.<sup>3</sup> Because it is not a feature of concrete freedom, our developed self-relation or being-at-home-with-oneself, it is a marker of our unfreedom.

## I. Nature, property and abstract right

Abstract right, as the first systematic examination of the free will, requires a subject that is universal, capable of self-reference, and who can bear rights—this is the person. The person is a universal will that is abstracted from all the content of its

subjectivity. The person has a formal capacity to be able to detach themselves from their particular content, that is, the natural limitations that impinge on it. If we think of these externalities as natural drives and desires, the person simply coexists with these drives: the person is an abstract willing agent *and* a desiring animal, the latter is controlled by the former but willing and feeling are not unified (see *PR*: §35)—this will happen in ethical life. The abstract or pure personality must be able to distinguish herself from her drives and desires. This is not just a matter of an agent controlling their inclinations: ‘I am utterly self-contained, I am pure self-relation, I can reject all these other elements that impinge on me’ (*LNR*: §12). This is indicative of a broader division at play here between person and nature:

the personality of the will stands in opposition to nature as subjective. [...] personality is that which acts to overcome this limitation and give itself reality – or, [...], to posit that existence [*Dasein*] as its own. (*PR*: §39)

At this stage therefore abstract right and the person are in opposition to both external nature and the natural soul or what I am calling internal nature. Personhood concerns rights, but those rights pertain to the will of the person, not of their drives and desires, that is, there is no *right to satisfy* our natural desires and drives (*PR*: §37). The subject exists therefore in a divided state: on the one hand, there are drives and desires, and, on the other hand, the person is the abstract capacity to control drives and desires or to act on the basis of norms that are divorced from these naturalistic elements. Ultimately in line with the idea of concrete freedom, Hegel will, in *Ethical Life*, bring these aspects together in second nature, where the agent does not just control feelings, drives and desires (the natural soul) but can take possession of them. Such a reconciliation or even mooted reconciliation is however not open to external nature in objective spirit.

The primary discussion of external nature in the *Philosophy of Right* occurs in Abstract Right, which describes the role of property relations in the freedom of a person. Hegel’s overriding consideration in discussing property in Abstract Right is not to justify or damn any particular model of the state on the basis of how it does or does not secure property relations, but is the first step in the highly original model of freedom that Hegel develops: property provides a person ‘an external *sphere of freedom* in order to have being as Idea’ (*PR*: §41). Freedom is actualized—becomes something objective and effective—only when it can be inhabited in the external world. In the case of property relations this external domain embodies a person’s will by extinguishing the independence of that external nature.

The examination of the notion of freedom that Hegel undertakes in the *Philosophy of Right* places an important value on the civil law developed to govern property relations. He appeals to four legal categories for conceiving the property relation: taking possession, use, alienating property and contract (Ritter 2004: 102).

Preceding these specific discussions, in the opening account of Property, he gives a summary account that describes the relation between persons, things, the will and nature. Civil law rests on the division between persons and things. The status of personhood extends to all human beings, who in the modern era cannot be things. ‘Things’ in this legal sense are objects that are capable of legal transaction. Only those objects that are capable of becoming the property of human persons are things. That does not, however, mean that *all nature* can be considered things in this legal sense: air, the solar system, the oceans and so on are non-things (and therefore not appropriable by human hands).

Personhood has its simplest and most enduring form in property. Hegel’s person is a form of the free will that is actualized in the institution of property relations and contracts, through which individuals come to understand themselves as free through their action (PR: §57). A person is a bearer of rights in so far as she has control over things. Freedom does not exist merely in the ownership of one’s body or an abstract capacity for willing but requires an external sphere in which that freedom is realized (PR: §41), which is why external nature is important. Hegel however makes a stronger claim, as we will see, than that persons need an external domain to realize their freedom: external nature is something over which human beings have dominion. The argument is fairly straightforward: only beings that can invest their will in something in a way that knows themselves to be so willing can have rights. Consequently, animals and the rest of nature, ‘however real they be for feeling [*Empfindung*], for need, and for consciousness, they are something merely ideal for the freedom of the person, *something devoid of rights*’ (LNR: §15, see also PR: §44R).

In Hegel’s case property does not have its basis in natural law or a natural desire or drive. Forming objects for human ends is important for human freedom, the right of appropriation of external nature is central to what it is to be a person:

everyone has the right to make his will a thing or to make the thing his will, or, in other words, to supersede the thing and transform it into his own; for the thing, as externality, has no end in itself, and is not infinite self-reference *but something external to itself*. (PR: §44Z, my emphasis)

The right comes ultimately from a peculiar attribute of humans to be able to understand themselves as determining their actions on the basis of reasons that can be recognized as such, unlike nature, which is ‘external to itself’. He describes this self-relation in the 1818 lectures on natural right in this way:

As free persons, persons have in the first place gone back into themselves out of externality; as free beings humans have knowledge of themselves, knowing that as egos their independence is not merely that of their bodies. (LNR: §15)

Animals on Hegel's view are external to themselves and are therefore things. While they possess their own body, Hegel says, *they have no right to it* because they do not will their own life (PR: §47R). Through my will I can confer 'upon the thing an end other than that which it immediately possessed; I give the living creature, as my property, a soul other than that which it previously had: I give it my soul' (PR: §44Z). In this sense human beings can take possession of nature because it does not develop itself on the basis of an end it posits for itself.

The freedom of abstract right is directly tied to the control of nature. There is much discussion in *Abstract Right* of the various ways in which objects are appropriated through being physically seized, contractually exchanged, transformed by the hand, tools and so on. We give form to objects to determine them as mine: 'to give form to something as the mode of taking possession most in keeping with the Idea, inasmuch as it combines the subjective and the objective' (PR: §56R). Since we have not formed the air, we cannot therefore take possession of it; a wind-turbine utilizes the air but does not form the air. The complex forms of self-relation that property relations allow are expressions of a very traditional idea of appropriation of nature through the human formation of it. Hegel's concern is with how 'I, as free will, am an object to myself in what I possess and only become an actual will by this means' (PR: §45). This appropriative relation does not allow external nature to be conceived independently of humanity, at least from the perspective of abstract right. He rejects this approach in §44, where humans are described as having an 'absolute right of appropriation [...] over all living things'. The freedom at issue in *Abstract Right* is one that is developed through the formation of the natural world. Freedom therefore seems to require action, the liberating of oneself from nature: we are free by shaping nature in accordance with our will.<sup>4</sup>

In the context of *Abstract Right*, with regard to these spiritually produced structures of right, it is not property per se that is the critical issue. Property relations will ultimately show themselves as limited, if not damaging as a structure of right in *Ethical Life*. For all of the import of property as a way of us realizing our status as persons we end up with a wholesale instrumentalization of ourselves. The reification that is fully developed in *Ethical Life* has its basis in *Abstract Right*. What overwhelmingly governs our relationship to one another in the market economy is the exchange of things, and this increasingly comes to govern our social relationships, which leads to the social pathology of fragmentation, isolation and alienation.

## II. Second nature and freedom

*Abstract Right* describes the diversity of complex historical processes by which human activity has appropriated natural objects from external nature and made

them into property. The natural domain, because it is not composed of persons, offers no constraint to that appropriation beyond its physical capacity to be so appropriated. If nature has no independence and is seemingly only meaningful in so far as it serves human interests, the question is: is Hegel's social and political philosophy able to provide a relationship to nature that is not one of either alienation or domination? That is, can it be incorporated into the distinctive model of freedom that the text articulates—being at home with ourselves in otherness. Pippin describes Hegel's peculiar and original model of freedom (concrete freedom) this way:

Freedom is understood by Hegel to involve a certain sort of self-relation and a certain sort of relation to others: it is constituted by being in a certain self-regarding and a certain sort of mutually recognizing state. (Pippin 2008: 39, see also Pinkard 2012: 18; and PR: §31, §260)

In ethical life, individuals develop a mediated relationship to the state, and civil society such that they conceive of these as their own; how an agent considers herself is mediated through those institutions. Ethical life similarly attempts to bridge the dualism of feeling and rationality, as we will see below: I am at home in my feelings and sensations when I have an active relationship to them, I can see them as mine because they align with my autonomous judgments and actions.

What is missing in the *Philosophy of Right* is a way to overcome the alienation from external nature that is the consequence of abstract right. In Abstract Right the transformation of external nature into things of exchange is an important condition of human freedom. This 'thingification' of nature, which requires that nature lose its independence when the will of persons are embodied in the external world, alienates us from nature through this appropriative act of taking possession, after all 'a person has the right to place his will in anything' (PR: §44).

As we have already seen, consciousness and sensation (*Empfindung*) experience the reality of an independent nature: '[Natural objects] have in relation to consciousness, the authority [...] of having a particular nature'. Ethical life, Hegel goes on to say in the same paragraph, has an 'authority' 'that is infinitely higher' (PR: §146R). While this representational view of nature, which assumes its independence, might be inferior, it is not eliminated by ethical life, but neither is it reconciled. If nature is turned simply into possession, use value, something that can be alienated and the object of a contract, then it is little more than an object of exchange by which humans achieve freedom through forming it.<sup>5</sup> In which case then, in the *Philosophy of Right* at least, external nature is not a potential sphere of concrete freedom—a-being-at-home-in-otherness—but is always either an instrument or the other turned into the self. In the case of the family and the system of needs, there too nature plays a role. The family is initially based on feeling, and ultimately

it, in its modern nuclear form is the condition for the exchange economy described in ‘Civil Society’ (see Blasche 2004 and Hutchings 2017). The market economy is a quasi-naturalistic order driven by the desires of individuals pursuing their own ends.<sup>6</sup> The role of nature here is not analogous to its role in the opening of Ethical Life, as will be described shortly, or in Abstract Right, as in both these cases nature is determining or augmenting these forms of ethical life, rather than in tension with them.

Is there a way to think through the relation of human to nature that can make us at home in it, in a manner analogous to the ways in which the state and civil society overcome the alienation of the fragmented individuals that the system of needs of the market economy produces? The role of second nature in ethical life and the discussion of habit in the subjective spirit are premised on resolving the spirit-nature dualism and both attempt to provide a way of incorporating nature into concrete freedom. It is worth briefly examining these attempts to resolve this dualism to help make sense of why it is that Hegel is happy to let spirit lie opposed to external nature in the *Philosophy of Right*.

The key distinction that Hegel places between human life and nature is, as we have seen, that natural things are external to themselves. The life force of the animal or the disease that injures the animal are ends that have their origin in something external to the animal, or serve an external purpose, *but over which the animal has no willed relationship*. Whatever ends motivate the animal are not reasons that she can regard as reasons that are in themselves good or bad. Things either go well or badly on the basis of ends that are set by something other than the animal. Human self-relation is of a completely different order—apparently—while we can consider ourselves as subject to various norms and as being constrained by natural drives and so on, unlike the non-human animal we can impose normative demands upon ourselves and others that issue from us. And we can examine and reject the drives, desires and feelings that might motivate action.

So far the account of Hegel’s political philosophy I have described appears to fit with the standard Kantian way of thinking of freedom, which is that autonomy is a human derived achievement that, whatever its origin, untethers human beings from nature, and expresses its freedom, in part, by controlling it. If spirit, as the sphere of human freedom, was to be entirely premised on this view, then there would be no way back to nature; our moral and rational capacity, as it is for Kant, would release us ‘from the womb of nature’—permanently (Kant 1970: 226). If, however, we think of autonomy as having concrete precursors in nature, but developed and enhanced by spirit, then freedom does not have to be conceived as liberation from nature. We could thereby be at home in nature because autonomy is not a wholly human-derived achievement but is continuous with the natural world. Both Sebastian Rand (2017) and Alison Stone (2016), despite the broad interpretative differences in their general approach to Hegel, argue something

like this. So conceived Hegel's philosophy of nature, particularly the way it conceives of animal life, moves in a different direction to the *Philosophy of Right*. It allows us to recognize nature as having rudimentary forms of autonomy. On this view, Hegel's philosophy of nature conceives animals as forming themselves, bringing about their individuality through the annulment of desires, overcoming things they lack, which can be considered a kind of rudimentary self-production at the level of self-feeling. The idea of lack or deficiency is an important expression of the negative, it drives animals to restore unity (Hegel 1970a: §359). In general, the philosophy of nature gives us some prospect for reconceiving the spirit-nature relation, since we are able to see our most human of qualities at least adumbrated in it. The naturalness of the spiritual is even more pronounced in Hegel's subjective spirit.

Approaches to Hegel that conceive spirit as primarily a sphere of normative practices that develop their authority through complex social and historical processes, have tended to downplay the naturalistic aspects of spirit described in the subjective spirit.<sup>7</sup> In the subjective spirit the idea of spirit producing itself by liberating itself from natural constraints through collective acts of rational reflective self-transformation is not sustainable.<sup>8</sup> Subjective spirit describes our embodied natures in a way that prefigures the necessarily embodied character of normativity in ethical life, most notably in the discussion of habit, which strives to undermine the dualism of nature and spirit. The subjective spirit presents the primary disposition of human beings as self-feeling and habits; these are not attributes that we give up in spirit, they remain essential elements of who we are.

Part of what it is to be free, as being at home with ourselves, involves recognizing these natural endowments as essential elements of what it is to be human. The self emerges through habit's ability to show that those natural determinations do not have an unbridled hold over the will of the subject, but they are not thereby banished or suppressed, they come under the will of the subject in a way that inhabits their naturalness. Hegel's examination of habit, both in the subjective spirit *and* the objective spirit, challenges the dualism of spirit and nature, because it requires that norms, if they are to be fundamentally our own, must be grounded in the body. In the discussion of habit in the subjective spirit he describes the way in which we take control of feelings, drives and inclinations, such that they are not an opposing force to the will, but neither have feelings been somehow turned into the will; they retain their naturalness in being appropriated by the will as second nature (see Testa 2020). Being-at-home-in-otherness is clearly expressed in the idea of habit, where we are made at one with our bodily natures and in which we come to see that bodily nature as an essential feature of our freedom (*EM*: §410Z), it is not just a condition for freedom—we are free in our habits because here our feelings are aligned with our norms.

Hegel addresses the division between the natural soul or feeling and spirit directly in the *Philosophy of Right*, at the start of Ethical Life. Because it addresses the



spirit-nature divide, through the notion of second nature, in a key section of Hegel's social philosophy, it has received considerable attention in recent years. It is not the place here for a detailed examination of the nature of the reconciliation that Hegel seeks to effect in Ethical Life, which I have addressed elsewhere (Lumsden 2012) and about which much has been written (Magri 2018, Novakovic 2019, Testa 2009). It is worth briefly discussing this section of the text to demonstrate how Hegel confronts the spirit-nature relation in this work in a way that attempts to bring nature into the fold of being-at-home-in-otherness.

Hegel examines the role that social habits or customary life play in facilitating the ethical orientation of an agent in their society. He gives second nature an important role in ethical life in order to capture the way in which norms are inhabited in a culture. Norms, for the most part, are not objects of reflective examination, but are rather dispositions of the subject that mark the way in which an agent normatively orientates herself in the world as the 'habit of the ethical' (*PR*: §151). One aspect of both social habits (customs) and subjective habits (bodily habits, acclimatization to sensations, dexterity and so on) is that they expand a subject's possibilities by freeing them to use their mental resources to acquire, at the subjective level, a new skill, once a habit is acquired; and at the customary level, to acquire new cultural possibilities. I am for example free to develop a rich social and cultural life if I am not fearful of going out at night. Novakovic stresses the liberating effects of social habits this way: when

my bodily existence does not show up as a problem for me. [...] I am liberated from these corporeal aspects of my life, able to focus my attention on my ends. This is what it looks like to trust the state as one's substantial basis.<sup>9</sup> (2019: 8; this embellishes Hegel's example from *PR*: §268)

This is an important aspect of subjective freedom: if women, for example, fear walking at night because of poor lighting, lack of law enforcement and a justice system that does not take their interests seriously, this limits their subjective freedom. This approach makes it seem that the point of conceiving norms as social habits is that the habituation process allows us to pursue further ends. While this is incidentally true and is certainly important to the development of human and animal potentiality, this approach overlooks the importance of concrete freedom in this second natural aspect of ethical life.

In the subjective spirit Hegel stresses the importance of habit as the way in which one can be with oneself in one's bodiliness. In this passage he explains why it is that habit is a 'being-together-with-ones-own-self' (*Beisichselbersein*):

In habit the soul is no longer captivated by a merely subjective particular representation [...]; it has so completely received itself

into ideality the immediate and individualised content presented to it, has made itself so at home [*eingewohnt*] in the content that it moves about in it with *freedom*. (*EM*: §410Z)

The success of habit and second nature is not just that it makes room for further capacities of the agent to be developed, such as increased subjective freedom, as in the case of the example above, but more importantly it allows the subject to see all aspects of her determinacy as her own, to be at one with herself in her inclinations and desire. He describes this as where ‘freedom becomes nature’ (*LNR*: §69). Social practice or norms becomes second nature when dispositions and norms align: ‘in habit, the opposition between the natural and the subjective will disappears’ (*PR*: §151R).

The opening discussion of Ethical Life theorizes this embodied normativity of spiritualized nature. Through the self-formation (*Bildung*) that ethical life allows, the subject achieves a ‘development of [*Ausbildung*] of his own body and spirit, [...], he takes possession of himself and becomes his own property’ (*PR*: §57). Menke has argued that the purported reconciliation of nature and spirit is not achieved in ethical life. Ultimately the second nature habituation of ethical life is paradoxical, as ‘the subject’s participation in [social] practice never becomes a purely spiritual medium for its autonomy because it is always habit, a merely naturalistic mechanism’ (Menke 2017: 175). At one level, this is correct: the rigidity of second nature means these social habits do not overcome naturalism, as there is something unreflective and mechanistic about habits, and thus their tendency to atrophy. But one can only present this as a structural flaw of objective spirit by removing the role of the negative. Social habits or customary life are always located in broader structures of ethical life that bring these atrophied habits up against their limits,<sup>10</sup> and this is especially pronounced in modernity where entrenched norms are constantly being challenged, indeed this is modernity’s defining attribute.<sup>11</sup> This negativity is central to normative transformation: we experience in our bodies the misalignment of current norms, which have a bodily resonance for us, (they are felt ways of orientating ourselves in the world) with the demands of a new norm.

### III. The loss of external nature

Regardless of whether or not there is a genuine reconciling of the spirit-nature division in Ethical Life, Hegel is nevertheless self-consciously here bringing together the space of reasons/autonomy/spirit with feelings, drives and sensations (our natural soul/internal nature) in order to be at home in them and not divided from them, as is the case in Abstract Right. Even if this is unsuccessful, as Menke claims, there is no equivalent attempt to bridge the dualism of culture/spirit and external

nature in the *Philosophy of Right*. Recall that the separation from external nature is the outcome of Abstract Right, where external nature is excluded or possibly even sacrificed for the development of the freedoms of Abstract Right. Overcoming the alienation from external nature is not something that Hegel is concerned in the *Philosophy of Right* to confront.

One possible response is that raising this issue misunderstands Hegel's idealism: 'whereas realism declares [the objects of nature] to be absolute', idealism makes the object relative, the human will gives the objects ends that they themselves do not possess (PR: §44Z). There is no perspective from which we might understand the natural world independent of us in any meaningful sense—nature has no independent normative standing and consequently cannot lay any kind of normative claim on us. In the same paragraph he remarks that 'intuition and representational thought' conceive natural objects to be 'self-sufficient [*Selbständigkeit*]', which is an error, as the free will 'is the idealism and truth of such actuality'. The free will 'does not consider things as they are, to be in and for themselves' (PR: §44Z). With consciousness (and realism), as we have seen, the object is independent [*Selbständigkeit*], and what should be considered the truth resides with the object. For Hegel granting some kind of epistemic authority to external nature, as realism and consciousness would claim, cannot be sustained: 'Even the animal has gone beyond this realist philosophy, for it consumes things and proves that they are not absolutely self-sufficient' (PR: §44Z). That we cannot assume the self-sufficiency of nature may be correct, in so far as our relation to it is always set by the limits of spirit's discursivity. Nevertheless, in the *Philosophy of Right* the only resource he *directly* provides with which we might think the relation to external nature is the appropriative relation of abstract right.

The way that Hegel formulates abstract right, and that this is the exclusive frame through which external nature is considered in the text, makes re-conceiving our relationship to nature extremely limited in Hegel's objective spirit. External nature and animal life are not conceived such that they could resist their formation and conceptualization for human use, indeed the opposite is the case: 'possession is the immediate relation of my will to a thing; I need no other mediation than I will or want the thing. By this means the thing becomes mine; *it cannot offer resistance to me*' (LNR: §16R, my emphasis). Clearly Hegel does not mean literally nature and animal life offer no resistance, as almost every form of animal life will resist seizure. Animal life cannot resist because it is subordinate, and it is subordinate because of its immediacy: 'it cannot separate itself wholly or in part from its body' (LNR: §16R). While the philosophy of nature and the subjective spirit might allow us to see the body in our spirit, in the case of the *Philosophy of Right* the animating concept of European modernity, self-determined freedom, is conceived entirely such that external nature is a limit to be overcome in the pursuit of individual and collective self-realization.

This is the overriding picture of the natural world that Hegel captures, which—alas—is all too historically accurate: modern Europeans are the creatures who have formed the natural world through individual and collective acts of will in a way that has for the most part seen the instrumentalization of nature as the exclusive way of relating to the natural world. The view of nature forged in the *Philosophy of Right* does not align with the model of Hegel’s philosophy of nature proposed by Rand, by which the separation from external nature is a misstep, because we are largely continuous with it. Nature has at least incipiently the features to which we assume a human privilege and, moreover, nature in its comprehensiveness demands an ‘extended philosophical confrontation’ and must ultimately be ‘embrace[d]’, as we are embedded in its full diversity (Rand 2017: 404). The way Hegel conceives external nature in the *Philosophy of Right* sits oddly with any such continuity. In Abstract Right the willing subject is separated from the natural soul (feeling, drives and so on) and from external nature. In Ethical Life, as we have seen, we come to see these natural aspects of the soul as our own. With regard to external nature, we have a dominant privilege in relation to it, but *it* does nothing and *this is never corrected*.

What we are grasping in the *Philosophy of Right* is ‘formed nature’ and some quite specific relationships to it that are largely forged through the idea of property relations. Hegel writes of nature in Abstract Right as the objective sphere in which we know ourselves to be free precisely because we overcome the independence of nature. It is ‘subordinate’ (LNR: §15) to us, Hegel says, because ‘[natural things] do not belong to themselves’ (LNR §16). The program of the *Philosophy of Right* posits no relationship with external nature beyond something we seize, impose on or mark. That is indeed the modern relationship to the environment. In this sense perhaps Hegel’s portrayal here is a project of philosophical comprehension that reflects the modern world we, and Hegel, inhabit. Modern subjects and societies have shaped the natural world into an environment; it is materially transformed by us through our actions such that it has no self-sufficient independence.<sup>12</sup> Modern human culture has transformed external nature such that we cannot conceive ourselves as separate from it, because that shaping of it just reflects the material fact of the appropriative attitude of the persons Hegel depicts in Abstract Right. External nature is ours, something we have created, in which there is no external nature as such, only an environment that bears the human mark.<sup>13</sup> This is consistent with the world modernity has created for itself in the Anthropocene, where nothing of external nature remains untouched by human hands. Nevertheless, Hegel is in this work unwilling or unable to recognize that by so doing something is lost in this relationship; there is no language to conceive what that is, and especially what any reconfiguration of our relationship to external nature might be.

The *Philosophy of Right* cannot locate us in external nature, it can only account for our hold over it. The philosophy of nature and the subjective spirit can locate us

in nature; but they do not—I do not think—provide the basis for the normative reconfiguration that could allow us to reconceive of ourselves in relation to it; that requires a work of social and political philosophy. To be able to incorporate external nature into our own self-relation, our being-at-home-in-otherness, is something that concrete freedom can allow us to conceive, and I think it even demands it, even if Hegel does not do so himself.<sup>14</sup>

I commented at the start of the paper that I may be demanding something of Hegel's social and political philosophy that he does not require of it. My concern is not to demand of the text that it posit normative obligations to external nature beyond human-centred ones. The text does not lay the barest of ways forward for a Hegelian ecological ethics, that might for example acknowledge that nature might have interests that are not our own and that we should respond to with a new ethic. The moral and ethical sensibility of the text is unashamedly human-centred. Hegel's ethical thought presents fundamentally recognitive and institutional structures into which external nature has no independent role. The *Philosophy of Right* is concerned to show the rationality of the collectively human-created achievement of modern institutional freedom and to recognize that the norms and institutions with which it is governed are the embodiment of self-determined subjects. But this is not all that freedom is; the model of social and political development he describes there has to incorporate our bodily natures, otherwise we would be alienated from ourselves. This is established in the subjective spirit and consolidated as habit in the objective spirit throughout Ethical Life. But this still leaves external nature reduced only to the appropriative relation of property.

Whatever intelligibility nature may have, or even if it in part necessarily escapes structures and concepts of intelligibility, it, as the extraordinary detail of the philosophy of nature makes clear, is not captured by the language of abstract right. Hegel's philosophy of nature conceives nature as having value that would not reduce its interests, values and worth to only those of human beings. That nature has some kind of worth independent of human-imposed normative concerns, is also described in his aesthetics. The standard concerns of environmental ethics, which would seek something like a strident way of accounting for nature's interests or its value in itself as a way of demanding its ethical consideration could not be the concern of Hegel's social and political thought. Nevertheless, that external nature is simply conceived as a sphere of human self-realization, leaves the core idea of freedom he describes, being-at-home-with-oneself, diminished. To see nature as external in this way, something simply to be consumed, shaped and exchanged for human ends cuts human beings off from nature and ourselves, since we are continuous with external nature. The sensuousness of nature, the life of organisms, the diversity and vibrancy of ecologies, the distinctiveness of its materiality and so on, are other than self-determined freedom, and yet are essential aspects of human life.

We have to be able to identify with external nature, inhabit its intelligibility, in some form that is not just an expression of self-determined freedom. Freedom as being-at-home-with-ourselves opens this possibility, but what this could be is not even gestured at in the *Philosophy of Right*. We cannot be at home with ourselves as natural *and* spiritual if external nature is simply reduced to the posit of abstract right. The demand that spirit should grasp itself in a truer manner, that it strive to find categories that are adequate to itself, might lead to the conclusion that the truth of the nature and spirit division only be rendered adequate in absolute spirit. The final paragraph of the *Philosophy of Right* would seem to indicate this. If the philosophical reflection of absolute spirit is the only sphere in which an adequate account of the spirit-nature relation is available, it would be only a recollection of something past. The appropriative relation to nature that characterizes modern social and political systems, underpinned by self-determined freedom, might extinguish the very thing that is to be reconciled and thought in absolute spirit. If modern social and political realities have completely instrumentalized the natural world such that it is degraded to the point that what might be reconciled in absolute spirit is without actuality, then the demand of the social and political thought of the present requires thinking nature into its concerns.

External nature being unreconciled and remaining outside concrete freedom is precisely the relation that marks modern life. The model of freedom that the text addresses, in which our self-relation is mediated through rights, morality and institutions, stops short at external nature; it cannot actually resolve itself. We cannot be at home in nature because objective spirit cannot think the relation to nature, we cannot make it our own as a form of concrete freedom. In this sense external nature indicates our unfreedom, precisely because we cannot conceive of a model of what it is to be self-determining and self-producing subjects that does not do violence to it; we cannot see it as something upon which we depend and which the social formation of it is destroying in a way that diminishes us *and it*. Terry Pinkard, describing the externality of nature, comments that ‘the lack of resistance on the part of objects indicates that the object can enter into *no normative dispute with the agent*. The prey cannot challenge its status as prey, however much it may be resistant being reduced to it’ (2012: 59, my emphasis).

This formulation is an unnecessarily limited and restrictive account of the negative. When we experience the inadequacy of our norms with respect to the world we inhabit, we experience a lack of fit between the norms and the demands of the present. The social and political order of self-determining *Geist* of the *Philosophy of Right* allows for no reciprocity with external nature. We have become painfully aware of the inadequacy of this model. A reconciliation with nature can be achieved in the *Philosophy of Right* only *in* the subject, as habit. In that internalized context we can control drives and desires, as habituated nature falls under the sway of spirit. The *Philosophy of Right* offers no language to recognize the resistance of

nature. We can acknowledge our normative failure in relation to it and that is in fact the labour of the negative. If we think of external nature as unable to challenge the existing model of self-determined freedom, then how do we dispute current practices towards it? That is, where is the source of our understanding that the current practices and norms with regard to external nature are limited? If concrete freedom entails the expanding of our relationships to others in a way that we think of ourselves by virtue of those relationships, then the unrevised negation of the natural world, which abstract right results in, is a form of unfreedom.<sup>15</sup> Perhaps this is the correct self-comprehension of *Geist*: that the prospect of being at home in otherness with nature is not resolvable in modern ethical life. The development of a new model of freedom that we can be at home in may be a world historical problem,<sup>16</sup> not a problem addressable from the rights, morals and politics of a social and political system animated primarily by self-determined freedom and this is the tragic dualism of the text.<sup>17</sup> The negative gives us a powerful model for experiencing how a form of life is failing, but the *Philosophy of Right* does not provide us with a way to see how modern social and political life's relationship to nature could be corrected. That is most likely a failure that only the philosophy of history can tragically confront.<sup>18</sup>

**Simon Lumsden**

University of New South Wales, Sydney, Australia

[s.lumsden@unsw.edu.au](mailto:s.lumsden@unsw.edu.au)

### Notes

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<sup>1</sup> Abbreviations used

*PR* = Hegel, *Elements of the Philosophy of Right*, ed. A. W. Wood and trans. H. B. Nisbet (Cambridge: Cambridge University Press, 1991).

*LNR* = Hegel, *Lectures on Natural Right and Political Science: The First Philosophy of Right 1817–1819*, trans. J. M. Stewart and P. Hodgson (Berkeley: University of California Press, 1995).

*EM* = Hegel, *Philosophy of Mind*, ed. M. Inwood and trans. A. V. Miller and W. Wallace (Oxford: Oxford University Press, 2007).

<sup>2</sup> In the subjective spirit he would describe this as the natural soul—drives, emotions, desires and so on.

<sup>3</sup> There is a degree of artificiality in this distinction between internal and external nature, but for my purposes external nature describes the natural world that is independent of us or is

transformed by us through willed human action; internal nature is the drives, emotions, passions and desires of human beings.

<sup>4</sup> In the context of modern political philosophy, Hegel's move here is important. The way in which the state should conceive of its relationship to its subjects and of the subjects to one another cannot be based on naturalistic grounds such as: physical strength, family, ethnicity (see Pinkard: 2012, esp. Chapter 5. For a clear statement on this from Hegel see *EM*: §393Z). (With regard to sex difference Hegel does notoriously use this to locate women exclusively in the family.) Hegel does not attempt, as Rousseau does for example in the 'Second Discourse', to use a putative order of nature to counter 'artificial' and pathological social relations created by unjust human-created moral and political systems. One can see why abstract right becomes the central beginning point of political and social philosophy for Hegel, because it is here that we get the idea that the relationships that should govern between human beings and the state in civil society are relationships *forged by humans themselves* not on distinctions and powers that pertain wholly to a presumed natural order but on the basis of concepts that are expressions of rational spirit. In this sense, for Hegel, there is no need for an origin story in the way there is for social contract theorists, which use nature as a standard by which degradation of some natural conditions by subsequent historical development can be measured or as a right established outside human history to which it might be held to account. Such a model would thwart spirit's capacity to be self-transforming.

<sup>5</sup> Hailwood (2015: 172–74), makes a similar argument.

<sup>6</sup> Of course, women are excluded from full participation in civil society and remain sequestered in the quasi-natural domain of the family. Physical geography also impacts the specifics of national character as Hegel describes it in the *Philosophy of Right* and in even more detail in the philosophy of history, but again the relations are not oppositional, rather 'nature' in this sense is just a determination of national character.

<sup>7</sup> Brandom (2019) represents the most extreme version of this, but Pippin (2008) also largely takes this approach.

<sup>8</sup> The second nature of culture is not thereby a break from nature but just an extension of the idea of self-production that is already in nature.

<sup>9</sup> 'Spirit attains its actuality only through internal division, by imposing this limitation and finitude upon itself in [the shape] of natural needs and the continuum of this external necessity, and in the very process of adapting itself to these limitations, by overcoming them and gaining its objective existence within them' (*PR*: §187R).

<sup>10</sup> These can become pathologized. On this issue, Novakovic's (2019) discussion of social habits is compelling. See, in particular, the final section.

<sup>11</sup> This is in part why virtue is differentiated from ethical life. Virtue, tied so strongly to the natural character of the subject, is less able to be transformed through the work of *Bildung*.

<sup>12</sup> Hailwood (2015) provides an interesting discussion of the way in which this approach of Hegel's might allow us to conceive of our responsibility for a transformed nature. For example, in the discussion of abstract right, as I mentioned in the opening section the atmosphere is not something that can be owned, but if we see it as polluted by us then we can 'recognize ourselves



in the world that we are in fact making' (2015: 113). Understanding nature, as the environment, which necessarily bears the imprint of human determination on it, might allow us therefore to see it as ours and be responsible for it in a way that the resource mentality of abstract right does not.

<sup>13</sup> Vogel (2015) has argued in a recent provocative work in environmental philosophy that this is precisely as it should be. There is no independent nature, only an environment that necessarily bears the mark of human social practices.

<sup>14</sup> For a clear and productive preliminary attempt to take Hegel in this direction, see Deranty's (2021) contribution to this volume.

<sup>15</sup> See the discussion in Bernstein (2017) and Ng (2017).

<sup>16</sup> Absolute spirit does bridge this difference briefly (*EM*: §575), but it is so abstract mediating between mind and logic that it is very difficult to see how it directly addresses the issues raised here.

<sup>17</sup> I somewhat cavalierly address this issue in Lumsden (2018).

<sup>18</sup> Thanks to the detailed and very helpful suggestions for improvement from two journal reviewers for the *Bulletin*.

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