Introduction – German Idealism and Normativity

Brian O'Connor (University College Dublin)

A defining commitment of that group of philosophers labelled the German Idealists is that experience is not explicable as natural stimulus and response. Rather, experience is infused with rules which are to be understood as determinations of reason. What this means, in essence, is that our experience of the world bears the characteristics of determinations that, precisely as the products of reason, are attributable to human beings. These determinations of reason act as constraints on behaviour and on knowledge, yet these are, in effect, constraints that we give to ourselves. It is this idea to which the famous thesis of the autonomy of reason refers: reason is not grounded in nature and nor is it part of the chain of material causality.

The contemporary discussion of normativity, within neo-pragmatism in particular, in some respects reiterates the Idealists' position. At the same time it has also provided us with a sophisticated conceptual apparatus which has helped to clarify the original contentions of the Idealists. Robert Brandom's work, combining a concern with articulating a new conception of normativity with an interest in his historical predecessors, has stimulated a renewed engagement, by analytically inclined philosophers at least, with the distinctive contribution of Hegel to the idea of rule governed behaviour. Significant lines of interpretation have also been opened up by John McDowell's reading of Kant and Hegel. Scholars in the field had in fact, even prior to Brandom and McDowell's interventions, offered readings in which the normative dimensions of German Idealism were placed at the centre (for example, though in quite differing ways, Henry Allison, Terry Pinkard and Kenneth Westphal).

The contemporary notion of normativity cannot, however, be comprehensively applied to the work of the Idealists. Two important distinctions need to be made in this regard. First, although Kant's moral theory – as the papers in this collection by Gerhard Seel and Marcus Willaschek demonstrate – effectively grapples with the notion of a normative constraint a similar notion is not to be found in the pivotal parts of his theory of knowledge, as set out in the Transcendental Aesthetic and

Transcendental Analytic. Although there are, for Kant, features of experience that are to be traced back to human modes of intuition and conceptualization it is certainly not the case that these features are subject to reason. They are, rather, spontaneous modes of experience.

The Kantian analysis of freedom, though, is closer to the notion of normativity understood as constraint. Kant, developing an insight from Rousseau, proposes the idea of freedom as autonomy. Autonomy is the notion of acting under a law that a person as a rational agent must be able to justify. It is in this way a matter of self-legislation. It is quite the opposite of acting under desire, which admits of no rational justification (being based in an object rather than a principle) and cannot therefore be a law, or of acting as a passive agent in a causal relation to an outer source of stimulation.

Compared with the normative theories of today Kant places the notion of transparency – as a stipulation of autonomy – a great deal higher. Contemporary philosophers can plausibly hold to the notion that we act under normative constraints without reading it as an entailment that, as rational beings, we can understand these constraints as maxims which ought essentially to be expressible in universally compelling ways. Nevertheless, a broad commonality between the two exists in the notion of action guided by norms that are referable back to processes of human decision.

The second distinction – which we owe to Brandom – is that between a two phase approach to rules and a monistic one. Brandom describes Kant as committed to a "two-phase structure: *first* one stipulates *meanings* , then experience dictates which deployments for them yield true *theories*. The first activity is prior to and independent of experience, the second is constrained by and dependent on it."[1] The monistic alternative "involves settling at once both what we mean and what we believe."[2] This latter is characteristic of Hegel's position in the *Phenomenology* , as Brandom himself has tried to show.

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[1] Robert B. Brandom, *Tales of the Mighty Dead* (Cambridge, Mass. / London: Harvard University Press, 2002), p. 214.
[2] Ibid. p. 214.

These two distinctions help us to circumscribe the historical scope of the concept. It pertains accurately to those theses in German Idealism in which rules and activity are of a whole: this arguably captures, therefore, Kant's theory of autonomy, Fichte's conception of the primacy of the practical and Hegel's account of phenomenological experience.

The normative dimensions of Fichte's philosophy have received less attention than that of the other Idealists, yet it is potentially at least as far reaching as Hegel's. There is a familiar though obsolete view of Fichte which contends that his contribution to German Idealism was to extract Kant's notion of transcendental subjectivity – the theory of the "I think" – and transform it into a hyperbolic subjective idealism bordering on the solipsistic. Certainly, Kant's notion of subjectivity was significant for Fichte, but he not only availed of the resources of this theory in so far as it pertained to knowledge, he also attempted to synthesize it with the theory of autonomy – in Kant's ethics – understood as a theory of action.

The intended outcome brings us to Fichte's real contribution: the introduction of the idea of the primacy of the practical for philosophy. What this produces is a philosophy which explains experience and knowledge in terms of the efforts of human beings to order their environment. This applies even to that level of experience which seems to be "given," the causality of outer objects. A key question raised by Fichte is programmatic in this regard: "Whence arises the system of representations accompanied by the feeling of necessity?"[3] For Fichte the answer must be found within the resources of subjectivity. However, this is no subjectivism: it is subjectivity understood as the alternative pole to naïve realism – givenness and passivity – and hence it can encompass social as well as individual acts of meaning giving. This is why Fichte goes on to say that what his theory endeavours to show is that "reason is absolutely independent; it exists only for itself."[4] Again, we explain experience through the reasons we apply to it: the given does not supply us with those reasons. We can even suggest that when Fichte offers his famous notion of self-positing (*Selbstsetzung*) he comes very close to an explicit theory of normative constraint. He

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[3] J. G. Fichte, *The Science of Knowledge* , trans. Peter Heath and John Lachs (Cambridge: Cambridge University Press, 1982) (Second Introduction), p. 31.
[4] Ibid. p. 48.

writes: "As surely as I posit myself I posit myself as something restricted"[5] which he goes on to specify as "a limitation in my practical capacity."[6] Undoubtedly, there are alluring suggestions here of the later normative theory, but it must nevertheless be noted that Fichte's framing of this theory lies within a theory of consciousness rather than one of language. And hence his position becomes entangled within the terminology of idealism, selfhood, intuition and freedom.

Another aspect of Fichte's philosophy shows us that, in a certain respect, he goes beyond contemporary discussions of normativity. Whereas discussions characteristic of, say Sellars or Wittgenstein, analyse the component parts of an experience in terms of its rules or criteria or norms Fichte also considers what might determine one's commitment to those rules etc. He speaks famously of the personal choice of a particular system of philosophy as ruled by inclination and interest: the idealist personally sees the world quite differently from the empirical realist ("dogmatist," to use Fichte's term). Because the idealist understands that "freedom" lies at the centre of human action the world is experientially intelligible to the idealist as the product of that freedom, i.e. in terms of the significances that we bring to it. The empirical realist, by contrast, is passive and subject to the myth of the given. What Fichte is saying here is that our engagement with the world cannot be separated from the fundamental conception we have of ourselves, whether it be as active agents or as passive entities among others. This fundamental self-conception underpins how we regard the operation of constraints in experience (as normative or given). To date it is Hegel's philosophy which has appeared most relevant to normativity theory. Brandom's reading of Hegel, contentious though it is, has provided a whole new set of interpretative and analytical concepts with which to explain the procedure of Hegel's philosophy. A paper in this collection by Stephen Houlgate is devoted to assessing his interpretation of the *Phenomenology* particularly ambitious reframing of a core distinction from the *Logic* , that between mediate and immediate judgement, within the concerns of normativity in that this emphasizes the contemporary vitality of what was once considered within Anglo-American philosophy to be Hegel's most futile work. Brandom explains the Hegelian notion of *mediate judgements* as inferences

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[5] Ibid. p. 60.
[6] Ibid. p. 61.

from other judgements.[7] In contrast the *immediate judgements* are, he argues, "noninferentially elicited, paradigmatically *perceptual* judgements or observations."[8] These two sorts of judgements express different kinds of *authority* , as Brandom puts it: immediate judgements "express a dimension along which particulars exert an authority over the universals or concepts that apply to them" – they are the responses to particulars – whereas mediate judgements "express a dimension along which universals or concepts exert an authority over the particulars to which they apply."[9] In experience – experience in Hegel's sense, he notes – Brandom argues that these two sorts of authority are engaged in some kind of reciprocity, specified as a process of negotiation. What is striking in this reconstruction of Hegel is that the operation of judicative experience is expressed in normative terms, as a process of negotiation and authority.[10]

From this brief sketch, then, we can see in outline the presence of the idea of normativity in something like the contemporary sense in German Idealism, extending from the paradigms of autonomy theory (Kant and Fichte) to "objective idealism" (Hegel). There may even be reason to think that contemporary theory might learn a little more from the past: the efforts of Fichte and Hegel not only to explain what it means, internally, to be epistemically guided by normative commitments but to also explain the origins and apparent compellingness of those commitments is not as yet a contemporary concern. The recent engagement with German Idealism, by philosophers as well as scholars conscious of the contemporary theory, promises to deepen the scope of what normative theory ought to be able to explain.

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[7] Brandom, *Tales of the Mighty Dead*, p. 224.
[8] Ibid. p. 224.
[9] Ibid. p. 224.
[10] Kenneth Westphal's reading of Hegel also explicates the normativity of judgement in Hegel: "judgement in autonomous because it is guided by the normative considerations of appropriate evaluation of both evidence and the principles of reasoning." (Kenneth R. Westphal, *Hegel's Epistemology: A Philosophical Introduction to the Phenomenology of Spirit* (Indianapolis / Cambridge: Hackett, 2003), p. 79.)