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Introduction

Emiliano Acosta & Sofie Avery[1]

The present special issue of *Philosophica* offers new considerations on one of the central topics of 20th-century and contemporary political philosophy and ethics: recognition. These new considerations have in common that they basically consist of re-appropriations of classic works and/or authors of the political philosophy and ethics of recognition: Hegel, Sophocles' *Antigone*, Honneth, Fraser and Locke. In a certain way, the four papers composing this special issue follow Confucius' saying that authentic knowledge of the new is only possible by means of revising the old.

The first contribution in the present issue, "On the Relation of Recognition and *Bildung* in Hegel's *Phenomenology of Spirit*" by Marina Bykova, is a very detailed analytical study of some parts of this work of Hegel. Her aim is to demonstrate to what extent Hegel's concepts of recognition and *Bildung*, at least in the *Phenomenology,* are intimately linked and conceptually interconnected and, therefore, cannot be properly understood if discussed separately. In this regard, Bykova's paper exposes the partiality of the usual reading of recognition in the *Phenomenology* that does not connect this concept with *Bildung*. According to Bykova's reading of the *Phenomenology,* Hegel uses both concepts to develop his concept of the self as the self-cultivating agency capable of achieving self-knowledge through and within the universal whole realised in the political community. Recognition is presupposed in all individual formation processes, since *Bildung* is only possible within a space for intersubjective actions based on reciprocal recognition. In this regard, recognition acts are constitutive in the complex process of *Bildung*. By highlighting the link between recognition and formation, this paper opens up a new space for reconsidering the relation between Fichte and Hegel's concepts of recognition, since Fichte considers education as the principal form of recognition.

Alberto Andronico's "Out of Measure" is a deconstruction of a well-known and extensively discussed motive in the literature about the unavoidable tensions between natural and positive law in recognition acts: the tension between the divine laws and the law of the mortals in Sophocles' *Antigone*. Against the common interpretation, according to which this Greek tragedy must be understood as the archetypal account of the eternal conflict between the universal value of

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natural laws and the contingency of law enacted by those in power, Andronico proposes a new reading of this work. In his reading, he discloses the tragic nature of the conflict between Antigone and Creon. The tragedy of the misrecognition between Antigone and Creon resides, according to Andronico, in the radical incommensurability of their discourses. In other words: both discourses are irreducible to a common sphere – be it that of law, ethics or politics. The central question here is what kind of subjectivity is produced by a dissenting dynamic based on reciprocal misrecognition.

Sofie Avery's article "The Struggle for Recognition: lost before it was fought" approaches the phenomenon of identity politics through the lens of the *recognition of difference*. Taking as point of entry the debate between Nancy Fraser and Axel Honneth on the relation between recognition and redistribution, Avery argues for the inadequacy of their theories of recognition in accommodating the recognition of difference. By drawing on Emiliano Acosta's concept of a *logic of identification*, Avery demonstrates the pitfalls of a struggle for recognition conducted in a way that legitimizes and reproduces the existing social order. This approach, which Fraser calls *affirmative*, is contrasted with a strategy that is at once destructive and constructive, a *transformative* approach. Avery shows that this distinction is missing completely from Honneth's theory of recognition. Fraser, on the other hand, makes this distinction but does not think through its full implications. Avery's contribution is thus to argue that this distinction is fundamental and that struggles for the recognition of difference that take the affirmative strategy result in the reproduction of the exclusive social order. As such, these struggles can be considered *lost before they were fought.*

In his paper "Dissent as political legitimacy", Daan Van Cauwenberge contributes to re-thinking the tensions between recognition and dissent by showing that Locke's idea of a right to dissent actually functions as a tool to legitimate the social order. In his critical re-reading of one of the classics of modern political philosophy, namely *Two Treatises of Government*, Van Cauwenberge argues that contrary to the standard reading of Locke as a defender of the right to revolt, Locke's right to revolt actually neutralizes the power of people to rebel against their conditions by integrating this dissenting power – *mutatis mutandis* the multitude as *potentia* – in the social order. The truth of the right to revolt seems to be that it is a right that *per definitionem* cannot be exercised, since it only functions to reconcile real political oppression and imaginary revolutionary freedom. In this regard, Locke reduces the right to revolt to a rhetorically strategic device to validate the power of the state.

We would like to thank the authors for their intellectual engagement with the proposed topic for this special issue and first of all for their patience and openness during the review process. We also would like to thank the reviewers for their constructive remarks that have deeply contributed to the scientific quality of the present special issue of *Philosophica*.

On the relation of recognition and *Bildung* in Hegel's *Phenomenology of Spirit*

Marina F. Bykova[1]

Abstract – While Hegel's conceptions of recognition and *Bildung* continue to attract scholars' attention, the linkage between the two is often ignored. Yet these two conceptions are intimately linked in Hegel's system and thus cannot be properly understood if discussed separately without taking into consideration their close relationship and interconnection. This paper attempts to fulfill this gap by reconstructing the complex interrelation between the two conceptions in the *Phenomenology of Spirit*. It shows that Hegel uses both recognition and *Bildung* to develop his concept of the self as the self-cultivating agency capable of achieving self-knowledge only through and within the universal whole. In this sense, the movement of recognition is part of the complex process of *Bildung* and is its indispensable element. Deriving its significance from its contribution to the formation (*Bildung*) of the self as active subjectivity, recognition points to the fact that subjectivity is mediated through relations with other people. Recognizing the importance of these relations involves acknowledging individuals' mutual interdependence grounded in intersubjective interactions, only within which the process of *Bildung* becomes possible.

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1. Introduction

Hegel's *Phenomenology of Spirit* continues to spark philosophical discussion, not only among scholars of Hegel but also among those interested in a variety of other areas of philosophy, such as ontology, philosophical anthropology, philosophy of psychology, action theory, as well as ethical, political, and social theory. There is certainly no shortage of interpretations and assessments of this work, and the conceptions of recognition (*Anerkennung*) and *Bildung* in the *Phenomenology* occupy a privileged place in these interpretations and debates.

Influential Hegel scholars, such as Robert Pippin, Terry Pinkard, Robert Brandom, John McDowell, Axel Honneth, Robert Williams, Heikki Ikäheimo, Lud-

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wig Siep, and Michael Quante, working both in the Continental and Analytic traditions, made the *Phenomenology* and its treatment of recognition a focus of numerous studies (see Brandon 2007; 2019; Honneth 2008; Ikäheimo and Laitinen 2011; McDowell 2006; Pinkard 2010; Pippin 2000; 2005; 2010; Quante 2010; Siep 2014; Westphal 2018, especially Ch. 12, 13; Williams 2000). While their main focus has been largely on the master-servant (bondsman-lord) dialectic, where the idea of recognition is first formulated in Hegel's text, they have also offered insights into other relevant topics discussed there. Similarly, the interest in Hegel's notion of *Bildung* and its interpretation in the *Phenomenology* has become an important component of recent and contemporary Hegel studies, with such prominent scholars as Richard Rorty, Allen Wood, Catherine Malabou, Michael Forster, Alfredo Ferrarin, and Klaus Vieweg contributing greatly to this discussion.

The immense amount of scholarly interest in and publications on these topics leave no doubt that the themes of recognition and *Bildung* in the *Phenomenology* are now well-established and mature research topics in Hegel scholarship. At the same time, this scholarly enthusiasm points to the yet-unsettled nature of the discourse surrounding the issues of recognition and *Bildung* in this work. The ongoing discussions are not purely semantic ones caused by varying definitions of the terms by different authors. Of genuine interest are the conceptual meanings that Hegel associates with each of these notions and the question of the place he assigns to them in his systematic construction. Despite being largely productive, I believe these debates tend to miss the fact that these two conceptions are intimately linked in Hegel's system and thus cannot be properly understood if discussed separately without taking into consideration their close relationship and interconnection.

This paper attempts to fulfill this gap by reconstructing the complex interrelation between the conceptions of recognition and *Bildung* as presented in the *Phenomenology of Spirit*. I see the roots of this interrelation in the idea of self (*das Selbst*), which Hegel associates with self-knowledge. This is the epistemic challenge that recognition addresses; the implicit aim of recognition is the achievement of self-knowledge. In this sense, recognition's primary significance in the text lies in its contribution to the *constitution* of the self: on Hegel's account, the self is – at least in part – constituted through the recognition of others. Yet the social self is the product of social self-activity of the individual within the social and cultural world, and the process of the formative self-development of a conscious individual through this individual's interactions with others Hegel calls *Bildung*. This "movement of individuality cultivating itself" (*PhG GW* 9:268; trans. modified) is the self-determined and self-driven process of "formation" or "cultivation" of the individual self toward (universal) humanity.

The core of this development is in intersubjective interactions extending beyond simple subject-subject relations and including customs, practices, norms, and institutions, only within which the individuals acquire their universal characteristics and achieve their completeness as part of a social community ("the *I* that is *we*" *PhG GW* 9:108.39). Hegel's social and communal model of *Bildung* demonstrates that the epistemic justification needed for knowledge cannot depend simply on the single individual subject. Each epistemic principle requires collective (universal) justification. The same is true for the epistemic challenge of self-knowledge. While the autonomy and the epistemic conditions of the individual subject are necessary for self-knowledge, only universal (collective) autonomy can fully achieve its justification. My complete self-knowledge cannot be a result of a self-relation that is established through a relation to an object taken to be separate from it (the structure of recognition). It requires justification in and through interrelations among individuals in forms of interaction and institutions, which is the basic feature of the movement of the *Bildung*. In this sense, the movement of recognition is part of the complex process of *Bildung* and its indispensable element. Deriving its significance from its contribution to the formation, or *Bildung,* of *the self as active subjectivity*, recognition points to the fact that subjectivity is mediated through relations with other people. Recognizing the importance of these relations involves acknowledging individuals' mutual interdependence grounded in intersubjective interactions, only within which the process of *Bildung* becomes possible.

In this paper, I will (1) focus on Hegel's account of recognition, first discussing how it is laid down in Chapter IV on "Self-Consciousness." After examining some basic features of Hegel's discussion of a struggle for recognition, I will then show that while the famous account of "Self-Consciousness" is essential for understanding Hegel's approach to recognition, it has to be supplemented with the discussion of recognition in Chapter VI on "Spirit." For Hegel's concern in Chapter IV is mainly the question of the *condition* – being recognized – for the achievement of self-consciousness, and not the productive *activity* of recognizing in all its conceptual complexity, i.e. the full power of the intricate process of the "movement of recognition" becomes manifested only on the plane of the social world. I will then demonstrate (2) that what guides the "movement of recognition" in the text is the idea of self, which Hegel understands not as a simple self-identity as a giveness, but rather as a self-identifying activity of relating that could be reached as a result of a variety of intersubjective interactions. The self-determined process of formation (*Bildung*) of this active subjectivity Hegel describes in Chapter VI on "Spirit," which depicts intersubjective life and interactions, including knowledge. After discussing (3) Hegel's illuminating account of *Bildung* already presented in Chapter VI, I will conclude by (4) summarizing the fundamental relation between the two conceptions – of recognition and *Bildung* – in Hegel's *Phenomenology*.

2. Hegel's Idea of Recognition

The topic of recognition in Hegel's *Phenomenology of Spirit* is perhaps one of the most established topics in contemporary Hegel scholarship. Yet despite different readings of the place and significance of the idea of recognition in Hegel's text, many commentators insist that the account of recognition in the 1807 *Phenomenology* is fragmentary and incomplete. Those who support this interpretation believe that Hegel completes his phenomenological account of recognition only in his mature writings, most notably his *Philosophy of Right* (1820) and the later versions of his *Encyclopaedia of the Philosophical Sciences* (1827 and 1830), where he expands his philosophy of objective spirit with its central account of *Sittlichkeit* (ethical life).

This position was first articulated by Ludwig Siep as early as 1979 (Siep 2014 [1979]), and further advanced – during the next three decades – by numerous Hegel commentators, including Robert Pippin, Michael Quante, Terry Pinkard, and others.[2] Even more recently, Robert Brandom's *A Spirit of Trust* (Brandom 2019), which broadens the discussion of recognition by going beyond only the Chapter on "Self-Consciousness" and underscoring the centrality of conscience to Hegel's account of recognition, still holds that recognition ultimately points to the need for a new form of ethical life, which Brandom calls "postmodern *Sittlichkeit*." I am inclined to read this insight along the lines of the idea that the full achievement of recognition is possible only on the plane of the complex social interactions among individuals, while these interactions are governed by "morality," i.e. by principles of ethical life that guarantee reciprocity and equality of the relations of recognition. I also link this achievement to the process of *Bildung*, through which the individual self becomes universal by developing and recognizing her own sociality (the concept that Hegel associates with his notion of spirit).[3] This is the argument that I attempt to advance in this paper, and the present section should provide a groundwork for doing so. However, it seems that in his discussion, Brandom still follows the line of interpreters stemming from Siep, insisting on the incompleteness of the *Phenomenology's* account of recognition and pointing only to its role in the emergence of self-consciousness. This approach also loses sight of recognition's greater significance in the work, namely the formation of the self.

Before I turn to Hegel's idea of self and discuss what concept he associates with this idea, I shall briefly consider how Hegel introduces the process of recognition

2. See, for example, Pippin 2008 (Pippin clearly states his position in note 4 on p. 184). See also Pinkard 2012. Michael Quante articulates this approach in a number of his publications. I would like to refer the readers to Quante 2010, especially p. 102.
3. I discuss and explicate Hegel's account of spirit in Bykova 2009.

in the *Phenomenology*. As it is well known, the idea of recognition first appears in and becomes central to Chapter IV on "Self-Consciousness."

At the stage of self-consciousness, consciousness is defined in a *negative* relation to its object: the "object" of self-consciousness is consciousness itself. This "negative relation" is described as one's desire for the certainty of self, i.e., for one's sense of individuality, and for self-knowledge. The difficulty arises from the fact that in pursuing desire, consciousness tends to destroy and eliminate its object, e.g., by consuming or utilizing it. This, however, would undermine the very idea and sense of self-certainty, which necessarily assumes independence. Thus, to be both self-conscious and self-certain in relation to an object requires an object that retains its independence through negation, and the only object that meets such a requirement is another self-consciousness. The desire that a self-consciousness has and needs to satisfy in order to obtain a sense of self-certainty of its own individuality (knowledge of its own selfness, i.e., self-knowledge) is a desire to be desired by an other, that is, a desire for *recognition*. And this is the meaning of Hegel's often misunderstood passage:

> Self-consciousness is *in* and *for-itself* while and as a result of its being in and for itself for an other; i.e., it is only as a recognized being. The concept of its unity and its doubling, of infinity realizing itself in self-consciousness, is that of a multi-sided and multi-meaning intertwining, such that, on the one hand, the moments within this intertwining must be strictly kept apart from each other, and on the other hand, they must also be taken and cognized at the same time as not distinguished, or they must be always taken and cognized in their opposed meanings. This twofold sense of what is distinguished lies in the essence of self-consciousness, which is to be infinitely or immediately the opposite of the determinateness in which it is posited. The elaboration of the concept of this spiritual unity in its doubling presents us with the movement of *recognizing*. (*PhG GW* 9:109.8-18)

Hegel introduces an idea of self-consciousness as *being-in-itself* and *being-for-itself*, which requires both otherness and a realization (an acknowledging) of this otherness. Hegel thinks of this acknowledgment among the two "*as mutually recognizing each other*" (*PhG GW* 9:110). The idea here is that a pure self-consciousness is dependent on more than existence (as the existence of two independent forms) but also on recognition (the interplay between these forms, i.e., their relationship). Hegel explains that self-consciousness has now come *out of itself* and encountered another self-consciousness. The significance of this movement is twofold: *first* "it has lost itself," since it finds itself as an *other* essence, and *second*, "it has thereby sublated that other," because it does not view the other as the essence, but, instead, "sees *itself* in the *other*" (*PhG GW* 9:109.18-23).

According to Hegel, recognition is not a sort of mechanical operation defined by a positive natural development but rather comes about through a dramatic struggle that arises from the encounter of self-consciousness. Hegel describes this life-and-death struggle in terms of the dynamic master-slave dialectic. Many contemporary commentators discuss this dialectic merely as an account of *Bildung* of self-consciousness taking it at its face value, which I believe leads to a misinterpretation of the real meaning and significance of recognition in the *Phenomenology*. On my reading, what Hegel discusses in terms of the dynamic master-slave relationship is not just *Bildung* of self-consciousness *per se*. This is rather *Bildung* of self, which undergoes the formative development toward its "in and for itself" existence and self-knowledge, achieved only by way of a self "being in and for itself for an other; i.e. … only as a recognized" (*PhG GW* 9:109.9; trans. modified). The important lesson of the master-slave dialectic is that the realization of our capacities as individual subjects (as self-defined selves) in the world requires the mutual recognition of ourselves as members of a community. In this sense, the process of recognition becomes a necessary condition, i.e., condition of the possibility, of *Bildung*.

Interpreted in terms of *Bildung* of the self, the dialectic of recognition runs through three important stages. In the first stage, a self as self-consciousness striving for its own self-certainty encounters and confronts another self-consciousness, but it does not yet consider what is opposed to it as an other. Another self-consciousness is perceived as merely "an inessential object, designated by the character of the negative" (*PhG GW* 9:111.1–2), i.e. not as another self, but simply as not being oneself. This lack of recognition of another self-conscious subject (the self) as independent, typical for this stage, prevents detachment from one's own views, desires, and beliefs, and thus impedes the discovery of "who one is in itself." To achieve one's self-knowledge one needs to *differentiate* oneself from others which necessarily involves "proving" oneself, one's desires, and one's beliefs to an other being. This requires an admission of otherness, and this otherness should be established with certainty: the being *for itself* should be certain of being *other from itself*. The search for certainty signifies the second stage of dialectic. Hegel describes it as a "trial by death" between oneself and the other. Hegel writes, "The relation of both self-consciousnesses is thus determined in such a way that it is through a life and death struggle that each *proves its worth* to itself and that both *prove their worth* to each other. – They must engage in this struggle" (*PhS GW* 9:111). Why can there be no compromise here? The simple answer is that a compromise entails loss (viz., a permanent awareness that one is not altogether independent of the other), and this loss contradicts the notion of *being-for-itself*. For one really to assert oneself, one must be willing to "put one's life on it." The dialectical core of this move is alienation from one's natural state of being oneself ("simple being-for-self"). The result of this "trial by death" (an abstract negation)

is their existence disintegrating "into extremes of opposed determinateness," i.e., into two opposed shapes of consciousness (*PhG GW* 9:112.30–31; trans. modified). One, to which being-for-self is the essential feature, is the *master*; the other, to which being-for-another is the essential feature, is the *slave*. Thus, it is through the submission of the slave – who has to work on the object in order to carry out the will of the master – that otherness becomes established as a true certainty. Yet the dynamic of the relationship between master and slave suggests that the slave's unfortunate lot is to be nothing more than a working thing. But, as Hegel describes (*PhG GW* 9: 114-116), the slave's position is not as deplorable as it appears, for the slave may work in externality, thinghood. It may also observe the more perfect self-consciousness the master enjoys, while also realizing that there exists an even more absolute situation (as fear of nonexistence, which led the slave to "cower in trepidation"). Hegel quickly weakens this position, nevertheless, into "the servile consciousness," the form described as "a skill which, while it has dominance over some things, has dominance over neither the universal power nor the entire objective essence" (*PhG GW* 9: 116). However, the point Hegel makes here should be clear. As with the life-and-death struggle, reaching a higher mode of consciousness requires breaking free from the particularity of life. This is possible because the slave working on objects that the master desires attains this consciousness of himself, thus "shaking to the core" his natural consciousness (ibid.). Hegel explains the significance of this movement in his Philosophy of Spirit when he brings to our attention the true character of the slave's labor. For serving the master, the slave no longer works "in the exclusive interest of his own individuality, … his desire is expanded into being not only the desire of this particular individual but also the desire of another. Accordingly, [he] rises above the selfish individuality of his natural will" (*Enc*. §435A).

Accepting the desire of another as one's own is a necessary component of the movement of recognition, and it marks the beginning of the one's (the servant's, in Hegel's example) ascent from the individual to the universal point of view which assumes a productive *reconciliation* between oneself and the other. The process of this reconciliation indicates the third stage of this dialectic, described by Hegel as the unity of the two different selves, who in this unity of their oppositions achieve complete freedom and self-sufficiency: "The *I* that is *we* and the *we* that is *I*" (*PhG GW* 9:108.39). This level of *reflective reconciliation* results from mutual recognition between two selves—though it is not attained until much later in Hegel's *Phenomenology of Spirit*, namely in the concluding paragraphs of Chapter VI on "Spirit."

In this sense, Chapter VI becomes essential for understanding Hegel's account of recognition and its actual function in the text. Even a glimpse at the text of this chapter reveals that Hegel's conception of spirit presented here does not really resemble his account of the same concept developed both in the Jena philosophy

of spirit and in the mature philosophy of right, or the *Encyclopedia* philosophy of objective spirit, which generally focus on ethical life or specific social and political institutions, respectively. As rightly stated by Siep, the concerns of social and moral philosophy are rather secondary in the *Phenomenology,* and they are "subordinated to epistemological and ontological questions" (Siep 2000, 81-82). Indeed, the argument Hegel lays down in Chapter VI is shaped as an inquiry into the self, striving for its self-knowledge and self-understanding; Hegel's concern with the self addresses primary ontological questions regarding who we are, rather than questions of our moral agency. What is important to emphasize here and what often escapes scholars' attention is that the way Hegel tackles the question of the self in the work makes it organically intertwined with, and intimately connected to, his theory of recognition. In fact, these two topics become inseparable, since recognition comes to be a necessary condition for acquiring one's self-knowledge and self-understanding.

3. On Hegel's Conception of the Self

In Chapter VI, Hegel points to three conceptions of the self that evolve in the course of the experience of "spirit": (1) that of a legal person when the self emerges "in its right as *singular individuality*" (*PhG GW* 9: 251); (2) that of "absolute freedom" – the state when self-alienated spirit has completely "returned back into itself" (*PhG GW* 9: 266), indicating "consciousness grasping the *concept*" (ibid.); and (3) that of moral consciousness or "conscience."[4] Each of these conceptions belongs to a specific "realm" of spirit: the ethical world, the realm of culture ("the land of cultural formation"), and the realm of morality ("the land of moral consciousness"), respectively. Hegel argues that in each case the pertinent conception of the self represents the "truth" of the "totality" of that specific realm, and thus the complete unfolding of a relevant conception of the self is possible only through a complex dialectical process of experience that spirit accumulates by interacting with the different spheres of reality. Furthermore, Hegel discusses these conceptions of the self in terms of the movement of recognition by claiming that the notion of the self can be conceptualized only as "being recognized" and that the very existence of the self depends on it. Such an understanding already signals a close association between the conception of the self and recognition that Hegel postulates and consistently realizes in his Chapter on "Spirit."

4. Only recently, scholars began paying attention to this "third self," or the "*self of concise*," as Hegel calls it (*PhG GW* 9: 341). This passage has a great significance for making sense of the argument of the "Spirit" chapter as a whole. However, only a few commentators focus on this passage. See, for example Cobben 2009; Moyar 2011; and Siep 2014, 132. Interestingly, Timothy Brownlee stresses the significance of Hegel's conception of conscience but considers it only on the material of Hegel's later political philosophy (Brownlee 2011-12).

This association is further illustrated by how Hegel advances his argument about the self. The three conceptions of the self he identifies in the text are in progressive development, and the onward movement is measured based on the extent to which relations of fully reciprocal recognition have been achieved. While each of the three conceptions contributes in its own way to establishing these relations, the first two – those of the person and of the absolute freedom – are limited and do not produce conditions necessary for establishing relations of mutual recognition. Only the third conception of the self – "the self of conscience" – which is realizable only in the shared (social) world, is adequate to the achievement of reciprocity in relations of recognition.

Hegel explains that while the first conception of the self as a person is applicable to all participants in a social world and thus satisfies the (universality) criterion of *equality* that reciprocal recognition requires, personhood alone is insufficient to secure relations of achieved recognition. It is not enough to understand oneself as a mere singularity, an atomistic point,[5] characterized exclusively by such generic features as being independent and the deeds I cherish – all of these do not only contribute to who I am but actually *distinguish* me from any other individual. This is what forms one's "particularity," the essential elements of my constitution that Hegel discusses in terms of "content." The individual's particularity must be included in the conception of the self for the individual to find "fulfillment" in it. Yet personhood fails to satisfy this "fulfillment" criterion. Being recognized solely as a person is negating, and it results in *alienation* (*Entfremdung*), which prevents the achievement of relations of mutual recognition and thus must be overcome.[6]

By contrast, the second conception of the self, absolute freedom, satisfies the *non-alienation* requirement.

> In this self, the former initial immediate unity of singular individuality and universality come undone from each other. The universal, which remains equally a pure spiritual essence, a being recognized, or universal will and knowing, is the *object* and content of itself and its universal actuality. (*PhG GW* 9: 341)

This self acknowledges the authoritativeness of its own will and views itself not anymore as a mere singularity separate from others, but rather as a part of the universal whole which becomes its actuality. However, this self, Hegel warns, "does not have the form of free-standing existence apart from the self; within the

5. Hegel makes explicit that the most fundamental definition of the self is its understanding as an "atomic point" (*atome Punkt*) (*PhG GW* 9: 323). See also *PhG GW* 9: 263 where "a person" is introduced as an atomistic conception of the self, the self in its "point-like existence."

6. On the role of Hegel's concept of alienation in his theory of recognition in the *Phenomenology* see Brownlee 2015. For more details about Hegel's account of alienation in the Phenomenology, see also, Moyar 2008.

self, it thus is not brought to fulfillment, and it reached no positive content, no world at all" (ibid.). To put it differently, absolute freedom makes it impossible for *anyone* to be a self, thus violating the equality requirement. The ultimate result of this conception of the self is the full *loss* of the self because absolute freedom erodes the very foundation that makes the self possible in the first place. These foundations are the social conditions necessary for intersubjective relations, only within which the self emerges as reciprocally recognized as such. Thus, despite escaping the problem of alienation looming over personhood, absolute freedom is partial and handicapped as well. It is utterly incapable of generating a shared social "world" necessary for reciprocity that is central to the achievement of relations of recognition as the path toward selfhood. Hegel contends that this result can be reached only with the third conception of the self, "conscience," correlative with the normative discourse of morality. This is a distinct sort of selfhood that Hegel associates with the relation of mutual recognition. In short, the role of recognition in establishing appropriate self-relations, fundamental for the productive development of the self, is not limited simply to viewing others as essential to forming some important capacities of the self. It points to the need to acknowledge that the self is actually *constituted* through the participation in the shared practice of moral discourse.[7]

From the above discussion, it should be clear that the account of recognition in Hegel's *Phenomenology* is essentially rooted in his account of the self. The idea that the self is fundamentally constituted through recognition is at the heart of Hegel's phenomenological investigations. Given the centrality of the self to Hegel's account of Spirit in the text,[8] it would be a mistake to view Hegel's account of recognition as being limited only to the Chapter on "Self-Consciousness." Indeed, right from the outset of Chapter VI on "Spirit," Hegel advances not only his view of the self but also – and perhaps to a greater degree his understanding of the movement of recognition – by attempting to explicate relations needed for the achievement of mutual recognition. Furthermore, by presenting the three conceptions of the self in their progressive development and discussing each conception in terms of relations of recognition – from partial and inadequate relations to those of fully reciprocal recognition – Hegel brings to completion his account of recognition in the *Phenomenology*. He shows that the key contribution

7. A similar idea about the significance of recognition is formulated by Axel Honneth in his *Kampf um Anerkennung* [*The Struggle for Recognition*] which is not focused on Hegel, but rather discusses social conflict. Honneth views recognition as the "moral grammar of social conflict." For him, recognition derives its significance from its contribution to the achievement of appropriate self-relations. See Honneth 1992, especially 148-150.

8. Interestingly, only with the introduction of the concept of spirit, Hegel begins to use "the self" (*das Selbst*) as a substantive. In the earlier sections of the book, "self" was used very fragmentary: either as reflexive pronouns (*die Sache selbst*) or as an element of a compound term (das *Selbstbewußtsein*).

of recognition lies in the achievement of a distinctive sort of "selfhood," whose formation occurs through moral practices in the shared social world.

Yet the process of this formation is what Hegel calls *Bildung*. This explains why the notion of *Bildung* plays such a prominent role in the *Phenomenology*. At the same time, it points to an important, I would say, organic, relation between *Bildung* and recognition in the text, a relation which receives very little attention in philosophical literature. In fact, the theory of the self that Hegel develops in the text is a theory of a process of the formation (*Bildung*) of the self through participation in intersubjective interactions, moral practices, and different forms of shared social life, where the unity of this process is provided by the principle of recognition. Successful recognition serves as a normative principle and a necessary condition of the very process of *Bildung*.

At this point in my discussion, it should be clear that the account of recognition in the *Phenomenology* and that of *Bildung* are grounded in the idea of the self, which gives both concepts their unique significance within the text. In the paragraphs above, I have mainly focused on Hegel's argument for the movement of recognition showing that relations of reciprocal recognition have a *constitutive* significance for the self and that the achievement of the reciprocity is a necessary condition for the emergence of the self (i.e. the question of selfhood). The relevant issue that I have not yet addressed is the development of the self's agency, or the question of the sociality of the self. It might be true that Hegel makes his most important claims about sociality in his practical philosophy.[9] Although Hegel is not actually engaged in practical philosophy in the *Phenomenology* – at least not in the form as it was later shaped in his philosophy of objective spirit and philosophy of right – and does not intend to develop a theory of social agency, in this text, he seeks to provide an account of the self which would address a very specific basic question, the question of the achievement of self-knowledge. While the question itself is formulated as an epistemological inquiry (an inquiry of knowledge), it has an ontological significance. For, as Hegel shows, the self can acquire knowledge of itself only through being recognized by others. Thus, what Hegel advances here is a specific ontology of the self, an ontology which is necessarily social in its nature. In this sense, a concern with the agency of the self is already present here, even though the development of the account of this agency is not a central task of the *Phenomenology*. At the same time, Hegel's conception of *Bildung*, so prominently present in the text, suggests that his interest in the self is not limited to only a question about the basic character of the self, which he addresses in terms of recognition. As I will show below, for Hegel, *Bildung* is associated with the cultural and social life of the self, and thus the kinds of concerns that Hegel

9. For a detailed discussion of basic sociality claims in Hegel's practical philosophy see Pippin 2008. I also discussed the question of sociality in my: Bykova 2019.

discusses by reference to *Bildung* are questions relevant to the moral agency of the self within the shared social world. The central question that guides Hegel's investigation into the self in the context of *Bildung* is not just the emergence of the self as such, but rather a process of *becoming the self* that can exist only *socially*. In the following sections, I discuss Hegel's idea of *becoming* a self – both in relation to his immediate predecessors and in terms of his overall project in the *Phenomenology* – and show why and how *Bildung* comes to be instrumental for explicating this dynamic, dialectical process.

4. Becoming the Self

Hegel's Jena period (1801-1806) coincides with the beginning of his philosophical career, but it was also a time of searching for his own ideas and shaping his own position.[10] Already in the *Differenzschrift* (1801),[11] where he still vigorously defended his then-close friend Schelling's philosophy over Fichte's, Hegel criticized the conception of a self-positing I that Fichte introduced as the first principle of his philosophical system known as the *Wissenschaftslehre*. Hegel believed that Fichte's first principle, conceptualized as the self-identity of consciousness with itself (I = I), was flawed, and not only because it required to start from a purely subjective aspect of experience, but because it wrongly positioned the I both as something originally given and as pure and true, which was therefore not prompted to undertake any changes and development. This disagreement with Fichte's conceptualization of the I motivated Hegel's exploration into the idea of self, leading to his own conception of self, which was shaped in direct response to Fichte's account of the self-positing I and fully emerged in his *Phenomenology of Spirit*.

Unsatisfied with the conceptions of the self developed by his predecessors (including not only Fichte but also Descartes with his notion of ego as a fixed certainty, as well as Kant with his puzzling account of an impersonal transcendental subject) who interpreted the self as something which is originally complete and principally unalterable, Hegel views the self as formed through its own activity. Thus, instead of discussing the self in terms of its natural characteristics and generic features (as a natural "I"),[12] he attempts to grasp it in its actual dynamics, as constantly evolving and becoming, and not merely postulated or even "posited." Furthermore, the true Hegelian self acquires its definition through its own manifestations in the world.[13] This significant shift away from Fichte's conception of the self signaled a move toward an essentially new (for both German idealism as

10. For more details about Hegel's Jena period see Bykova 2020a, especially 10-13.
11. The full title of this book is *The Difference Between Fichte's and Schelling's Systems of Philosophy*. Hegel published it during his first year in Jena.

well as modern philosophy in general) approach to the self not present in the previous tradition.

Hegel begins conceiving of the self not just as a process of "reaching out" into the real world and actual experience; such a tendency is already clearly recognizable in Fichte. The novelty is that in Hegel the self is the *result of the intricate interaction* with the world. In the *Phenomenology,* he states that point by saying that

> only this *self–restoring* sameness, the reflective turn into itself in its otherness. – The true is not an *original* unity as such, or, not an *immediate* unity as such. It is the coming-to-be of itself, the circle that presupposes its end as its goal and has its end for its beginning, and which is actual only through this accomplishment and its end. (*PhG GW* 9: 18.24-26)

This passage points to three key innovations of Hegel's account of the self, which underscore a radical break with tradition when taken together. First, by claiming that the self is a *result* and not an "absolute beginning," as Descartes, Fichte, and others conceived it, Hegel declares that the self is the *product* of its own entire development. The unity of this development is constituted by the continuous and never-ending self-determining formation or cultivation of the self, the process of "its own coming-to-be." This is the process that Hegel describes as the "path of *Bildung*," which I will discuss in more detail in the next section of this paper. Here, my aim is to highlight that *Bildung* has two equally important dimensions: cognitive and social. From the social perspective, which is widely recognized, this is a historical process that the individual subject undergoes within the social reality and history of its culture through participation in the shared social world by engaging with other conscious individuals (other selves), customs, norms, and rules that govern our social life, as well as by participating in a variety of social institutions. However, many commentators fail to recognize that *Bildung* is equally an epistemic process, or, in Hegel's terminology, "the path of the natural consciousness … towards true knowing" (*PhG GW* 9: 55.35-36), both of itself and of external reality. Through this process, natural (still immediate) consciousness gradually develops into the "absolute knowing" of self-consciousness, which

12. For Hegel, the "I" is a singular form of existence of the self, and a natural "I" is the basic characteristic of each individual, which he associates with such features as being capable of thought and standing alone (i.e. independent or, in Hegel's terminology, "self-standing"), both of which belong to the individual by nature. As it follows from his discussion of the conception of the self as a person, these "generic features" are only partial and not adequate to describe the self since they focus exclusively on individual's singularity leaving out of sight its particularity and universality. See *PhG GW* 9: 341; also *GW* 9: 261-262.
13. Hegel calls this self "the completed universal," which knows itself as the *actual* self. See *PhG GW* 9: 362.

encompasses the entire content of the experience previously made by consciousness. The second idea that Hegel elucidates in the passage quoted above is that what the self is, what constitutes its true content and comprises its *whole* development taken in its entirety and undivided unity. Contrary to Schelling, who views wholeness as a simple totality of facts, Hegel understands the whole as a process of the entire development. In the *Phenomenology*'s Preface, he explains that the mere result does not represent the "*actual* whole"; the whole is "the result together with the way the result comes to be" (*PhG GW* 9: 10. 35-36). Applied to the self, this is that to whom the content "returns" as a result of its enrichment and development. To put it differently, for Hegel, the self is the process and the product of its own becoming. This brings us to the third idea presented, albeit implicitly, in the passage under discussion. Since the self is not something given or posited, it must continuously form and create itself by mediating its self-otherness within itself, which is possible only in and through its interaction with the world, both natural and social. Thus, the world itself comes to be the medium of one's becoming, and as such is an essential part of one's self; it is not just the source, but the basis and necessary condition of one's self-awareness and self-knowledge.

The self-relation of the self is no longer viewed by Hegel as something that exists immediately, prior to participation in an intersubjective realm of language and action, but as something that emerges from this experience. In his view, self-identity and self-relation are not originally given or imposed upon human individuals by any external force. That is always a result of those individuals' active interaction and mediation in and with the world. Hegel will later explain this idea in the *Encyclopedia* in the following way:

> [The] world confronting the [human, i.e. individual] soul is not something external to it. On the contrary, the totality of relations in which the individual human soul finds itself, constitutes its actual livingness and subjectivity and accordingly has grown together with it just as firmly as, to use a simile, the leaves grow with the tree; the leaves, though distinct from the tree, belong to it so essentially that the tree dies if it is repeatedly stripped of them. (*Enc.* § 402A)

This passage clearly demonstrates the major advancement of Hegel's approach to the self and subjectivity over Fichte. Like the Cartesian, the Fichtean self is originally identical to itself through the pure and immediate act of thinking (intellectual positing) that takes place before and independently of any relation to the "not-I." The world (the "not-I") that lies outside the self becomes just the occasion and the useful medium for the self's activity, but never the necessity or condition of its self-knowledge and self-recognition. In Fichte's system, the self is never practically engaged with the world, and the actual world is never absorbed and organically integrated in the self. And, although Fichte wants to show con-

sciousness as a unified universe, the domains of the I and not-I remain separate entities and their alleged synthesis runs into a mere compromise and coexistence, rather than into an internal organic unity.

Hegel abandons the understanding of the self as simple self-identity, emphasizing that it could be represented as only "essentially a *result*" (*PhG GW* 9: 19.13-14), as *coming-to-be* (the entire process of *becoming*) what it is – or in Hegel's terminology, "*coming-to-be* what it … is *in itself*" (*PhG GW* 9: 429.26). In other words, it must be grasped as *self-identifying*,[14] i.e., the self-generated activity of becoming. For Hegel, this does not merely coincide with but *is* the process by which the self acquires self-knowledge. Furthermore, he portrays the world as a real medium of the process of the becoming of the self, instrumental to achieving self-knowledge. The relation between the world and the self is not external anymore; the totality of world relations that constitute the self comes to be an essential element of its consciousness.

According to Hegel, the process of self-becoming should be understood as an actualization (*Verwirklichung*) of the self's still unknown potentiality, and it aims at two opposite directions: outward as well as inward. Directed outwardly, the self manifests itself in the world. Self-development occurs by experiencing the world objectively during externalization (*Entäußerung*). Through this experience, the self develops familiarity (*bekanntwerden*) with itself. This is not yet knowledge proper (*Erkenntnis*) but such experience is crucial for achieving it. With increasing knowledge of its own manifestation, the self also learns its "innermost working," the logic of the self, thus going inward (*Insichgehen*). Despite being opposite, both – inward and outward – processes are complementary and there is an organic connection between the two. Hegel's recapturing of the phenomenological journey reconstructs the dynamics of this connection and the interrelation of both developments. The complex process of these developments is the "movement of the self" (*PhG GW* 9: 431.15-16) toward its "coming-to-be" (becoming) what it is in itself. This movement is the self-relation that is understood not just as the logical and ontological self-identity but as self-knowing.[15] By expanding into the world, the self also intensifies its inwardness. Since the self is never "at rest" and its activity never ceases, it is constantly engaged in making itself and becoming what it is. What is portrayed here is a real process of self-formation of the self which it "accomplishes as *actual history*" (*PhG GW* 9: 430.6). This self's engagement in the process of becoming itself, "the actual livingness" of the self, is what Hegel discusses in terms of *Bildung*.

14. Allegra de Laurentiis talks about *self-identifying* character of the self as its most fundamental structure. See De Laurentiis 2009, 253-257, especially 256.
15. For a fascinating discussion about the logic behind this "movement of the self" see De Laurentiis 2009, 258-263.

5. The concept of *Bildung*

The idea that the concept of *Bildung* occupies a central place in Hegel's philosophy is widely recognized. However, there is no agreement about the exact meaning in which Hegel uses the term and the role he assigns to it. One popular interpretation of *Bildung* reads it along the lines of education. On this reading, *Bildung* is conceived as a process of developing individual human's potentials and capacities through schooling (see Wood 1998; Uljens 2002; Munzel 2003). Another position that is often presented in scholarly literature is to treat *Bildung* as synonymous with culture understood as the result of human activity (see, for example, Levi 1984; Markus 2011; Brownlee 2015). Interpreted in this way, *Bildung* acquires some social-historical characteristics but remains predominantly understood in its universalistic (worldly) aspect alone without the important connection to the individual subject. While both of these connotations are important for grasping the meaning in which Hegel uses the term, they fail to capture the full complexity of it.

My goal in this paper is not to provide a detailed discussion of Hegel's concept of *Bildung*, a task I undertook elsewhere (Bykova 2020b). Thus, I limit myself just to saying that, for Hegel, the term refers to the *formative* self-development of individual and universal spiritual entities: human individuals and humanity at large construed as world spirit. This self-cultivation occurs through the self-generated and self-directed activity of a spiritual being itself and is simultaneously the activity of self-discovering (i.e. self-knowing) and of self-realizing (i.e. self-manifesting). Hegel portrays *Bildung* as an on-going dialectical (contradiction-ridden) process, a series of achievements that contribute to the individual's self-creation. Yet this process of self-formation is not a purely individual undertaking. It takes place in the shared social world (the world of spirit) by participation in various interactions with other individuals and social institutions, and as such is a *social* enterprise. Only through this dialectical dynamic does the spiritual being come to self-realization, which is manifest in freedom from dependence upon nature and eventually from everything that is given as pre-determined. It is this complex process of the *formation* of the universal subjects of thought, will, and action historically and socially developed within the cultural forms of the manifest (world) spirit that Hegel describes as the "path of *Bildung*." This is an understanding Hegel insists upon time and time again, assigning *Bildung* the most prominent role in his philosophy of objective spirit and discussing it as an essential feature of ethical life (*Sittlichkeit*). In the 1820 *Philosophy of Right*, for example, he advances a concept of *Bildung* to explain the social nature of the human individual and the existing interconnection between this individual and civil society (*PhR* §182-232).

When it comes to the role that *Bildung* plays in the *Phenomenology*, many commentators tend to claim that it functions here only as a tool to represent the

process of the formation of consciousness or self-consciousness.[16] In advancing their argument, they explain the concept of *Bildung* in Hegel's text by referencing its Introduction and Chapter IV, with a special emphasis on the section "Self-Sufficiently and Non-Self-Sufficiently of Self-Consciousness; Mastery and Servitude" (*PhG GW* 9: 109-116), the famous master and servant dynamics discussed above. On this reading, experience gained through productive work becomes the determining element of *Bildung* of consciousness, as well as of the *Bildung* process in general. This, in my opinion, is a very narrow understanding of *Bildung* and its place in the *Phenomenology*. As I alluded to this earlier, for Hegel, the project of *Bildung* is not limited to the formation of consciousness or self-consciousness, but rather concerns the self, and is conceptualized as a project of its self-cultivation. This refers to a long and laborious process of the self's becoming what it is in itself, and it cannot be completed merely through production. As we saw earlier, this process requires the self to be recognized by the other. Yet this recognition cannot occur as a result of a self's mere discovery of an other as something that is opposed to itself. As I showed in the first section of this paper, simply negating (in the sense of nullifying) the other as something that is different from myself is not adequate for a productive recognition capable of having a formative significance for the self. In this process, the instrumental role belongs to alienation and overcoming this alienation, the discussion of which actually shapes the content of Chapter VI on "Spirit."

It is in this portion of the text that Hegel presents the most elaborate discussion of *Bildung* in the *Phenomenology*, where not merely working on the object but rather alienating, tearing apart the self, and eventually overcoming the results of this struggle by rising to actual freedom,[17] are presented as constitutive for *Bildung*.

In order to explicate my point, let us revisit Hegel's discussion of master-slave dialectic in Chapter IV. Here Hegel offers his account of the work as it is carried out by the slave. Since the slave is forced to work for the master, the consciousness of the slave is rooted in fear. Acting out of fear, the slave works on the object desiring it to disappear, which Hegel describes as a "pure negating of the object." From this perspective, work is also a kind of negation, namely as "desire *held in*

16. The most prominent authors who argue for this position are Jürgen Habermas (1968, see especially 8, 13) and Ludwig Siep (2014). According to Ludwig Siep, in the *Phenomenology*, Hegel develops the theory of consciousness, which he presents as "a theory of a process of the formation [*Bildung*] of consciousness in forms of interaction and institutions" (Siep 2014, 71).

17. Hegel distinguishes between merely "abstract freedom" and the actual one. The actual freedom is one that is engaged with the concrete world of experience. In his mature account of freedom that we find in the *Philosophy of Right*, Hegel explains that one can be actually free insofar as one participates in a shared form of ethical life (*Sittlichkeit*). This is what some commentators call "social freedom" (see Neuhouser 2000, Honneth 2011). While freedom is not a primary concern of the early Jena *Phenomenology*, there should be no doubt that the question about the conditions for the realization of freedom already occupies an important place in this work.

check, it is vanishing *staved off*." The crucial upshot of this is that through working on the object, the slave "discovers" himself, being able to come "to an intuition of self-sufficient being *as its own self*" (*PhG GW* 9: 115). Based on this insight, commentators then equate the work on the object (production as such) with the process of *Bildung*. It is assumed that one forms oneself while producing an object according to one's own idea. By shaping this object, one externalizes (objectifies) oneself by putting one's idea into this object and eventually becoming able to recognize oneself in the resulting object. On this view, awareness and knowledge of oneself can be achieved through the process of working on the object, and therefore *Bildung* would be the direct result of production. I find this interpretation problematic.

Hegel does not use the term "*Bildung*" when he discusses the dynamic relationship between the master and the slave. Instead, when he writes about the slave working on the object, he employs the verb "*bilden*," and neither of these two words are utilized when he talks about the evolution of consciousness. While Hegel certainly assigns a great significance to the process of working on the object and admits its productive role in generating one's self-awareness and some degree of familiarity with oneself, this does not mean that self-consciousness (or the self) thereby attains *Bildung*.

One can get an idea about how insufficient it is to rely exclusively on Chapter IV for understanding the real place of *Bildung* in the *Phenomenology* by just glancing at the work's table of contents. Not only does Hegel include "*Bildung*" in titles of some sections of Chapter VI on "Spirit," but he also indicates here the close connection between the concept of *Bildung* and the concept of alienation. The title of section VI.B., "Spirit Alienated from Itself: *Bildung*" actually points to an intimate relationship between these two elements. Furthermore, section VI.B.1 on "The World of Self-Alienated Spirit" contains a subsection VI.B.I.a. titled "*Bildung* and its Realm of Actuality," which is one of the longest in the entire book. This demonstrates not simply the importance of Chapter VI for understanding Hegel's account of *Bildung* in the *Phenomenology* but also the crucial significance of alienation for its content. Since the main focus of Chapter VI is the idea of the self, *Bildung* is a process that describes the movement of the self, its rising to self-knowing and self-realizing. This process occurs through conflicts, contradictions, and divisions, through self-alienating (negating) and overcoming this alienation, through confrontation with the other and the struggle of being recognized by this estranged other.

It is worth mentioning, however, that *Bildung* is employed in the *Phenomenology* not merely to delineate the process of the self's development from the natural, "uneducated" standpoint to the "educated" (*gebildete*) position of modern science, but also to conceptualize the on-going process of world history. However, the focus here is still on one single historical epoch, the epoch of emerging modernity

that is depicted as "*the realm of Bildung*," which Hegel describes "as a harsh actuality" (*PhG GW* 9: 240; trans. modified). This connotation of *Bildung* often escapes the commentators' attention because it is discussed by Hegel in terms of universal spirit, specifically as "substance given itself its self-consciousness, or, its coming-to-be and its reflective turn into itself" (*PhG GW* 9: 25.13). This understanding of *Bildung* obviously presupposes the development of the culture of modern society, where individual selves can relate both to themselves and to others, where they – being aware of contradictions that arise in interactions with their environment and others – are able to recognize others not merely as opposites but as co-participants in the shared social world. With *Bildung,* the self breaks with what is merely given, its singularity, and through negation sublates itself to universality. This is the true meaning of the process of self-cultivation which is necessarily animated by recognition of oneself through the other.

At least three moments here are directly relevant to our discussion. The first is Hegel's insistence that the achievement of the "cultivated (*gebildete*) self" requires both otherness and the recognition of this otherness. In this way, Hegel stresses the importance of *otherness* for *Bildung*. The second essential idea is Hegel's emphasis on the instrumental role of (*dialectical*) *negation* in the process of *Bildung*. The third is the significance that Hegel attributes to (mutual) recognition for achieving the *Bildung*-ideal. Due to the length limits of this paper, I will only briefly comment on each of these moments.

The idea that *Bildung* is associated with a sense of otherness is a uniquely Hegelian idea. Distinguishing oneself from one's natural and social environment, as well as becoming aware of and taking into consideration the existence of others, are the events that allow oneself to rise above one's singularity and particularity to universality. What makes the *other* so valuable to *Bildung* is the emphasis on a difference that contests the sameness. Perceived as alien, the *other* challenges naturally acquired habits and beliefs, everything that the natural self takes for granted. The otherness is a constructive element that provides a significant opportunity for the individual to "open" his horizons and receive exposure to other points of view, beliefs, cultures, and traditions.

Hegel introduces otherness as a fundamental *ontological* principle. The self cannot be "what it is in itself," as long as it is not externalized and reified in the actual world. Hegel calls this process "alienation," and it includes not only objectification (manifesting oneself, one's own desires and thoughts in varying objects, events, etc.), but also an active encounter with other selves. Every self comes to be defined through another self, which reveals and enhances the particularity of both selves involved in this encounter and gives rise to universality. By opening up an expansive field of interactions with the world and the other selves, the otherness thus provides the conditions necessary for the realization of the self, for its becoming true individuality, a free subject acting on its own volition.[18]

However, what is often lost in discussions about the notion of otherness in the *Phenomenology* is that this concept is shaped by the "negative" semantics of Hegel's idea of alienation. It is worth recalling that in this context, Hegel defines the realm of actuality of Bildung as "the world of self-alienated spirit." This brings us to the question of the role of alienation (negation) in Hegel's account of *Bildung*. In fact, in Hegel's *dialectical* system, the other is treated not merely as different but rather as *contradictory*. The dialectical core of the relation of contradiction is *negation* (*Negativität*). Hegel describes negation, which is introduced by otherness, as a "vehicle," or driving force for *Bildung*. The process of one's formation (or cultivation) necessarily involves the transformative process of rising above the particularity of one's social (and broader historical-cultural) context, which occurs through negation. The negation in question is not a complete annihilation, or "nullification," which Hegel would reject as an abstract negative. This is rather a *dialectical* (determinate) *double negation* (the negation of negation),[19] which results in a reflective reconciliation: the fact that the other does not share one's habitual (natural) beliefs and views encourages one's reflective thinking toward the adoption of a more reflective, universal point of view. Hegel sometimes describes *Bildung* as a form of "pure negativity" in that it negates any particular standpoint, not from another standpoint but rather in virtue of its detachment from any particular standpoint at all (*PhG GW* 9:18; see also *Enc*. 3 §378A).

This may be understood in the way that *Bildung* and its detached point of view require a kind of "self-recognition in otherness," an important element of reciprocity that grounds our (human) co-existence in the social and cultural world. Hegel points here to a very important feature of the *Bildung* process: as individual participants in the shared social world, we share certain concerns, which becomes possible only within a shared social realm that provides the framework necessary for an individual's cultivation. This already emphasizes the close connection between *Bildung* and achieved recognition. For the shared realm to exist and be productive, the relation of the mutual recognition of individual human subjects must be established.

As discussed above, for Hegel, recognition is the long and complex process of the self's development from a natural and still atomistic (singular) self into a social self (acting in the shared social world), the process which is possible only through the self's encounter and recognition of the other. What is recognized here is one's dependence upon the other, which is not one-sided but a mutual process. The

18. Pippin clearly shows that "true individuality" is possible as a result of productive (mutual) recognition. He states: "A *true individual* is a *free* subject and recognition relations function in a complex way as conditions for that possibility" (Pippin 2000, 156).

19. Hegel distinguishes between determinate and abstract negation (*Enc*. §147; see also *Enc*. §91 *GW* 20:130). An abstract negation is simply a "cancelation" of what is negated, the absence of particularity. A determinate negation preserves (retains) parts of what is negated while rising above it. Thus, only determinate negation is truly productive, and as such can serve as a "vehicle" of *Bildung*.

two necessarily "*recognize* themselves as *mutually recognizing each other*" (*PhG GW* 9: 110.29). This mutual interdependence is the reality of the shared social world and an essential condition of the development of selfhood (here in the sense of its socialization).[20] One's self-awareness and self-knowledge are possible only through mutual recognition by other individuals; this is required to develop, construct, adopt, adapt, assess and justify our social and communal essence.

Mutual interdependence not only enables the individual subject to break out of a sort of impulsive (natural) and unreflective selfishness (atomistic singularity) and to begin comporting oneself to objective social norms and traditions, but it also allows for communication, cooperation, and social organization, which mark the beginning of human historical development. Both individual self-consciousness and human social and cultural development are dependent upon this ongoing process of intersubjective recognition. Furthermore, as I have shown elsewhere (Bykova 2020b, 439-444) the self as the "individual singularity" becomes a social self only by integrating itself into a social system. This process is essential to both the development of individual selves and civilizations. Without a community to integrate into, the individual would never achieve its selfhood (to become a true self) but would remain merely an incoherent series of (unreflected) habitual impulses and appetites; without the integrating individual, there would be no society. This process of social and cultural integration is captured in Hegel by the social aspect of *Bildung* which he advances in the *Philosophy of Right*. Interpreted as an intra-personal, intersubjective activity that marks a transition to the sociocultural (universal) dimension of individual life, this *Bildung* is not imposed externally. It is a self-generated activity of the self (as a concrete individual) in practical search (i.e., the process of formation) of its selfhood which is conceptualized as its self-realization as a conscious and free being (see *PhG GW* 9: 194).

Hegel makes it clear that *Bildung* is a concrete universal process in which we human beings necessarily participate and through which we become aware of ourselves and our natural and social environment. Yet, this process can take place only if an individual is not alone but interacts with other individuals, collectively pursuing their own goals. The self hence can acquire its subjectivity (its sense of self-certainty and true individuality) only in and through its own activity, activity that does not merely occur in the world, but that is mediated through interactions with other people who mutually recognize one another as co-inhabitants and co-participants in a shared social world. This makes Hegel's concepts of *Bildung* and recognition not simply closely connected but necessarily complementary. The self's formation (*Bildung*) cannot be accomplished without achieving a produc-

20. On Hegel's account of human sociality and its role in the development of selfhood see Honneth 2008; Bykova 2019.

tive mutual recognition. The latter becomes a necessary condition for the former and is instrumental to its attainment.

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Out of measure

A reading of Sophocles' Antigone[1]

Alberto Andronico[2]

Abstract – Sophocles' *Antigone* has been understood by many as the archetypal account of the eternal conflict between the universal value of natural laws and the contingency of law enacted by those in power. The present article challenges this rather widespread reading. Rather, it emphasizes that the tragic nature of the conflict between Antigone and Creon resides in the radical incommensurability of their discourses: both discourses are irreducible to a common sphere – be it that of law, ethics or politics.

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(i) The work of art is no natural product; it is brought about by human activity;
(ii) it is essentially made for man's apprehension, and in particular is drawn more or less from the sensuous field for apprehension by the senses;
(iii) it has an end and aim in itself. (Hegel 1975, v.1, p. 25)

1. Again (and always)

Since Hegel said it, perhaps we can believe it is so,

> Of all the masterpieces of the classical and the modern world – and I know nearly all of them and one should and can know it – the Antigone seems to me to be the most magnificent and satisfying work of art of this kind. (1975, v. 2., p. 1218).

We will try to understand later precisely what this reason is. In the meantime, this passage from Hegel is sufficient to justify the reason we should still (and always) bow before the work *Antigone.* Because it *is* a masterpiece. Perhaps even the greatest masterpiece that the human spirit has ever produced. It is a text in which there is everything, in fact. Or rather, to quote George Steiner, another to be trusted, "all the constant principles of conflict present in the human condition" (1986, p.

1. This is a translation and slightly changed version of "Sulla dismisura. Una lettura dell'Antigone di Sofocle", published in *Diritto & Questioni Pubbliche*, (2018) 2, pp. 155-187.
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231). We will also return to this statement. Still, there is (at least) one other reason that makes it almost inevitable to consider this text at a time when the studies of law and literature seem to be finally enjoying a measure of good fortune. A reason that concerns the conjunction – law *and* literature – between these two forms of discourse. This conjunction is in fact, for us, first of all a disjunction. It is a conjunction that does not take into account as a necessary presupposition the constitution of these two different objects of knowledge in their specific difference. On the one hand, law. On the other, literature. And then, only subsequently, a consideration of their relationship (Heritier 2014).

Well, the first thing to consider when we pick up a text like that by Sophocles – and in general when we are dealing with the thinking of the Ancient Greeks – is that this difference between law and literature is anything but original. It is necessary to say, even before we begin, and as clearly as possible that Sophocles – like Aeschylus and Euripides, and the same could be said for Plato and Aristotle, to mention just two more names – did not know law as we mean it and his work does not belong to that which for us is the field of pure and simple literature. When we speak of law, we are speaking the language of the Romans and not of the Greeks (Schiavone 2017 and Bretone & Talamanca 2015). The same is true for literature, when we speak of literature, we tend to use the categories of the modern novel and we speak, if anything, the language of Cervantes or of Defoe, and not that of Homer. An important detail. If only because it allows us to avoid, from the very start, a couple of misunderstandings. The first, fairly widespread misunderstanding is to believe that the clash between Creon and Antigone turns on the perennial question of the relationship between positive law and natural law, or even worse, between law and moral. The second, now decidedly pervasive, is that of thinking that going to the theatre for a Greek of the fifth-century B.C. was (only) an entertainment and that the texts of Aeschylus, Sophocles or Euripides were written to be *read* as we read them, today, in the context of a university classroom or perhaps, in solitude, in the silence of a room.

Here, of course, we intend in particular to demolish the first of these two misunderstandings. But it is from the second that we should take our cue, even at the cost of seeming didascalic, just to start by understanding – as far as possible – what we are talking about.

2. The city becomes theatre

As far as possible, we said. In effect something we must take into account, however obvious it may seem, is this: for many we are still Ancient Greeks – our roots are there, there can be no doubt: in Athens (and in Jerusalem we could add, with Leo Strauss) – but for many others we no longer belong, and not only because we are divided by two thousand five hundred years of history. All in all, despite the

appearances, understanding the Ancient Greeks is anything but easy. We'll say more, in some ways, it is even impossible; there is something in their world that has been irretrievably lost. And one of the most difficult things to understand is precisely the significance that they attributed to the tragedies and the role of the festivals during which they were performed. Obviously, we know a lot. We know when, how and where the tragic contests were held, because that is what they were, we know that the choice of the poets fell to the Archon Eponymos, who was chosen by sort (at least from 481 onwards), who selected the *choregoi* (the directors of the choir) and was responsible for the formation of the company. We know the complex method by which the jury was chosen and we also know how the winner was decided. What is lacking, however, is their experience: what is usually defined as the 'tragic aura'.

One thing is therefore certain: it would seem that in the fifth century BC Athens needed the tragedies, in the same way that all the other institutions of its burgeoning democracy, like the Assembly and the Council of the Five Hundred or *boule*, just to give a couple of examples. This need can be explained thus. The fifth century BC in Greece opened with the Persian Wars and ended with the Peloponnesian War. This is the great (and all things considered) brief season of the tragic poets. It was in this season that Athens became the Athens we know of today: no longer the relatively insignificant city, that it was in ancient times, but a city "fascinating, feared, admired; for many, certainly, a phenomenon difficult to comprehend." (Meier 1998, p. II) For many and above all, it is opportune to emphasise, for its own citizens. In fact, an entire horizon of meaning was thrown into disarray by Athens' rapid – not to say abrupt – explosion of power. New spaces and unheard-of possibilities for action and thought that in the past had not found their measure were suddenly thrown open. For the first time in the history of humanity, a city was in the hands of its citizens. Not just any city, but the most powerful in the Greek world; and power, as we know, is seductive, it disorients, also (if not above all) those who exercise it. Here lies the need to build a new 'nomological knowledge' to quote Max Weber, through the lenses of time, that of the mythical universe, certainly ever more distant, but not yet purely and simply the past.

Besides, it is true that the tragedy was born when they began to see the myths through the eyes of the citizen, to use an efficacious expression of Walter Nestle, picked up by Jean-Pierre Vernant (1972). But it is also true that we begin to look at the myth through the eyes of the citizen when the tragedies are born; in fact, it is precisely this perspective that the tragedies contribute to shaping. In the framework of the festivals it is the city itself that becomes a theatre, transfiguring publicly into an object of representation in its spaces and according to the rules of the assemblies and the people's tribunals, and thus facing up to its ghosts. First of all, that relating to the place of man in the cosmos: to his nature, his possibilities, his duties and the limits of his actions.

"Many things are tremendous (*deinà*) but none of them is more than man" (Sophocles 1994, p. 34), says the Chorus in the opening of the first stasimon of *Antigone.* And it is difficult to imagine a better way to introduce this ghost. Man is the most tremendous thing: *deinoteron.* He arouses amazement, wonder, admiration, but also fear and dismay. The *deinos* of the Greeks, an emblematic, polysemic term, contains all these sentiments.[3] Just like man, whose power arouses all this: wonder, certainly, but also fear. And the fact that Sophocles puts these words into the mouths of the Chorus is anything but casual. Here is the city that speaks and examines its conscience. Seeking precisely a new knowledge capable of framing this ambiguous power and giving a sense to its actions.

3. A woman and a sister

"A city without measure that gives the measure," briefly, this is Athens in the fifth century BC (Meier 1998, 12). And it is precisely the question of the "measure" that constitutes one of the privileged keys to the reading of *Antigone*, as is clear from the prologue onwards. Antigone has just informed her sister that she intends to bury Polynices, against the edict issued by Creon, here is Ismene's answer.

> "Why, we must remember that we are women, who cannot fight against men, and then that we are ruled by those whose power is greater, so that we must consent to this and to other things even more painful! So, I shall beg those beneath the earth to be understanding, since I act under constraint, but I shall obey those in authority; for there is no sense in actions that exceed our powers." (Sophocles 1994, p. 11)

This is the certainly the answer of a faint-hearted woman. However, it would be wrong to simply read Ismene in this way. Even before being a faint-hearted woman, Ismene is a woman. She is a woman who exhorts her sister to behave like a woman. Ismene is, above all, the voice of a measure, or rather of the measures introduced and questioned on the stage. A woman who must act as a woman. Not as a man, challenging other men. This is Ismene's measure. A measure in the light of which Antigone's intention must appear foolish, out of measure, as we said. Antigone wants that which is impossible, according to Ismene: she wants to ack like a man, this is her error and this is her fault.

> Ismene: If you have the strength! But you are in love with the impossible.
> Antigone: Then, when my strength fails, I shall be at rest.

3. Unforgettable the reading of the first chorus of Antigone offered by Martin Heidegger (1953, 154 *et seq.*) See also Cavalla (2017).

> Ismene: But to begin with it is wrong to hunt for what is impossible." (Sophocles 1994, p. 13)

The impossible, therefore. That is what Antigone wants, in her sister's eyes (Curi 2015, p. 16). Here lies her *hybris*: in wanting the impossible, infringing a measure, that of the gender difference. Already in the prologue we can see one of the stakes at play throughout the entire tragedy: it is a question of understanding what the right measure is. In fact, Antigone opposes to Ismene's measure, another, that of the *ghenos*, whose nature will be made even clearer by her notorious clash with Creon, revealing itself to be – but this we will see later – a structurally unmeasured measure. In the meantime, Antigone speaks to her sister in the verses that open the tragedy:

> Antigone: "My own sister Ismene, Linked to myself, are you aware that Zeus … ah, which of the evils that come from Oedipus is he not accomplishing while we still live?" (Sophocles 1994, p. 5)

She speaks to her sister, Antigone: to her own flesh and blood. And this is the measure to which she appeals: to that of blood and of family bonds. Even before being women, they are Polynices' sisters. This is the reason they must give his corpse a rightful burial. It does not matter that in order to do this they must act as men, disregarding the edict issued by a man. From the very start, there are two measures battling for precedence. And it is immediately clear that it will be difficult to choose one rather than the other; above all if we manage to set aside our modern-day sensibility, which is nothing other than a further measure, that leads us instinctively to take the part of Antigone at the expense of the timid Ismene. Ultimately, in fact, this is not (merely) a clash between a cowardly woman and a courageous woman, but that between a woman who revendicates her status as a woman and a woman who presents herself above all as a sister, even more than as a woman.

4. A king

A woman and a sister, therefore. And a king, Creon, who comes onto the stage with these words:

> Sirs, the gods have shaken the city's fortunes with a heavy shaking, but now they have set them right in safety. And I have summoned you out of all the people by emissaries, knowing well first that you have always reverenced the power of the throne of Laius, and second that when Oedipus guided the city <with my sister as his wife, you always served them faithfully,> and when he perished, you persisted in loyalty towards their children. So now that they have perished by twofold ruin

> on a single day, striking and being struck by the polluting violence of one another, I hold the power and the throne by reason of my kinship with the dead. (Sophocles 1994, p. 19)

Thus, Creon introduces himself to the city. The curse of Oedipus has been fulfilled: Eteocles and Polynices are dead, one by the hand of the other. And now, it is he, brother of Jocasta, who must take command. Legitimately "next of kin of the dead". Caution: these are not the words of an evil tyrant, nor even less those of a usurper. On the contrary, this is a king who is talking. A king who, first of all, justifies his power. He explains to the city why it is he who *must* now command. He explains, after all, to use Anouilh's words, why he must now play "the difficult hand of guiding men.":

> That robust, white-haired man, who ponders there beside his page, is Creon. He is the king. His face is lined, he is tired. He is playing the difficult hand of guiding men. Previously, in the time of Oedipus, when he was not the most important person at the court, he enjoyed music, fine book bindings, long strolls around the small antique dealers in Thebes. But now Oedipus and his sons are dead. He has left his books, his objet d'art, he has rolled up his sleeves and taken their place. Sometimes, in the evening, he is tired, and he wonders whether it is futile to guide men. Whether this is not a squalid task that should be left to others, who are coarser… And then, in the morning, precise problems arise, it is necessary to solve them, and he rises, calm, like a workman about to start his day. (2000, p. 64)

A short aside. Jean Anouilh wrote his *Antigone* in 1942, in France, during the German occupation, only managing to bring it to the stage a couple of years later. This version has been widely discussed. It is undoubtedly questionable, also given the setting, clearly modernized, and Anouilh has taken many liberties with respect to Sophocles' text, above all on the plane of the reconstruction of the various characters. Yet, despite the liberties taken, or perhaps thanks to them, this version sounds rather archaic. In particular, Anouilh manages more than others to render homage to the figure of Creon. Let's repeat: we are not in the presence of an evil tyrant, but of a man who finds himself occupying a position, that of king, and who is trying to fulfil as well as he can this thankless task handed to him by fate: leading his city. At least, at first, we could add. Because, in effect, there will come a moment in which Creon does become the evil tyrant he is traditionally seen to be, losing the measure of his actions. Still, it is too soon to speak of this. For the moment we will simply notice this: Creon's figure, unlike others, is a figure in movement.[4] All the others, including Antigone, will leave the scene as they entered it. That of Creon, no. End of the aside.

Returning to the original text, this is how the first discourse of the king of the city continues:

> Creon: There is no way of getting to know a man's spirit and thought and judgment, until he has been seen to be versed in government and in the laws. Yes, to me anyone who while guiding the whole city fails to set his hand to the best counsels, but keeps his mouth shut by reason of some fear seems now and has always seemed the worst of men; and him who rates a dear one [*philos*] higher than his native land, him I put nowhere. (Sophocles 1994, p. 21)

There is all the *fragility in play* in these words, to use one of Bruno Montanari's expressions (2013 and 1993). Stripped bare by power is, above all, he who exercises it. It is on these occasions that a man shows himself for what he really is, exposing himself to the judgement of the city. It is, therefore, a question of assuming and conforming to the "best counsels". To understand which they are needs a sort of measure. That, for Creon, means the city. Not that of a woman, nor that of a sister (or of a brother or of an uncle) but that of a king.

> I would never be silent, may Zeus who sees all things for ever know it, when I saw ruin coming upon the citizens instead of safety, nor would I make a friend of the enemy of my country, knowing that this is the ship that preserves us, and that this is the ship on which we sail and only while she prospers can we make our friends. (Sophocles 1994, p. 21)

After having justified his power, Creon presents – we could say – his manifesto: to make the city great. A third measure thus comes onto the stage. A measure immediately *political* this time, which the tragedy immediately begins to shape, at the same time as it subjects it to a radical interrogation. It would be Aristotle who, a hundred years later, illustrated what occurred:

> Thus also the city-state is prior in nature to the household and to each of us individually. For the whole must necessarily be prior to the part; since when the whole body is destroyed, foot or hand will not exist except in an equivocal sense, like the sense in which one speaks of a hand sculptured in stone as a hand; because a hand in those circum-

4. As magnificently emphasised by E. Ripepe, in fact: "In the light of modern sensibility [...] the reviled, and in more than one respect (though not in all respects) contemptible Creon is a much more complex figure and, from the dramaturgic standpoint, more interesting than the eponymous heroine of *Antigone*, whose unshakeable belief in her convictions would risk translating her into an one-dimensionality an irremediably mono-chord character, if it were not for Sophocles' mastery in giving her human dimensions, attributing to her, if not a rethinking, at least some anguished bewilderment." To the extent where we could even think, Ripepe adds in this elegant work, "with only minimal strain due more to a need for synthesis than love of the thesis, that *Antigone*, is really the tragedy of Creon." (2001, 677-8).

> stances will be a hand spoiled, and all things are defined by their function and capacity, so that when they are no longer such as to perform their function they must not be said to be the same things, but to bear their names in an equivocal sense. It is clear therefore that the state is also prior by nature to the individual; for if each individual when separate is not self-sufficient, he must be related to the whole state as other parts are to their whole, while a man who is incapable of entering into partnership, or who is so self-sufficing that he has no need to do so, is no part of a state, so that he must be either a lower animal or a god. (1932, p. 11)

Two points must be emphasized. First: the city-state is a natural institution, because the communities that compose it and of which it is the destiny are natural, that is to say the family and the villages. Second: the city precedes the citizens, because the whole necessarily precedes the parts. With regard to the difficulty of entering the world of the Greeks that we mentioned at the beginning, here is proof. In fact, for us, the children of Thomas Hobbes (and of René Descartes) the contrary is true: it is not the whole that precedes the parts, but the parts that precede the whole. First comes Man, in a word, then the State, created moreover in the image and likeness of its artificers. The political order is a purely artificial product. That is what the modern political science to be found in Hobbes, one of its principal inventors teaches us. Well, nothing could be further from the Aristotelian *Politics.* In this framework, we repeat, the city is a natural institution that precedes – axiologically, if not chronologically – the citizens because only within a well-organised *polis* is it possible to live well and be happy. Only within a well-organised polis, in fact, can a man truly develop his potential: that of being by nature a *politikon zôon* inasmuch as he is a *zôon logon echon* (Berti 2012 and Zanetti 1993a and 1993b). And it is within this conceptual architecture – where moreover nature is to be seen as a *goal* and not as a *given*, as Aristotle teaches us (1932, p. 9, Riedel 1975 and Bien 1985) – that we understand Creon's measure. It is necessary to protect the city first of all, because the city is more important than the individual citizens, whether brothers or sisters, it is no matter.

The city is like a ship says Creon, on which the citizens have embarked. And it is the duty of a good king to govern it well, not to run it aground. This is the basis for his decision. Rightful burial shall be given to Eteocles who defended the city. Polynices, who endangered it, shall be left unburied. The measure, precisely, is the salvation of the *polis*. And the Chorus, at least at first, supports the king. Not Antigone, however, who has chosen another measure: she will act as a sister, following the order of the *oikos*, and not that of the *polis.*

5. The family and the city

Oikos and *polis*. Here are the two measures that face up to each other in the clash between Antigone and Creon, which in many ways is the fulcrum of the tragedy. At least if we still intend to listen to the great Hegelian lesson. A clash, we said, not a dialogue. Seen clearly, in fact, the great absentee in the whole of *Antigone* is precisely dialogue, at least if we see it in terms of an action aimed at agreement (Habermas 1981 and 1983). That which takes place between Antigone and Creon is not a dialogue, just as the exchange between the two sisters at the beginning of the play is not a dialogue and nor is – we will see later – the talk between Creon and his son Haemon which prepares for the ending. What is lacking is the reciprocal willingness to understand the reasons of the other. And, much more radically, a common measure. A third measure compared to those that from time to time contend the entire field. In other words, there is no single *logos* across which the different positions develop (*dia-*) but rather different interpretations of what the *logos* is. Above all, what is the 'real' *nomos*, the right measure. Incidentally, in the absence of any kind of mediation resides the authentically *tragic* nature of the events:

> Tragedy means above all that the problem is really such, that there is no pre-established solution: that man, even knowing that there is an objective measure of justice, does not know what to do here and now and yet he is forced to act in the face of the imperative need for a situation in which even the refusal to decide would be a valid choice (not to act) and would call him to responsibility, because he too would not remain without consequences. Even more deeply, the tragic element is all here: we don't know what the order is there, but we know that the order is there, and we know it because the consequences of the act we choose to perform, whatever it may be, will be inexorable (Magri 2012, p. 71).

After all, it is known that there is no *logos* without *polemos.* And no one explains this better than Sophocles. Antigone therefore ignores Creon's edict, securing a respectable burial for the corpse of her brother Polynices. She does so openly, in the light of midday. She is led before the king. This is how Creon receives her, after having listened to the watchman who caught her in the act, on whom, moreover, the first suspicions weighed.

> Creon: You there, you that are bowing down your head towards the ground, do you admit, or do you deny, that you have done this?
> Antigone: I say that I did it and I do not deny it.
> Creon (to guard): You may take yourself to wherever you please, free from the heavy charge.

> (Exit guard.) (to Antigone) But do you tell me, not at length, but briefly: did you know of the proclamation forbidding this?
> Antigone: I knew it; of course I knew it. It was known to all.
> Creon: And yet you dared to transgress these laws? (Sophocles, 1994, p. 43)

Let's stop for a moment. Creon is a king who has just issued a decree saying that anyone who dares to infringe it will be ruthlessly put to death. And here, standing before him is Antigone, his niece, his sister's daughter. Not a minor complication. An uncle is forced to judge his own niece. And it is as an uncle, rather than as a king that Creon first seems to receive Antigone. After her first confession, in fact, Creon sends the watchman away, almost as if he wanted to find a solution without indiscreet ears hearing what he says. This is an uncle extending a hand to a niece, perhaps hoping that she will take a step back. But Antigone disdainfully refuses, proudly and caustically boasting of her gesture. The opposition (*anti-*) is written in her very name. And she has decided to remain faithful to her fate to the end. In fact, here is her answer:

> Antigone: Yes, for it was not Zeus who made this proclamation, nor was it Justice who lives with the gods below that established such laws among men, nor did I think your proclamations strong enough to have power to overrule, mortal as they were, the unwritten and unfailing ordinances of the gods. For these have life, not simply today and yesterday, but for ever, and no one knows how long ago they were revealed. For this I did not intend to pay the penalty among the gods for fear of any man's pride. I knew that I would die, of course I knew, even if you had made no proclamation. But if I die before my time, I account that gain. For does not whoever lives among many troubles, as I do, gain by death? So it is in no way painful for me to meet with this death; if I had endured that the son of my own mother should die and remain unburied, that would have given me pain, but this gives me none. And if you think my actions foolish, that amounts to a charge of folly by a fool! (Sophocles 1994, p. 45)

The niece opposes the unwritten laws of the gods to those of her uncle. These are verses on which western thinking has continually reflected ever since. And it is certainly not here that we will run through the innumerable interpretations that have been offered (Zagrebelsky 2006). Here the intention is much more modest. As we said at the beginning, it is merely a question of avoiding a fairly widespread ambiguity. Many, in fact, have seen (and continue to see) in this clash nothing more than the exhibition, in the archetypal form, of the eternal conflict between the universal value of the laws of nature and the contingent validity of the law

posed by the one who holds power. On the one hand moral, on the other the law. In other words: on the one hand natural law and on the other, positive law. On the one hand a young woman who has the courage to rebel against the constituted power, on the other an elderly king who intends to assert his will, if not his own brute will. This is how the clash usually has been read (Ascarelli 1959, Fasso 1966 and Magri 2012).

Yet, we feel that a couple of points must be made. The first is this: the figure of Creon does not represent the State, a pure and simple artificial construction based on the will of the men who constitute it through the social contract, but the *polis*, which, as we have seen, for a Greek in the fifth century BC was in all and for all a natural institution that axiologically precedes the individual men who compose it. This means that the basis of Creon's decree, which assumes as its measure the safety of the *polis*, does not lie in pure and simple will, or even in the caprice of a despot, so much as in the very nature of the *polis*, thus resulting natural just as the unwritten laws invoked by Antigone are natural.

What is in play in this clash, therefore, is not the contraposition of Creon's positive law and Antigone's natural law, but rather the contraposition of two ways of interpreting natural law. Or better: between two measures – that of the *polis* and that of the *oikos* – equally natural and objective (Zagrebelsky 2008, p. 67).[5] And it is precisely this, moreover, that makes the conflict authentically tragic, since it is literally undecidable. After all, as Karl Jaspers teaches: "Tragic is that conflict in which the forces fighting each other are all right, each from their own standpoint. The multiplicity of truth, its non-unity, is the fundamental discovery of the tragic conscience." (1952, p. 39, see also Curi 1991).

The second is the following: the unwritten laws of the gods invoked by Antigone are not those of an individual moral conscience, but the traditional ones of the lineage, of the family bonds or the *ghenos*, or whatever you wish to call it. There is no trace of autonomy, in these unwritten laws, but rather the trace of a past that is not yet purely and simply such in a moment in which a city is discovering how wonderful and tremendous the ambition of a political action that intends to distance itself from this past can be.

All in all, for these and for other reasons to which we will return, we must not read the clash between Antigone and Creon either through Hobbes' eyes, nor through those of Kant. As we said at the beginning, the world of Greek tragedy is our world because we come from there, there can be no doubt, but at the same time it is also a world that is very distant from ours. It would be wise not to forget this, ever. And Creon's answer is further proof:

5. With regard to Zagrebelsky's criticism of Ascarelli, see Punzi 2009, pp. 157-171.

> Chorus: It is clear! The nature of the girl is savage, like her father's, and she does not know how to bend before her troubles.
>
> Creon: Why, know that over-stubborn wills are the most apt to fall, and the toughest iron, baked in the fire till it is hard, is most often, you will see, cracked and shattered! I know that spirited horses are controlled by a small bridle; for pride is impossible for anyone who is another's slave. This girl knew well how to be insolent then, transgressing the established laws; and after her action, this was a second insolence, to exult in this and to laugh at the thought of having done it. Indeed, now I am no man, but she is a man, if she is to enjoy such power as this with impunity. But whether she is my sister's child or closer in affinity than our whole family linked by Zeus of the hearth, she and her sister shall not escape a dreadful death! Yes, I hold her equally guilty of having planned this burial! Call her! I saw her lately in the house raving, having lost control of her wits. The mind is often detected in deceit beforehand, when people are planning nefarious deeds in darkness; but I hate also those who are caught out in evil deeds and then try to gloss them over. (Sophocles 1994, pp. 45-7)

Ismene will avoid the accusation, she will be absolved. Her fate, like that of Creon, is to live, or rather to survive and not to die. But this is not the point, now. It is, rather, interesting to note how, in these verses, the uncle definitively gives way to the king. Antigone's pride arouses that of Creon. The opposition takes shape. No mediation is possible. A king cannot cede his position. Much less to a woman. Here the echo of Ismene resounds. Antigone is a woman, she is also young, and as such she should have behaved. Creon is a man and he cannot act as a man. This is his role, in addition to that of king. He is a father.

6. A father and a son

In addition to being the king of Thebes and uncle to Oedipus' children, Creon is also the father of Antigone's betrothed. And the clash between father and son is perhaps the most subtle and complex in the entire tragedy. It is introduced, as always, by the Chorus:

> Chorus: Here is Haemon, the latest born among your sons! Is he angry at the fate of his affianced one, Antigone, grieving at the baffled hope of marriage? [Enter Haemon]
> Creon: We shall soon have better knowledge than prophets could have given us. My son, now that you have heard the valid decision

> against your destined bride, are you here in rage against your father, or are we dear to you, no matter what we do?
> Haemon: Father, I belong to you, and you keep me straight with your good judgments, which I shall follow. Yes, in my eyes no marriage shall be more highly valued than your right guidance. (Sophocles 1994, pp. 61-3)

A father and a son, therefore. One before the other. Just like a father and a son. At least at first, in fact, Creon addresses his son and Haemon answers his father. After all, it is with these words that the son comes on stage: "Father, I am yours." Like a son. Devoted. Even though it is perhaps a strategic move. In effect Haemon's aim is clear: he is there to save Antigone. And it is as if he knew that to do so, it would be useless to blatantly oppose his father's will. It is necessary to seduce him. Useless to behave like a rebel. Only a good son can have any hope of convincing a good father to change his mind. And it is to the good father that Haemon speaks, declaring that he is ready to follow the "good judgements" and the "noble lead". And Creon clearly appreciates this attitude:

> Yes, my son, that is how your mind should be, thinking that all things rank second to your father's judgment. This is why men pray that they may beget and keep in their houses obedient offspring, so that they may requite the enemy with evil and honour the friend as they honour their father. But as for the man who fathers children who give him no help, what can you say that he begets but trouble for himself, and much delight for his enemies? Never let go your good sense, my son, for sake of the pleasure that a woman gives, knowing that this thing is an armful that grows cold, an evil woman sharing your bed in your house. For what wound could be deeper than a dear one who is evil? So spit this girl out as an enemy and allow her to marry someone in Hades! (Sophocles 1994, pp. 63-5)

These are, once again, the words of a father. It is difficult to say whether they are also the words of a good father. Certainly, they are (or at least seem to be) the words of a father who is concerned above all for his son, begging him "Do not ever throw out good sense, boy, over pleasure for [an evil] woman's sake." But here the father is also a king. And a king must answer not only to his son, but to the entire city. And in fact, this is how the speech continues:

> For since I caught her openly disobeying, alone out of all the city, I shall not show myself false to the city, but I shall kill her! In the face of that let her keep invoking the Zeus of kindred! If those of my own family whom I keep are to show no discipline, how much more will those outside my family! The man who acts rightly in family matters

> will be seen to be righteous in the city also. [But whoever transgresses or does violence to the laws, or is minded to dictate to those in power, that man shall never receive praise from me. One must obey the man whom the city sets up in power in small things and in justice and in its opposite.] This is the man whom I would trust to be a good ruler and a good subject, and when assigned his post in the storm of battle to prove a true and noble comrade in the fight. But there is no worse evil than insubordination! This it is that ruins cities, this it is that destroys houses, this it is that shatters and puts to flight the warriors on its own side! But what saves the lives of most of those that go straight is obedience! In this way we have to protect discipline, and we must never allow a woman to vanquish us. If we must perish, it is better to do so by the hand of a man, and then we cannot be called inferior to women. (Sophocles 1994, p. 65)

Now it is the king who is speaking again, not just the father. A king who is still trying to be a good king, or at least to appear such. The measure is always the *polis.* And to guarantee order it is necessary to obey the person in power. Always and at any cost, says Creon, "Whomever the city may appoint, one should obey in small concerns and just, and in their opposites." It is here that we begin to see, however, the first trace of what will soon become his madness. A first symptom of a power that will soon claim its own absoluteness, losing its sense of measure. After all, it is clear, that this discussion between Creon and Haemon is the only genuinely political one in the entire tragedy. Or rather, it is the only discussion that turns directly on the meaning of political action, on its conditions and its limits, and on what it means to govern (well) a city state. In fact, this is how the son replies to his father and, at first, his speech is applauded by the Chorus.

> Chorus: To us, if we are not led astray by our old age, you seem to speak sensibly about the things you speak of.
> Haemon: Father, it is the gods who give men intelligence, the most precious of all possessions, and I could never say, and may I never know how to say, that what you say is wrong. [But a different view might be correct.] But it is not in your nature to foresee people's words or actions or the objects of their censure; for your countenance is alarming to a subject when he speaks words that give you no pleasure. But for me it is possible to hear under cover this, how the city is lamenting for this girl, saying that no woman ever deserved it less, but that she is to perish miserably for actions that are glorious, she who did not allow her own brother who had fallen in the slaughter to remain unburied or to be destroyed by savage dogs or birds. Does not

> she deserve, they ask, to be honoured with a golden prize? Such is the dark saying that is silently advancing. (Sophocles 1994, p. 67)

What extraordinary rhetorical elegance. After presenting himself as a devout son, ready to follow always and in any circumstances the good guidance of a good father, Haemon takes another step. Although he continues not to oppose his father, he cautiously begins to distance himself, insinuating doubt. Then he warns him; careful, the city fears you. And this is not a good sign for one who wants to be a good king, who can certainly not simply govern through fear. And finally, he presents himself as one who can help him: only I, who am your son, can tell you what the city really thinks, not the Chorus, who only represent the official voice of the city, and moreover, the voice of the Theban Elders. While the Chorus just approved your actions, well, we tell you that in fact, the city thinks you are wrong. "Such is the dark saying that is silently advancing." Having said this, he fears that he has gone too far and the good son returns to his subtle seduction:

> Haemon: For me, father, nothing is more precious than your good fortune. (Sophocles 1994, p. 67)

There follows a wonderful hymn to the virtue of flexibility.

> For whoever think that they themselves alone have sense, or have a power of speech or an intelligence that no other has, these people when they are laid open are found to be empty. It is not shameful for a man, even if he is wise, often to learn things and not to resist too much. You see how when rivers are swollen in winter those trees that yield to the flood retain their branches, but those that offer resistance perish, trunk and all. Just so whoever in command of a ship keeps the sheet taut, and never slackens it, is overturned and thereafter sails with his oarsmen's benches upside down. No, retreat from your anger and allow yourself to change; for if I too, young as I am, have some judgment, I say that it is best by far if a man is altogether full of knowledge; but that, since things are not accustomed to go that way, it is also good to learn from those who give good counsel. (Sophocles 1994, p. 69)

A king cannot contradict himself before the city, Creon had said. And the city must always and in any circumstance, obey he who governs it. And here is Haemon's answer: there is nothing *shameful* in changing your mind. On the contrary, it is precisely because the safety of the *polis* constitutes the measure of good government that a good king must know how to listen to those who speak *competently*. Precisely because the measure of political action is the city. Not the will or, worse still, the arbitrariness of he who governs it. In fact, there is no man,

however wise, born filled with wisdom. Not even a king. Unless he is mad. And, at this point, Creon truly becomes insane.

> Chorus: King, it is proper, if he says anything that is to the point, that you should learn from him, and you, Haemon, from Creon; for true things have been said on both sides.
> Creon: So men of my age are to be taught sense by a man of your age?
> Haemon: Nothing but what is right! If I am young, one must not consider my age rather than my merits.
> Creon: Is it a merit to show regard for those who cause disorder?
> Haemon: It is not that I would ask you to show regard for evildoers.
> Creon: Is not she afflicted with this malady?
> Haemon: This people of Thebes that shares our city does not say so.
> Creon: Is the city to tell me what orders I shall give?
> Haemon: Do you notice that what you have said is spoken like a very young man?
> Creon: Must I rule this land for another and not for myself?
> Haemon: Yes, there is no city that belongs to a single man!
> Creon: Is not the city thought to belong to its ruler?
> Haemon: You would be a fine ruler over a deserted city!
> Creon: This man, it seems, is fighting on the woman's side.
> Haemon: If you are a woman; because it is you for whom I feel concern. (Sophocles 1994, pp. 69-71)

The change of step is clear. The good father and the good king have given way to the tyrant. Only a tyrant, in fact, and certainly not a good father, could think that his son was not worth listening to, since he does not want to be taught by a man of his age. Only a tyrant and certainly not a good king could think that the city is not worth listening to, because he sees no reason to rule for anyone other than himself. And only a tyrant, and certainly not a good father or a good king, could think that he was alone and could act as if he were ruling "over a deserted city". This is the insanity of absolute power. The insanity, we could say, that modernity tends to remove, identifying in absoluteness one of the constitutive traits of sovereign power. But here we are still in the Greece of the fifth century BC and one of the great lessons of the Greeks is precisely this: in the framework of the *polis*, (legitimate) power is not given without measure. A king is part of that same order that he must preserve. And it is when he forgets this, losing his sense of being a part of the whole that he becomes a tyrant (Montanari 1993, p. 54). Mad. Like Creon. An old man who reasons like a youth: "Do you notice that what you have said is spoken like a very young man". A man who finds himself in the place of a woman: "[…] if you are a woman; because it is you for whom I feel concern ". Every measure has disappeared. This is madness:

> Haemon: If you were not my father, I would say you had no sense.
> Creon: Slave of a woman that you are, do not try to cajole me!
> Haemon: Do you wish to speak but not to listen to him you speak to?
> (Sophocles 1994, p. 75)

Ismene, the sister already said this at the start of the tragedy: acting beyond measure is madness. And now it is the son who says this to the father. A mad father. Like Antigone. And, like her, alone. But the measure of Haemon, more than a measure, is a method. It is a disposition of the soul. The method is the dialogue. And the disposition is listening.

7. The blindness of power

The king, therefore, does not listen to the city. And the father does not listen to the son, who in fact will not manage to make him change his mind. Another will manage to do this, although it will be too late: Tiresias, the blind seer. Like Haemon, he plays on the same ground as Creon, that of the *polis*. Like Haemon, at first, he tries to make him reason, for his own good and for that of the *polis*. Thus:

> "[…] And it is your will that has put this plague upon the city; for our altars and our braziers, one and all, are filled with carrion brought by birds and dogs from the unhappy son of Oedipus who fell. And the gods are no longer accepting the prayers that accompany sacrifice or the flame that consumes the thigh bones, and the cries screamed out by the birds no longer give me signs . . . for they have eaten fat compounded with a dead man's blood.
> Think upon this, my son! All men are liable to make mistakes; and when a man does this, he who after getting into trouble tries to repair the damage and does not remain immovable is not foolish or miserable. Obstinacy lays you open to the charge of blundering. Give way to the dead man, and do not continue to stab him as he lies dead! What is the bravery of killing a dead man over again? I am well disposed to you, and my advice is good; and it is a pleasure to learn from a good adviser, if his advice brings profit. (Sophocles 1994, p. 97)

Now it is Creon who is treated like a son. Like a son who has erred, but who can still make good his error. Politics and wisdom, this is once again the playing field. We find the same arguments used by Haemon, though they are presented with a different tone, authoritative and no longer familiar. But Creon is by now blinded by power. He is the blindman; not Tiresias. In fact, he does not give way, just as he did not give way to his son, accusing the seer of having sold out, just as he

previously accused his son of being a slave to a woman. But Tiresias, at this point, plays another card. That of a tremendous prophecy:

> Consider whether I tell you this because I have been bribed! For after no long lapse of time there shall be lamentations of men and women in your house; and all the cities are stirred up by enmity . . . (corpses) of which fragments have been consecrated by dogs or beasts, or some winged bird, carrying the unholy scent to the city with its hearths. These are the arrows which like an archer, since you provoke me, I have shot in anger at your heart, sure arrows, whose sting you will not escape. (Sophocles 1994, p. 103)

A threat, therefore. This is the card played by Tiresias. A decisive card. Deaf to the power of reason, Creon has made the reason of power the principle of his government. And it is to this reason without reason that Tiresias finally appeals. Successfully. Now it is the king – rather, the tyrant – who is afraid. And it is fear that makes him give way. Even the Chorus, at this point, advise him to set things to rights. It is necessary to bury Polynices' corpse and rush to free Antigone, before it is too late. But it is now really too late. What happens when Creon arrives at the cavern where he has had Antigone imprisoned, condemned to be buried alive, is told by a Messenger to his wife Eurydice.

> Messenger: "[...] at the bottom of the tomb we saw her hanging by the neck, caught in the woven noose of a piece of linen, and him lying near, his arms about her waist, lamenting for the ruin of his bride in the world below and the actions of his father and his miserable marriage. But when Creon saw him, with a dreadful groan he came inside towards him, and with wailing accents called on him: "Wretch, what a thing you have done! What was in your mind? At what point of disaster did you lose your reason? Come out, my son, I beg you as a suppliant!" But his son glared at him with furious eyes, spat in his face, and returning no answer drew his two-edged sword. As his father darted back to escape him, he missed him; then the unhappy man, furious with himself, just as he was, pressed himself against the sword and drove it, half its length, into his side. Still living, he clasped the maiden in the bend of his feeble arm, and shooting forth a sharp jet of blood, he stained her white cheek. He lay, a corpse holding a corpse, having achieved his marriage rites, poor fellow, in the house of Hades, having shown by how much the worst evil among mortals is bad counsel. (Sophocles 1994, pp. 115-7)

It is a terrible story, that heard by Eurydice, who without saying a word, goes into the house and kills herself. Thus, the Tiresias' prophecy is fulfilled. Antigone is

dead, just like Creon's last son and his wife. But Creon is alive. He will not die, just as Ismene will not die. They will both be condemned to survive this terrible disaster. Ismene for ever a subject. And Creon as a madman, destroyed by pain, deprived of his loved ones, of his power and his sanity. Like a king who has nothing left. Nothing other than a madman, in fact (Sophocles 1994, p. 127). Finally, aware that he is so. But, of course, too late.

At the end, only the city remains on the scene, in fact the last verses are entrusted to the Chorus of Theban Elders:

> Chorus: Good sense [*to phronein*] is by far the chief part of happiness; and we must not be impious towards the gods. The great words of boasters are always punished with great blows, and as they grow old teach them wisdom [*to phronein*]. (Sophocles 1994, p. 127)

8. A lesson in morals

If *Antigone* were a fable, this then would be the moral. It is wisdom and not power, nor fortune, nor wealth, the greatest good and the first condition of a happy life. And wisdom lies above all in the opening of a dialogue, in the recognition of one's own limits and the structural fallibility of ever practical knowledge, without which catastrophe is inevitable. Haemon had already said this to his father and Tiresias had repeated it to the king: in human affairs there is no man who is born possessing perfect wisdom and for this reason it is necessary to be ready to listen to the reasons of others, learning from those who say the right things. Creon spoke (and acted) without listening. This was his error. So did Antigone, in effect. They were both deaf to the reasons of the other. They were both alone. Closed in their personalities. And prisoners of their own reason seen as the only right measure of human actions. As Aristotle would explain about a hundred years after Sophocles, in fact: on the plane of the *praxis*, which is that of ethics and politics, and more generally of history, there is no need for the necessity belonging to the mathematical or physical sciences. No *ethica more geometrico demonstrata* is given, as it is for Hobbes or Spinoza. Nor a scientifically determinable story, such as those demanded by Hegel or Marx, just to mention a few names. And no models are provided for application to a social reality seen as a sort of architectural construction, as Plato, whose reduction of the *praxis* to the *poiesis* not by chance went hand in hand with the celebrated condemnation of the tragedies as pure and simple imitation of the human actions, believed (Berti 2012, p. 243).

In the human vicissitudes, then, it is not a question of asking what the true measure of the actions will be, rather than how the inevitable conflicts between the various reasons will be managed. And this is where the *phronesis* comes into play, seen as a specifically practical virtue, and not theoretical. As masterfully em-

phasized by Jacques Taminiaux, in fact: "This tragic plot is instructive, because it attests to the impossibility of reducing the action, which is always interaction and at the same time interlocution, to the technical application of acquired knowledge or to the implementation of obvious models" (1995, p. 55).

When we deal with the contingency of the *praxis*, expressed in other terms, there is no 'true' measure: a measure given once and for all, that it would be sufficient to know and subsequently to apply according to the canons of a purely and simply deductive logic. A necessary measure, certainly. But it is necessary to carve it out case by case, patiently settling down to listen and to dialectic discussion between the various reasons in play. A discussion that must always take into account the possibility of conflict. And all things considered, it is precisely the challenge of this form of government, which the Greeks were inventing in that period, and which is still called: democracy.

Besides, just a few years after the first performance of *Antigone* and hardly a year after the start of the Peloponnese war, in 430 BC, Pericles would pronounce a eulogy destined to become a genuine manifest for Athenian democracy:

> For we are lovers of beauty yet with no extravagance and lovers of wisdom yet without weakness. Wealth we employ rather as an opportunity for action than as a subject for boasting. (Thucydides 1919, p. 327)

Here is one of the things that makes his Athens great, according to Pericles: the conviction that discussion does not harm action, but rather that only through discussion is it possible to take the best decisions. Clearly, Sophocles *docet*. In the fifth century BC Athens was a city forced to decide its own fate. A city without measure that, to take up the expression previously mentioned used by Christian Meier, it found itself required to give a measure and to give it quite suddenly, reasoning on a past that was not completely over, in view of a future still in many ways already present. Man is the most tremendous thing that can exist: *deinoteron,* says the Chorus. He is a part that tends to forget this fact, thinking of himself as a whole. In this consists his *hybris*. And in this lies the error of both Antigone and of Creon. Not so much in the infringement of who knows what measure already given, but rather in the pretension to possess once and for all and to be able to do without the confrontation with the other parts. Autonomy, this is the problem: the capacity to give oneself a right measure. Man can do anything, that is true, but it is also true that he *must not* do just anything. There is no autonomy, in fact, without self-limitation. And there is not self-limitation without dialogue. And without *phronesis.* This, ultimately, is the great lesson of political pedagogy that Sophocles gives to his city (and to ours).

9. An immanent contradiction

Antigone, however, is not just this. It is not just a fable with a moral, like any self-respecting fable, a play that enacts a learning curve or better, to return to Martha Nussbaum, "a play on the practical reason and on the way in which practical reason orders and sees the world" (1986, p. 134). It is (and we are tempted to add: above all) a *tragic* play. And to explain what this means it may be opportune to briefly recall the reading of *Antigone* offered by Hegel and in particular, as promised at the start, to return to that 'aspect' which, in his opinion, makes this play the most excellent work of art amongst all the masterpieces of the ancient and modern world.

It is not easy, if only because Hegel's approach to the Greek tragedies and in particular precisely to Sophocles accompanies the entire development of his thinking. Which means that to speak of his reading of *Antigone* it would be necessary to retrace his entire conceptual edifice, in the various phases of its construction, lingering in particular on the absolutely central role played by this text within *The Phenomenology of Spirit* (1980, 277-299 and 449-455).[6] But my intention here is much more modest. we simply want to recall a couple of passages from *Aesthetics*, beginning with this one:

> But in considering all these tragic conflicts we must above reject the false idea that they have anything to do with guilt or innocence. The tragic heroes are just as much innocent as guilty. On the presupposition that a man is only guilty if alternatives are open to him and he decides arbitrarily on what he does, the Greek plastic figures are innocent: they act out of this character of theirs, on this 'pathos', because this character, this 'pathos' is precisely what they are: their act is not preceded by either hesitation or choice. It is just the strength of the great characters that they do not choose but throughout, from start to finish, are what they will and accomplish. They are what they are, and never anything else, and this is their greatness. (1975, vol. 2, p. 1214)

A precious suggestion: in the clash between Antigone and Creon the first error to avoid is that of asking who is right and who is wrong. Both Antigone and Creon are perfectly moral individuals, because they simply remain faithful to the end to their own character or *ethos*, if you wish. Both are innocent because *they are* what they *must naturally be.* Antigone, as a woman, rightly defends family interests and equally rightly Creon, as a man, cares about the salvation of the political community. They both play their parts well. But only partially. And this is their fault. A

6. For an overall picture of the Hegelian reading of *Antigone* see Vinci 2001 and Ciaramelli 2017, in particular 121 *et seq.* This is a very recent text, to which I am greatly indebted, not only with regard to this part.

necessary fault, however. An *objective* fault, and not *subjective*, which leads them to exhibit a breakdown within the expected harmony of Greek ethical totality, which is thus traversed by an ontological scission between the private law of the *oikos* and the public law of the *polis*, destined moreover, as Fabio Ciaramelli reminds us, to "give way to the looming advent of the Roman empire and Christianity" (2017, 130).

Obviously, Hegel reads Antigone through the eyes of Plato, and not those of Aristotle. In fact, giving priority to the characters means attributing the field of human actions to that of behaviour that conforms to the rules, neglecting the specific nature of practical reason, irreducible as much to the knowledge of universal laws proper to theoretical reason as to the implementation of models already seen as proper to the *poiesis.* In short, the Hegelian reading is a truly ontological reading of Antigone, and not praxeological. A reading, however, that calls directly into question the strength of his philosophy of history, which was, in the twentieth century (and not only), subject to countless criticisms. And on this there would be much to say (and much has been said, after all), but this path would lead us astray, especially since, according to Hegel, the aspect that makes Antigone the most excellent work of art ever produced by human spirit is actually another. It concerns, rather, the exemplary performance of something that human action can never shirk. In fact, this is what Hegel writes a few pages later:

> […] Antigone lives under the political authority of Creon [the present King]; she is herself the daughter of a King [Oedipus] and the fiancée of Haemon [Creon's son], so that she ought to pay obedience to the royal command. But Creon too, as father and husband, should have respected the sacred tie of blood and not ordered anything against its pious observance. So, there is immanent in both Antigone and Creon something that in their own way they attack, so that they are gripped and shattered by something intrinsic to their own actual being. Antigone suffers death before enjoying the bridal dance, but Creon too is punished by the voluntary deaths of his son and his wife, incurred, the one on account of Antigone's fate, the other because of Haemon's death. (1975, vol. 2, 1217-8)

This is the point that we wish to emphasise. What *Antigone* shows in a sublime manner is the structural trait of each action: the immanence of the contradiction. The conflict between Antigone and Creon is not a contrast between two distinct and separate parts, but also (and above all) a contrast that traverses both the parts taken in their individuality, thus challenging the form of human conscience itself. Antigone is not merely Polynices sister, she is also the daughter of Oedipus and the betrothed of Haemon and, as such, she is part of that same order of the *polis* that she infringes invoking the measure of the *genos.* Creon is not only a king, but

he is also a father and a husband (and an uncle) thus resulting part of the same order of *genos* that he infringes by invoking the measure of the *polis.* Hence, both appear to be "in the power of what they are fighting" (Hegel, 1975, vol. 2, 1217). They both infringe that which, in accordance with their existence, they should honour (ibid.). Antigone, acting as a sister, infringes her belonging to the royal dynasty and to the *polis*. And Creon, acting as the king, infringes his family bonds and causes the death of all his dearest relatives. This is what makes their actions tragic. They both do what they must do. They are both what they must be. They have no choice. However, in doing so they inevitably sacrifice that 'other' which constitutionally inhabits their characters: the 'other' that they are. In an exemplary manner.

10. The constants of the conflict

In addition to the name of Hegel, at the beginning we also leant on that of George Steiner. In effect, if there is a text that risks rendering vain any further attempt to add even a comma to the (endless) critical literature dedicated to *Antigone*, this is precisely *Antigones: How the Antigone Legend Has Endured in Western Literature, Art, and Thought* by Steiner. And it is precisely here that, as we recalled, Steiner emphasizes how in *Antigone* (and only in *Antigone*) it is possible to find "all the principal constants present in the human condition" (1986, p. 231). What these constants are is soon declared: men and women, old and young, society and individuals, living and dead, men and divinities. Five oppositions, therefore. Where every pole is defined in relation to the others. And which, with all due respect to every practical wisdom, give rise to non-negotiable and for this reason, truly tragic conflicts. In the clash between Antigone and Creon we indisputably find them all, it is true: on the one hand, in fact, stands a young woman who, alone, appeals to the universal laws of the gods of the underworld, on the other hand, an elderly man who, in the name of saving the *polis,* appeals to the respect owed to the human laws of the living. *Voilà*, we could add. But perhaps the most interesting thing is what Steiner says later:

> Men and women, old and young, the individual and the community or state, the quick and the dead, mortals and immortals, define themselves in the conflictual process of defining each other. Self-definition and the agonistic recognition of 'otherness' (of I'autre) across the threatened boundaries of self, are indissociable. The polarities of masculinity and of femininity, of ageing and of youth, of private autonomy and of social collectivity, of existence and mortality, of the human and the divine, can be crystallized only in adversative terms (whatever the many shades of accommodation between them). To ar-

> rive at oneself — the primordial journey — is to come up, polemically, against 'the other'. The boundary-conditions of the human person are those set by gender, by age, by community, by the cut between life and death, and by the potentials of accepted or denied encounter between the existential and the transcendent. (1986, pp. 231-2)

A great lesson: we are always 'polemically' defined, there is nothing to be done. It is also in this sense that the conflict between Antigone and Creon assumes an exemplary value. Both are defined in contrast to the other. Antigone is Antigone *because she is not Creon*, and Creon is Creon *because he is not Antigone*. After all, if it is true, as Steiner notes, that the germ of the entire tragedy lies in the meeting between a man and a woman and that "when man and woman meet, they stand against each other as they stand close" (1986, p. 232), it is also true that this meeting is always translated, for every human being, also into "a civil war within their own hybrid self" (1986, p. 234). The same could be said for all the other polarities just mentioned. We are always in the presence of a dialectic tension between closeness and opposition. This means: necessity of the relationship and, at the same time, inevitable conflict. Also, and perhaps above all, as Hegel taught us, with that 'other' which each of us, inevitably, is.

We thus understand the centrality, in the economy of Sophocles' text, of the clash between Antigone and Creon. Only Antigone and Creon are, in fact, as lucidly emphasized by Massimo Cacciari, "absolutely necessary one to the other" (2007, p. vi). Only their dialogue incarnates the essence of the tragic dialogue and "becomes the purest *polemos*" (ibid.). The relationship between Antigone and Haemon, (or that with her sister Ismene) is not necessary, but purely contingent. And equally contingent is the relationship between Creon and his son, or that with Tiresias. Only the figures of Antigone and Creon are absolutely inseparable. Each is defined in opposition to the other. Their relationship is the only one that results *necessary*, and at the same time *impossible,* being both "destined to be powerless to listen" (ibid.). A point on which it is worth spending a few more words.

11. An excruciating desire

With all the necessary precautions, in fact, considering the many interpretations that could be (and have been) proposed regarding *Antigone*, it is possible to state that if there is an error that should be carefully avoided it is that of attributing the dispute between Antigone and Creon to a single order of the discourse. Certainly, to subsume it in a discipline and its truth procedures would be one way of understanding it. Or, at least, of carving out a common area for discussion that would make it possible to say that one or the other was right, to understand whether the laws of the family or the laws of the *polis* should prevail, the laws of the dead or

those of the living, and so on. Yet, on closer inspection, its meaning lies elsewhere. It is precisely in the absence of a common ground: in the incommensurability of their discourse, to be precise. Again, Cacciari emphasizes this aspect in his precious introduction: "Antigone does not oppose the logos of Creon, no matter how "unreasonable" it seems. We could also without difficulty think that she has even understood the "reason". But this "reason" would in any case, in her eyes, be totally extraneous and powerless. If we interpret the conflict between the pair as intrinsic to the law or the ethic or the politics, we completely miss the point. Sophocles perceives this "with fear and trembling": Antigone does not seek to "reform" Creon's power, to make it more obsequious to the traditions, she does not seek compromises more or less "elevated" between the positive law of the State and the domestic *pietas.* She does not claim a new right, nor a new political order. The word of Antigone manifests a radical otherness with respect to these dimensions of the logos. In this lies her "being out of measure", as the Chorus promptly observes." (2007, pp. viii-ix).

Out of measure, therefore. Here is the cipher of the paradoxical measure of Antigone. Unlike the others called upon during the play, whether they are the gender differences invoked by Ismene, or of the polis to which Creon refers at first, Antigone's measure is *a structurally disproportionate measure*. We are not far, after all, from the splendid reading of Lacan during his seminar of 1959-60, dedicated to the ethics of psychoanalysis. According to Lacan, in fact, the entire play turns on a term repeated twenty times in the text, "but it makes enough noise for forty" (1986, p. 332). This term is *áte*: an "irreplaceable" word that "identifies the limit that the human life cannot transcend for long" (ibid.). And it is precisely towards the transcendence of this limit that the desire to be that "inhuman being" that is Antigone, "at the end of her tether" like all Sophocles' heroes (except perhaps for Oedipus) standing that is between life and death. Antigone thus incarnates a literally "excruciating" desire: apart from the *áte*, of course. And Lacan writes this quite clearly: "Antigone carries to the limit the fulfilment of that which we could call pure desire, the pure and simple desire for death as such. This desire she embodies" (1986, p. 356).

12. The spectre of Antigone

Lacan, in brief, tried (and managed) to find in *Antigone* "something other than a moral lesson" (1986, p. 317). And this something else is precisely the *mise en scene* of a desire that refers to that death drive which constitutes perhaps the most scandalous of Sigmund Freud's discoveries (1940). It is a reading that would clearly deserve more exploration (Ciaramelli 2017, pp. 165-213, Luchetti 2001 and Romano 2009, pp. 21-34). Just as all the other works we have had occasion to quote here would deserve further consideration. Not to mention the many others that

it has not even been possible to include. The problem is that a reading of Sophocles' *Antigone* is not only difficult to begin, but above all it is almost impossible to conclude, if not by deciding (more or less arbitrarily) to stop. And it is precisely in order to place a full stop that, in closing, we want to lean upon (I hope not in an excessively arbitrary manner) a last name: that of Jacques Derrida.

Of *Antigone* – or rather: the reading of *Antigone* offered by Hegel and his "law of the family" – Derrida dedicated one of the two columns (without a start and without an ending, concerning the difficulty of concluding a text…) which constituted one of his finest works. It is called *Glas* and it is a text published in 1974 composed of two parallel columns "chopped off at top and bottom and trimmed at the sides" (p. 39)[7]: one dedicated to Hegel, as we said, the other to Jean Genet. And here it may be sufficient to reflect on this curious structure, which already has much to say regarding the relationship between poetry and philosophy or better, between *mythos* and *logos.* As Derrida immediately points out, in fact, a first reading of *Glas* "may be done as if two texts, leaning one against the other or one without the other, did not communicate" (ibid.). Yet, precisely in the "heterogeneity", the two parts of the work are "indiscernible in their effects"(ibid.). The two parts of *Glas* take shape in this way, a heterogeneous rapport without opposition. A heterogeneity without opposition that marks, moreover, the same relationship between the logic of the tragic performance and the logic of the philosophical discourse and which in many (or rather very many) other texts Derrida has shown at work also on all the other conceptual dichotomies that have made the history of western thought. Just as there is no *logos* without *mythos*, in fact, so there is no word without writing, no soul without body, no meaning without signifier, no presentation without representation and the list could and should go on. In these dichotomies each term stems from its 'other', thus taking the form of a reciprocal co-implication, which gives rise, in fact, to a relationship of "heterogeneity without opposition". In short, these are all necessary, and at the same time impossible, relationships. Just like the one between Antigone and Creon, we might add at this point. Or like that between the future of justice and the present of the law in point. Or like that between the future of justice and the present of the law, to whose patient work of destruction Derrida dedicated some of his latest texts (1994).[8]

Incidentally, to conclude by speaking of the relationship between law and justice, there is at least one lesson from Derrida that a jurist would do well to remember at all times; and it is this: that the law is never purely and simply the law. In the law, in fact, there is a place where the system does not close. A place that is,

7. An excellent introduction to this double text, presented moreover in counterpoint with the analysis of another magnificent reading of *Antigone*, that of Paul Ricoeur (1990) is offered by Ferrario 2001.
8. See also Derrida & Duformantelle 1997 and Andronico 2006.

precisely, that of justice, seen in terms of the future of the other in the heart of the same. Exactly like a "spectre", in fact, the justice of which Derrida speaks is not present, nor presentable, it is neither a value, nor an idea or a concept, being rather the promise of an "unpresentable presentation", which presupposes a sort of anachronism in the heart itself of the present (1993, p. 39). Justice is *other to law*, certainly. But it is also *other in law*. It is that "remnant" which contaminates it, and has always done so, the presumed purity. And which ensures, after all, that law is never purely and simply "present".

Just as the present of which Hamlet speaks, the present of law (and of the *polis*) is structurally *out of joint*. The spectre of justice always runs through it, inevitably, in its presenting itself as "given". And perhaps it is precisely this spectre that could be called, again and always Antigone. Providing we see it and preserve it as such. As a spectre, to be precise. As Davide Susanetti writes, in fact:

> Although she survives the unfortunate family, Antigone no longer belongs to life. She is the portrait of death and, as such her presence is the carrier of a contamination much more serious than that represented by the unburied body around which she moves. She is a sort of revenant, a restless ghost that prevents a new configuration of memory and political identity. It is the return to the repressed that cannot be neutralized or contained. (2011, p. 153).

And not as another presence, purely and simply opposed to that of Creon. Like a question, after all, to return to – in order to silence any *Aufhebung* – that mentioned by Hegel and quoted in the epigraph. And not as an (albeit other) answer.

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The struggle for recognition: lost before it was fought

Or how the master's tools will never dismantle the master's house[1]

Sofie Avery[2]

Abstract – This paper takes as point of departure the centrality of recognition in the contemporary political landscape. More specifically, it focuses on those struggles for recognition known as identity politics. We depart from the hypothesis that modern theories of recognition, more specifically those advanced by Axel Honneth and Nancy Fraser, cannot adequately accommodate the demand for the recognition of *difference.* Our contribution with this article is to argue that, in a discussion of struggles for recognition, the distinction between *affirmative* and *transformative* strategies must be taken into account. We argue that affirmative approaches to recognition risk resulting in the negation of difference and reproducing the exclusive social order. By thinking through the implications of an affirmative approach to recognition, we aim to contribute to the understanding of failed attempts at recognition. We conclude with a tentative outline of the conditions for a transformative approach that aspires to meet the demands of actors in movements for social justice and avoid the problems of the affirmative approach.

1. Introduction

Black Lives Matter, Pride, Third Wave Feminism: all are examples of movements characterized as "identity politics." In the past decades, there has been a significant increase of the phenomenon and it seems still to be on the rise. Increasingly, the oppressed and underprivileged are uniting in movements to raise their voices in demands for the recognition of their respective identities. Striking, however, is that these movements seem to affect no substantial difference in the existing recognition order. The possibility of identity politics to preserve and legitimize the

1. In her groundbreaking essay *The Master's Tools Will Never Dismantle the Master's House,* Audre Lorde writes: "What does it mean when the tools of a racist patriarchy are used to examine the fruits of that same patriarchy? It means that only the most narrow perimeters of change are possible and allowable." In our examination of contemporary struggles for recognition, we will argue that recognition thought along a logic of identification can only bring about change within these narrow perimeters.

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established recognition order is the issue we want to problematize. We will do so by examining the discussion of identity politics in contemporary theories of recognition.

For this purpose, we will examine the dialogue between Axel Honneth and Nancy Fraser in *Redistribution or Recognition?* In this book, Honneth and Fraser debate the possibility of a contemporary revival of Critical Theory. The focal point of their discussion is the relation between issues of redistribution and issues of recognition. In this context, Fraser and Honneth each attempt to develop a framework that helps us understand and evaluate the proliferation of claims for recognition as advanced by identity-political movements. The first part of this paper will consist of a brief outline of these frameworks.

Following this discussion, we will argue that a contemporary take on Critical Theory needs to incorporate a critique of affirmative claims for recognition as well. By affirmative claims, we mean claims for recognition that affirm the legitimacy of the existing social order. The nature of claims for recognition, namely either *affirmative* or *transformative*, is an issue only lightly touched on by Fraser and Honneth in their attempt at the revival of Critical Theory. Our contribution here will be to shed light on the issue and its importance for a critical-theoretical evaluation of identity politics. This contribution will comprise the second part of this paper and takes the form of a critique of the affirmative strategies in the struggle for recognition, followed by an outline for an alternative approach. In an attempt to avoid the problematic implications of identity politics, this approach will be transformative in nature. The aim of our transformative approach is recognition without forced identification - *equality in difference*.

2. The Revival of Critical Theory in the Age of Identity Politics

2.1. Nancy Fraser

For Fraser, both redistribution and recognition, being spheres of justice, aim at a common goal. This goal forms the normative core of Fraser's theory, namely *participatory parity* (Fraser & Honneth 2003, p. 36) The end of equal recognition and distribution is parity of participation in social life. According to Fraser's theory, this participatory parity has two conditions, one objective and one intersubjective. The objective condition consists of a distribution of material goods and means that ensures participants' independence (ibidem) The intersubjective condition is equal recognition for all human subjects, meaning equal respect and opportunities (ibidem). Taking parity of participation as a normative core entails that Fraser must conceive of misrecognition and maldistribution as violations of justice (p. 28). Fraser conceives of misrecognition as status subordination, locating injustice in social relations, not the individual psychology of the subject (p. 29).

Following her dualist conception of justice, Fraser argues for an approach she calls perspectival dualism (p. 63). For the understanding and evaluation of claims for social justice, redistribution and recognition are to be employed as two distinct *analytical perspectives* (ibidem). These different perspectives can be employed for both issues of recognition *and* redistribution. Often, though, issues of social justice will need to be analyzed from both perspectives (pp. 65-66). For the practice of this perspectival dualism, Fraser also supplies a normative criterion for the evaluation of claims made by political movements in the name of justice. This criterion is parity of participation. Accordingly, Fraser believes that all claims for redistribution and recognition should be evaluated in terms of their advancement of participatory parity (p. 38).

2.2. Axel Honneth

Honneth traces issues of redistribution and recognition to a common origin. All social discontent and resistance, Honneth argues, is motivated from the experience of injustice (p. 130). A subject experiences injustice in feelings of disrespect and maltreatment (p. 157). Honneth takes the end of recognition to be located on an individual level: *personal identity-formation*, which can only be reached through relations of mutual recognition (p. 176). Thus, the injustice in misrecognition for Honneth lies in the disturbance of the individual's intact self-relation. This, however, does not eliminate the social dimension, since this self-relation arises from intersubjective conditions (relations of mutual recognition).

The normative source for these feelings of disrespect and maltreatment, which motivate social struggle, is located in the expectations a subject has with regard to society (p. 129). In their treatment within society, the subject expects recognition of their personal identity (p. 131). Accordingly, underlying the social experience of injustice is an experienced infringement of a well-founded claim to recognition (pp. 129, 133). In his theory of recognition, Honneth distinguishes three distinct spheres of recognition: *love*, *law* and *labor* (p. 143). The three spheres of recognition are governed by three respective principles: attentiveness to needs (love), respect for autonomy (law) and the principle of achievement (labor). Following this distinction, Honneth argues that distribution struggles should be seen as struggles for recognition (p. 137). According to him, even the experience of *material* injustice is the experience of the violation of a well-founded claim to recognition.

Following his tripartite division of the spheres of recognition, Honneth points out that claims for recognition aim at the *expansion* of the existing recognition relations in their respective spheres (p. 186). For the evaluation of these claims for the expansion of recognition relations, Honneth posits an idea of moral progress in terms of increased social integration (ibidem). Claims for recognition are thus to be evaluated according to their advancement of social integration. Social inte-

gration can be brought about in two ways: by increasing individualization or by increasing inclusion (ibidem). In the first case, new aspects of personal identity become the subject of mutual recognition, while in the latter case more people are included in existing recognition relations, thus broadening the scope of mutual recognition. Claims for the expansion of the existing recognition relations must be evaluated with regard to social integration: if the proposed expansion enhances social integration either through individualization or through inclusion, the claim is well-founded from Honneth's point of view (p. 187).

3. Affirmation or Transformation?

The importance of the additional distinction we wish to bring to the discussion arises from the kind of paradoxical process the struggle for recognition seems to entail. Identity-political movements unite around a certain shared identity, which they experience to be unjustly depreciated in society. Thus, the members of this depreciated group are united by their particularity, by what makes them 'different.' Though their particularity is what feeds their struggle against the existing social order, their struggle for recognition does not necessarily amount to the recognition of this particularity in itself. Depending on their strategy, identity-political movements can uphold and contribute to the existing social order and its exclusionary practices. Thus, identity-political movements are not inherently transformative.

This insight leads us to the need to distinguish between the *affirmative* and the *transformative* approach in the struggle for recognition. We will argue that these categories are not only relevant in the categorization of different social struggles but must also be included in our theoretical and normative framework for thinking about identity politics. For this purpose, we will draw on Emiliano Acosta's concept of a *logic of identification.*

In *Recognition and Dissent,* Acosta provides a thorough critique of classical theories of recognition on the grounds that they contain a logic of identification. Recognition thought along a logic of identification, Acosta argues, entails the negation of particularity. Thus, Acosta concludes that classical recognition theory does not provide the right tools for thinking the recognition of difference. Here, we will present his critique of classical recognition theories. In the following sections, we will draw on this critique to discuss identity politics as well as Honneth and Fraser.

In the tradition of recognition theory, Acosta writes, recognition is usually conceived of as the *inclusion* of subjects into an already established order (Acosta 2014, p. 4). Accordingly, demands for recognition always rest on the acceptance of this order in its legitimacy as well as the agreement on the basic principles of discussion (ibidem). This means that, in formulating a demand for recognition as

a demand for inclusion, the out-group affirms the current social order and the principles on which it rests as legitimate. Even if the struggle for recognition is formulated by the excluded actors themselves, the concepts they use are necessarily adopted from the discourse of the excluding group (p. 5).

Recognition thought along these lines, however, entails an *asymmetry* between the excluding group on the one hand and the excluded on the other – between those who must integrate and those who must "be integrated". (pp. 4-5) In recognition thought of this way, it is after all the excluding group who gets to decide on the principles for "rational" discussion, select the moral values and fix the meaning of the concepts at play (p. 5). As a consequence of this unilaterality, the excluding actors enjoy a *higher position* in the discussion than the members of the excluded group trying to gain access. Even though both the out-group and the in-group can be seen as players, the in-group alone has selected the playing field as well as the rules of the game.

Demands for the recognition of excluded subjects take the form of a "radicalization" of those principles already present in the discourse of the excluding group or the oppressor (p. 7). This approach, however, rests on the presupposition that both parties share the same principles and worldview (ibidem). Yet this is only possible on the condition that one of the parties succeeds in *becoming the Other*, specifically if the excluded group successfully becomes like the excluding group and thus coalesces with its oppressor (ibidem). This process of becoming the Other is often regarded positively as a kind of "purification" of the excluded subject – as progress in terms of freedom or rationality (pp. 7-8).

However, a fundamental flaw in this radicalization approach is that it forms merely a revision of the *extension* of a concept, here "human being", but never a criticism of this concept's *intension* (p. 8). The *meaning* of the concept is left beyond dispute; the conflict revolves merely around the *application* of the concept. This limits what can be disputed by the excluded group to the application of the term, while the definition of the term is left beyond dispute.

Thus, a growth in the extension of a concept does not entail a change in the "meaning horizon" which justified the exclusion of the struggling subjects in the first place (p. 9). As such, although the approach of radicalizing the principles adopted from the discourse of the excluding party may enable certain excluded parties to frame their situation as unjust, it reaffirms the concept itself in its *excluding potential*. This leads Acosta to assert that emancipative discourses of this kind are potentially at once *progressive* as well as *conservative* (ibidem).

Where a process of recognition implies reciprocal influence on the subjectivities of both parties engaged, the process characterized above holds different kinds of transformation for the excluding group and the excluded group (ibidem). For the excluding – now integrating – group, the transformation holds no more than a *quantitative* change in concepts, specifically an extension of their concept of

humanity. All that changes for the formerly excluding actor is that they now think of the newly included actor as "one of us." For the formerly excluded – now integrated – group, by contrast, the transformation is *qualitative* in nature. Inclusion into the social order requires the negation of one's particular identity and the adoption of a new identity on terms which were established prior to one's integration (ibidem). This imbalance in the transformation undergone leads to an asymmetrical relationship between what are now members of the same in-group.

Recognizing the Other in the sense described above means recognizing that the Other is not an Other, but yet another individual with the same predicates as all others in the in-group (of "human beings") (ibidem). It is precisely this mechanism that Acosta calls the *logic of identification*.[3] The otherness of the Other is not recognized as such, but is instead conceived of as an obstacle to recognition. Whereas this otherness was the point from which the conflict originally arose, the struggle for the recognition of this particularity remains unsolved and merely repressed (ibidem).

As such, the difference that caused the conflict is simply neglected; the real source of the problem is neither identified nor treated. This logic of identification implies that one's distinctive otherness comes to be seen as a contaminating element, as that *from which* one must be emancipated. As a result, Acosta states, the real issue is obscured: "namely, the challenge of accepting, tolerating and valuing this singularity, this otherness, that disagrees with and questions the established social order." (p. 10)

3.1. Identity Politics and the Affirmative Approach

In their struggle for recognition, identity-political movements often take this approach of "radicalization", which we will call *affirmative.* In this case, identity politics run the risk of affirming the existing social order rather than challenging it, by taking its preconditions and principles to be valid. Claims for recognition in this light are claims for reinterpretation or reapplication of those principles supplied by the existing order. This means that in their struggle for recognition, identity-political movements not only affirm but also *legitimize* this existing social order. In the reproduction of this order, the formerly excluded group often itself becomes exclusive. Given that the order and its principles were supplied by a rather homogenous group and have historically proven to be fundamentally exclusive, its affirmation is likely to uphold existing exclusions and produce new ones.[4]

3. We will opt for the term "logic of identification", to avoid confusion with regard to the plural meanings of "identity."

4. An example that may serve to illuminate this point is the phenomenon of homonationalism, discussed at length by Jasbir Puar in her book *Terrorist Assemblages: Homonationalism in Queer Times*.

Though the aim of identity politics is the revaluation of a depreciated particularity, those movements that take this approach articulate their aims according to a conception of recognition which entails a process of identification. This produces a recognition relation which is merely an inclusion of a formerly excluded group into an existing social order. The obtained recognition relation is still not equal, since the principles and rules of negotiation for recognition were supplied by the formerly excluding group, which gives its members a certain higher position than those of the 'newly accepted' and formerly excluded group. Also, political action along these lines entails recognition of the group not in its particularity, but in its similarity to the excluding group on behalf of shared principles and values.

The problem with this affirmative approach, namely that it does not succeed in bringing about the recognition of difference sought after by identity-political movements, leads us to recognize the importance of the distinction between the affirmative and the transformative approach to recognition. In what follows, we will apply this perspective to both Fraser and Honneth in their accounts of the struggle for recognition.

3.2. Locating the Problem in Fraser

In reading Fraser's take on Critical Theory in the age of identity politics, the issue is not so much that she does not recognize the distinction between affirmative and transformative claims for recognition. Though she does distinguish between both types of claims, the problem is that she does not incorporate this distinction in her theory. Affirmation and transformation, like redistribution and recognition, should be integrated as an *analytical perspective* from which to judge claims for recognition and formulate remedies to resolve them.

Regardless, we must recognize that Fraser mentions the distinction and touches on the issue. In her debate with Honneth, she devotes a subchapter to the issue of affirmation versus transformation. She sees the affirmative and the transformative as two different approaches to redress issues of maldistribution and misrecognition (Fraser & Honneth, p. 76). She describes the affirmative strategy as one that "aim[s] to correct inequitable outcomes of social arrangements without disturbing the underlying social structures that generate them." A transformative strategy, on the other hand, addresses the 'root cause' by "restructuring the underlying generative framework." (p. 74)

Weighing the relative merits of both approaches, she concludes that "transformative strategies are preferable in principle, but more difficult to effect in practice." (p. 78) Following this assessment, she develops an account of a *via media*, which incorporates the relative merits of both approaches into a strategy of "non-reformist reform," (ibidem). Her claim here is that in certain cases, status distinc-

tions can be detached from relations of subordination, and in these cases we must use the strategy of nonreformist reform. This approach consists of affirmative steps in the short term, aimed at being transformative in the long term (pp. 81-82). However, she states that "*my aim here is not to defend a specific variant, however, but to suggest the general interest of such an approach.*" (p. 82) Thus, Fraser presents different strategies for effecting social change, depending largely on the context. While she privileges the transformative approach in principle, she makes a pragmatic choice for nonreformist reform.

Fraser distinguishes affirmative and transformative approaches as different strategies, each with their relative merits. However, in her description of the affirmative approach, Fraser fails to fully consider its implications. One of the drawbacks she identifies is that affirmative strategies tend to reify collective identities. Transformative strategies, by contrast, aim at the destabilization of these status distinctions (p. 76). However, following her *via media* of an affirmative strategy aimed at long-term transformation, the reification of social identity is not the only challenge we face.

Recognizing the logic of identification as it often presents itself in the struggle for recognition should lead us to question whether the affirmative approach may be incompatible with a transformative project in the context of recognition. Once we recognize the possibility of this logic of identification in the undertaking of identity-political movements, certain problems become clear with Fraser's account of participatory parity as it is. In the absence of a problematization of the implications of an affirmative approach to recognition, Fraser's account of participatory parity is susceptible to two major issues.

First of all, the parity of participation aimed at by Fraser is obtained through affirmation of the existing social order and its principles. These principles were posited by the excluding group and are accepted by the excluded group in their struggle for recognition. Recognition here thus means inclusion and participation in the institutions of the existing social order. However, since the social order was set by the excluding class as sole actor, the obtained parity is merely formal: a power imbalance is maintained, which holds a certain continued subordination for the formerly excluded group. Thus, parity of participation as a requirement is not enough if the institutions to be participated in are not themselves fair. Since the institutions were installed by the excluding group and have historically proven to be exclusive, participation in them is likely not to bring the parity the oppressed are searching for in their struggle for recognition.

A second issue arises upon reflection on this logic of identification. If recognition is viewed as inclusion in the existing social order, *parity* implies *sameness*. Recognition along these lines being necessarily mediated by a process of identification, there is no room for the recognition of difference. Since movements of identity politics are united through their particularity and aim at recognition of

their shared identity, parity conceived of as sameness does not seem to be their goal. We can conclude that there is no way to the desired parity of participation through the affirmation of the existing social order. If recognition is obtained through a process of identification, power imbalances are maintained and exclusive mechanisms upheld, between the formerly excluded group and the formerly excluding actors, as well as the newly included group and other excluded groups. The presence of these mechanisms can defeat the idea of participatory parity.

3.3. Locating the Problem in Honneth

According to Honneth, all experiences of social injustice are experiences of the violation of a well-founded claim to recognition. In their treatment by society, a subject expects recognition of their personal identity. The principles governing Honneth's three spheres of recognition possess a "surplus validity" which allows for the expansion of these spheres. This possibility of expansion ensures a recognition order which is not static. Claims for social justice, according to Honneth, are claims for the expansion of the recognition relations of one of these three spheres. Claims for the expansion of the recognition order are articulated as either a reapplication or a reinterpretation of the guiding principle of the respective sphere. The aim of this expansion is the enhancement of social integration and claims for recognition need to be judged accordingly.

Honneth's contemporary take on Critical Theory is a theory of recognition thought precisely along the logic of identification we wish to problematize. Recognition is obtained through affirmation of the (exclusive) social order supplied by the excluding group. In the struggle for recognition, the principles and values supplied by the excluding group are affirmed. In claiming recognition, the excluded group argues for the reapplication or reinterpretation of these abstract principles of recognition which are thus legitimized and reproduced. Contra Fraser, Honneth does not even recognize the distinction between transformativity and affirmativity. Moreover, he seems to disregard the transformative approach as a pathway to recognition. Honneth even explicitly mentions that he takes the abstract principles of recognition to be legitimate, because of their historical process of growth and development (pp. 259-260). However, in conceiving of recognition as expansion of the existing recognition relations, Honneth's theory of recognition contains a logic of identity, opening his account up to the problematic implications we identified above.

As with Fraser, the first problem which arises in Honneth's theory is that recognition thought along this logic of sameness entails the maintenance of a relation of subordination between the formerly excluding and the formerly excluded group. Honneth posits social integration as the normative end of claims for recognition, but we must critically evaluate the frame the excluded group is being

integrated into. Though Honneth claims the legitimacy of the principles for recognition based on their historical development, they have also historically proven to be exclusive. In the affirmation of these principles, the frame is reproduced and new and old exclusions are upheld. Integration into an exclusive framework is not the aim of claims for recognition. Also, since this framework was provided by the excluding group and has historically developed under its influence, integration into this framework will not absolve the power imbalance between the formerly excluding and the formerly excluded group. Rather, a certain relation of subordination will be maintained, even after the integration of the formerly excluded group.

Second, the obtainment of recognition through a process of identification does not allow for the recognition of difference. In the struggle for recognition, Honneth argues, claims are posited as reinterpretations or reapplications of the existing three principles. Through affirmation of the principles of the excluding group, the excluded group proves their similarity with the excluding group in their valuation of the same principles: recognition implies identification. According to Honneth, what the subject expects from society is recognition of their identity. However, through this process of identification, the formerly excluded subject is not recognized in their particular identity but in their similarity to the excluding group. Thus, in becoming recognized in Honneth's account lies a necessity of *becoming the other,* even of becoming your oppressor. Accordingly, recognition thought according to a logic of identification fails to meet the expectations of the subject. Instead of being recognized in their identity, the subject is forced to alter or negate their identity in order to obtain recognition.

4. Outline for an Alternative Approach

When identity-political movements employ the affirmative strategy in their struggle for social change, their struggle for recognition can be considered lost even before it is fought. The reason for their defeat must be located in the logic of identification which is inherent to a concept of recognition thought of as inclusion in the social order. Though the members of the excluded group are united by their *particularity* - their depreciated identity - they are recognized by virtue of their *similarity* to the excluding group. If recognition of particularity was the aim, but the outcome is its negation, the struggle for recognition has thus been lost. This signifies that, in order to think the recognition of *difference*, the distinction between an affirmative and a transformative approach to recognition must be taken into account.

Here we wish to give a general outline of what such transformative approach may look like. This approach is subject to two main requirements. First of all, the approach should be one that meets the demands of actors in movements for social

justice. Secondly, since the transformative approach is articulated as an alternative to the affirmative approach, it should be able to avoid at least some of the problematic implications the affirmative approach entails.

In order to avoid these implications, the transformative strategy will need to allow for the dissolution of the power imbalance between the excluding group and the excluded group. The desired result of the struggle for recognition fought along this alternative approach is a balanced power relation between the formerly excluded and excluding. The principles guiding the social order should thus not be provided by the formerly excluding group and consequently affirmed by the excluded group but instead developed in a process in which both groups participate as actors. In addition, our approach must avoid mechanisms of identification and enable the recognition of particularity in its own right. The desired outcome is recognition of the formerly excluded group's particularity, rather than its negation.

When the recognition of particularity is the goal, Fraser rightfully points out the danger of reification of social identities. Affirmative strategies, by valorizing group identity along a single axis, "drastically simplify people's self-understandings." (p. 76) The reification of social identities is definitely a challenge identity-political movements face. The project of recognizing difference in its own right thus navigates a precarious balance between the negation of difference altogether (identification) and the objectification or simplification of these social identities (reification). An attempt to navigate this balance can be found in contemporary social movements' deployments of the theory of intersectionality.

Taking this into account, a transformative approach to recognition must challenge the existing recognition order and advocate its complete restructuring. It must aim not only at the revaluation of the depreciated identities but at *the revaluation of the social identities of all agents involved*. Accordingly, our approach is destructive as well as constructive, in the sense that it aims to deconstruct the existing hegemonic recognition order, but also to construct a new one, with formerly excluded parties now participating as actors.

After the deconstruction of this hegemony of value, however, we stand before the positive task of the construction of a new recognition order, one in which the formerly excluding and excluded group both participate. The principles of this recognition order should not reflect exclusively the values of the formerly excluding group. Instead, they will be given shape by all parties involved. The desired outcome of the alternative approach we propose is recognition of the other, not in their similarity to the self, but recognition of the other *in their otherness*. The positive, constructive aspect of our alternative approach needs to be filled in by a concept of recognition thought along a process of positing particularity and difference, rather than identification. Further research would elaborate on what such theory of recognition might look like.

5. Conclusion

Today's proliferation of identity-political movements signifies that, though denied by some, injustice is still widely experienced. Though movements of identity politics articulate certain injustices and successfully unite many actors around a shared cause, they do not succeed in remedying these injustices through political action. Though signaled, often to tiresome repetition, the injustices remain acute and continue to form a heavy burden for those who carry them daily. Understanding why identity-political movements fail to bring about the social change they aim at, we hope, may aid political actors in the future in conducting their struggle for recognition such that it results in actual social change. Since the master's tools will never dismantle the master's house, we believe it is time to assemble a toolbox of our own.

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Dissent as political legitimacy

A discussion of the relation between power and freedom in *Two Treatises of Government*

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Abstract – This paper argues that Locke develops a new conceptualization of both power and freedom in the *Two Treatises of Government*. Unlike his predecessors, Locke claims that freedom is a necessary rather than a conditional property of men. Therefore, power must be understood as a relationship of consent between radically free actors. However, instead of critically examining power structures in society, Locke uses this new definition as a tool of political justification. Locke emphasises the power of people to rebel against their conditions in order to legitimise the authority of states in which the people do not revolt. Although the individual is a theoretically important player, they are reduced to cogs in the political machine. The right to revolt, this paper will argue, is but a rhetorically strategic device to validate the power of the state.

1. Introduction

When discussing the work of John Locke, one must go against, but cannot ignore, his status as a cultural symbol. He is a symbol of individual rights, an early defender of liberalism and to some the father of contemporary democracy (Locke & Shapiro, 2003, p. 172). His influence on our modern political structures is immense and especially the American constitution owes a great debt to his thinking (Lutz 1984, p. 189).

This symbolic association with freedom, democracy and emancipation can however cloud our reading of his texts. There is a danger of assuming precariously that Locke's concepts align with our modern interpretation of power and freedom.

This paper will be an in-depth analysis of Locke's conceptualization of power and freedom in the *Two Treatises of Government*, his most influential political work. After a brief overview of Locke's famous argument for the existence of a government, I will analyse both concepts with a focus on the authoritarian under-

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tone in his work. I will put special emphasis on the famous 'right to revolt' for which this work became famous.

2. Locke: a methodological anarchist

Unlike most analyses of *Two Treatises of Government* this paper will argue that the first treatise is of crucial importance to understanding the implications of Locke's political theory. The first treatise was largely written as a rebuttal of the work of Sir Robert Filmer, a political philosopher and a contemporary of Locke. Filmer's philosophy of patriarchal power was a common defence of absolutist monarchies during Lockes lifetime (Locke & Shapiro, 2003, pp. 7-8).

Nowadays this discussion is left largely unexplored. One reason for this omission is the fact that Filmer's theories have been banished to the realms of obscurity. No one seems to be particularly interested in the detailed arguments against a theory without any influence. Neither do these discussions seem to be philosophically intriguing, because most of their arguments can be boiled down to technical discussions of Bible excerpts.

Yet, I would argue that the first treatise provides important context for the claims made in the second. It should be noted that the historical research of Peter Laslett and Richard Ashcraft has shown that it is very likely that Locke wrote the first treatise after the second (Locke & Shapiro, 2003, p. x). This means that the first treatise is not, as has been unduly assumed, a first attempt at explaining his political ideas, but rather an application of his philosophy. By looking at his arguments we can gain new insights into the kind of problems that Locke was trying to solve by devising his theory.

The main thesis in Filmer's philosophy is the assertion that "every government has absolute power" (Locke & Shapiro, 2003, p. 8). He argues that no one is born free, because we are always subjugated to the authority of others (Cohen 1986, p. 313). The first authority is that of the father, who has an absolute power over his children. In Filmer's words this patriarchal power was given by God (Locke & Shapiro, 2003, p. 17). Filmer claims that the British monarchs are the direct descendants of Adam and Eve, which grants them a similar parental power over their subjects. This means that we are never free, but always have to obey both our fathers and our monarch.

Locke takes issue with the idea that any government should have absolute power. The idea of power as a right, which he ascribes to Filmer, strikes him as utterly absurd. If power is a right, it would be possible to possess it without having any subordinates. For instance if Adam's power was given to him by God that means that there must've been a time when Adam was the king of a not-yet-existing species.

> 'Adam was a king from his creation;' a king, says our author, 'not in act, but in habit,' i.e. actually no king at all (Locke & Shapiro, 2003, p. 17).

It is clear from this passage that Locke proposes a radically new concept of power. Filmer saw power as an individual right. To him it is an attribute possessed by a single person, such as a father or a king. Locke, however, rejects this individual notion of power and argues that power is a certain relationship between multiple actors. This relationship of authority is either one of war or of consent. But the state of war reduces the loser to an object (Locke & Shapiro, 2003, p. 107), which the winner can possess, and this is thereby not the kind of relationship that characterizes a government.

By identifying power as a relationship of consent Locke emphasises that all men are fundamentally free.[2] Locke argues that freedom is a natural property possessed by all men. This fundamental freedom is a necessary consequence of his opposition to Filmer. By negating Filmer's premise that 'we are never free' Locke concludes that the opposite must be true (Locke & Shapiro, 2003, p. 316). As no one has a natural duty to obey somebody else, this obedience can only be explained as a voluntary acceptance of authority, i.e. consent (Dunn, 1980, p. 160).

Another consequence of this new conceptualisation of power is that the existence or even the necessity of a government can no longer be taken for granted. If power implies consent, then the existence of a government is a choice. For this reason John Simmons argues that Locke is a methodological anarchist (Simmons, 2000, pp. 742-743). This anarchism is not, as in certain political ideologies, a system of values, but rather it is a methodological framework in political philosophy. A methodological anarchist does not assume the utility of the state. Therefore, the point of departure in Locke's philosophy is a state of nature or stateless situation.

All men in the state of nature are fundamentally free, meaning that there is no one who has any natural authority over them. They are free to use their body and property however they like.[3] But although they are free, they still have to obey the will of God, revealed to them by their reason in the form of natural laws (Locke & Shapiro, 2003, p. 102). Interestingly most of these laws, as explained by Locke, focus on property. People are not allowed to harm the property of others, because property is understood to be an extension of the body. And they are not allowed

2. I have chosen to use the word 'men' instead of the word 'humans,' because I believe this reflects the intended meaning of Locke's philosophy in a better way. In *Two Treatises of Government* it is rather ambiguous whether he sees his theory as being applicable to women and non-white people. I avoid this discussion not because I believe it to be irrelevant, but because I believe it to be too important to be settled by a short remark in a paper on a different subject.
3. Locke's famous theory of property characterizes owning as a pre-political act. None of the criteria presuppose the existence of a political state (Cohen, 1986, p. 305).

to harm the body of another human, because these in turn are the property of God.

In the state of nature God can clearly be seen as the legislative power and the people as the executive power. Locke claims that the lack of a central organization of the executive power results in an incorrect application of the rules. All people are judge, jury, and executioner (Locke & Shapiro, 2003, p. 105). This means that if people want to truly defend their property, they have to band together and organize their divine executive power according to a centralized authority. This collective of people who have ceded their right to practice their executive power is called a community (Locke & Shapiro, 2003, pp. 156-157). This community has some very interesting characteristics.

A first aspect of the community to keep in mind is that the members of this group consent to obey the central authority of the group, but they do not transfer their power (Locke & Shapiro, 2003, pp. 201-202). Locke does not believe that power is the result of a one-off transfer of control. He argues that people are fundamentally free and that therefore the only true form of power is a relationship of consent. This consent and power in general is always conditional. In this matter he greatly diverges from his predecessors. Hobbes for instance sees the accession of people in a group as a transfer of one's autonomy (Hobbes, 1651).

A second aspect is the fact that Locke distinguishes between a community and a political state as separate entities. A community is a group of people that have banded together and act according to the will of the majority. It is thereby important to understand that this original entity to which one consents is not yet the political state. In order for the community to become the latter, one must first draft a constitution. When this constitution is adopted the community cedes its power to the political state, in a similar manner to the individual granting its consent to the community (Tunick, 2014, pp. 54-55).

An interesting consequence of this theory is that it seems to propose a division of power and sovereignty. Generally speaking the sovereign is the entity with legitimate political power in a society.[4] In Locke's political state the community seems to fulfil this role most clearly (Grady, 1976, p. 283). But this sovereign, at least as characterized by Locke, does not seem to be able to execute this power. Therefore the community needs a representative government, established by a constitution, to carry out this function.

From this brief overview of Locke's theory through the lens of his discussion with Filmer we can notice that the notions of power and freedom are central to understanding the central thesis of his work. At first glance his reconceptualiza-

4. I am aware that Locke himself does not use the term 'sovereignty' in *Two Treatises of Government*. I follow Robert C. Grady's analysis that by applying this term, used by other philosophers in the social contract tradition, we can see some interesting ways in which Locke diverges from his predecessors.

tion of both concepts seem to imply a more democratic and even emancipatory vision of politics. In what follows I will try to disprove this original reading by dissecting both concepts and demonstrating their authoritarian usage in Locke's philosophy.

3. Power as consent

In order to explain the nuanced ways in which Locke transforms the concept of power, I'll contrast his vision with those of his predecessors in the social contract theory. Special emphasis will be put on the nature of consent in his philosophy. Later on we will draw on this analysis of power in order to understand the fundamental freedom that Locke places at the centre of his theory.

Consent occupies a central role in the theories of many philosophers in the social contract tradition. This voluntarism can be seen as one of its defining characteristics (Riley, 1973, p. 543). But unlike Locke, most of his predecessors argued that men lose their freedom once they decide to leave the state of nature. Consent is a one-off act in which people from the state of nature give their natural freedom and all its corresponding rights to the sovereign.

Locke does not simply propose a new way of understanding both power and freedom, but as a result he introduces a new vision of consent. Earlier philosophers, like Hobbes, argued that power and freedom are properties of individuals. A transfer of power or freedom was imagined to be similar to the transfer of an object and could be explained in terms of trade. Locke, however, claims that freedom is a fundamental characteristic of all men and can therefore not be given away by a simple act of consent. The act of consent is always conditional and temporary in nature. Therefore, someone who has power is someone to whom people continuously consent (Grady, 1976, pp. 288-289). This consent is not simply a one-off but a repeated act: it is a relationship.

This naturally begs the question of how a member of society could constantly consent to the powers that be. Locke solves this problem by adopting a difference between two different forms of consent: a tacit and an express consent (Locke & Shapiro, 2003, p. 152). The latter is the most obvious example of consent in which one actively agrees to obey. Tacit consent in contrast is a form of passive agreement to an authority. If one simply obeys without giving either explicit consent or dissent, Locke would argue this person has given tacit consent. In short, we could call express consent the presence of a 'yes' and tacit consent the absence of a 'no.'

Almost every act of power only requires tacit consent. Only when one becomes a part of a community or a community becomes a part of a political state, one has to give express consent (Locke & Shapiro, 2003, pp. 169-170). But even this initial express consent seems like a very strict criterium if Locke seems to

imply that children are also supposed to obey the law. Therefore, it is important to understand clearly what Locke means when he says that an initial explicit consent is necessary.

First of all, it is essential to emphasize the ahistorical nature Locke ascribes to his own philosophy (Dunn, 1980, p. 179). Locke's intention is to write a theory devoid of historical claims. Leaving aside the question whether something like an 'ahistorical political philosophy' is even possible, we can reasonably claim that the different stages in the development of the political state are not supposed to be read as historical periods. They are rather an abstract legitimation of the existence of a government. This means that the only act of power to which people have to give express consent, i.e. the accession in a community, refers to a hypothetical rather than a historical moment.

Furthermore if we pay attention to the historical background of Locke's claim, which Locke himself would not have found appropriate, we can see that the idea of 'express consent' has changed a lot since Locke's lifetime. John Dunn notices that the example Locke gives of express consent is an oath of loyalty (Locke & Shapiro, 2003, p. 126). Such an oath was a common practice at the time. Technically everyone could be asked by the authorities at any moment to swear this oath as a sign of loyalty to the crown. This seems to imply that express consent is not, as one could assume, a necessary prerequisite to become part of a society, but rather something that could hypothetically be expected to be given by every member. This example seems to further prove our earlier hypothesis that 'express consent' should be seen as hypothetical in nature (Dunn, 1980, pp. 167-169).

Therefore, we can conclude that tacit consent is the main, if not the only, form of consent with which Locke is concerned (Dunn, 1980, p. 179). So when Locke talks of consent he generally means the absence of a 'no' rather than the presence of a 'yes'.

This helps us to explain why 'the possibility of dissent' takes such a central position in his broader philosophy. When we consider the fact that every act of power has to correspond with an act of tacit consent, it becomes clear that there can be no power where there is no possibility to dissent. The possibility of power presupposes, quite paradoxically, the possibility to rebel against that power.

I want to emphasize that this theory in itself could have an emancipatory application. One could analyse contemporary power structures in order to discover whether they offer a genuine possibility to dissent. But this is not the application Locke has in mind. As mentioned above, Locke argues that his theory is ahistorical. Yet the conclusion of his argument, the power structures of the society he lived in, are obviously historical in nature. By combining this ahistorical argumentation with historical conclusions Locke frames power structures as the result of an abstract reasoning rather than historical contingency (Marcuse & De Bres,

2008, p. 40). Instead of critically examining them, Locke seems mostly interested in abstractly legitimizing the power structures at hand.

Reading the text from this viewpoint it becomes clear why Locke seems preoccupied with the fabrication of possibilities to dissent. Take for instance this example from the first treatise of Locke's refutation that someone could have power on the basis of possession of land alone rather than consent.

> Should anyone make so perverse a use of God's blessings poured upon him with a liberal hand [that is, threaten starvation to those who don't acknowledge sovereignty]; should anyone be cruel and uncharitable to that extremity, yet all this would not prove that propriety in land, even in this case, gave any authority over the persons of men, but only that compact might; since the authority of the rich proprietor and the subjection of the needy beggar began not from the possession of the land, but the consent of the poor man, who preferred being his subject to starving. And the man he thus submits to, can pretend no more power over him, than he has consented to, upon compact. (Locke & Shapiro, 2003, p. 30)

In this example Locke discusses the power a rich proprietor could have over a poor beggar. The obvious explanation of this power dynamic would state that the rich proprietor gains power over the poor man as a result of him owning land, which is crucial to the survival of the beggar. But Locke claims rather controversially that it is the beggar's consent that is the sole ground of power (Cohen, 1986, pp. 308-309).

Essential to Locke's argument is the idea that the beggar could choose not to consent to the landowner. The fact that Locke does not spend too much time on the practical or psychological difficulties of this suggests that he seems to take the existence of a possible 'no' as a given. The possible dissent is only brought up as an argument to legitimize the power the proprietor has over the poor beggar and not to encourage the beggar to exercise his claimed freedom.

This argumentation is very similar to the passages concerning his famous 'right to revolt.' Earlier in this paper, I touched on how the political state acts as the representative of the community. As a result a community has a right, in some interpretations even a duty, to revolt against a government that acts against its interest (Locke & Shapiro, 2003, pp. 180-181). It is important to read this 'right to revolt' as a necessary premise in order to legitimize the power of the government rather than as a call to fight injustice (Levin, 1971, p. 153). In the same way as the beggar needed to be able to rebel in order for the landowner to have legitimate power, the community need to have the possibility to revolt in order to legitimize the government.

Locke's language can be confusing. His examples of striking beggars, emigrating teenagers or revolting nations seem to create an atmosphere of radical emancipation. But underneath this surface-level reading is an author not at all interested in the validity of the moral dimension of his claims. The possibility of a 'no' is presented as the necessary premise in order to legitimize a power structure. The 'no' is only brought up to emphasize the fact that the beggars pay their rent, the teenagers stay at home and the people obey quietly. The existence of power has to be characterized as a choice.

4. The unthinkable freedom

Our discussion of consent and power has led us to Locke's rather paradoxical conception of freedom. A first strange aspect of his conception of freedom is that although it is one of his most central concepts he actually hardly spends any time explaining what freedom exactly is. Keeping this lack of an explicit analysis of freedom in mind, it is still safe to say that Locke's idea of freedom is a freedom of choice (Cohen, 1986, p. 311).

Freedom of choice has been a highly influential way of characterizing freedom. The idea of freedom being a fundamental capacity or skill that people by definition possess is essential to this conceptualization (Ruda, 2016, p. 10). This clearly fits Locke's idea that freedom is a fundamental right, which grants people the capacity to make unconstrained choices (Cohen, 1986, pp. 311-313).

This view has two important implications. The first is the fact that freedom is framed as something which people possess (Ruda, 2016, p. 10). It should be noted that this grants freedom a similar status to the one Locke criticised Filmer giving to power. Freedom is seen as a kind of entity which people possess regardless of external factors.

The second implication is the fact that freedom is framed as something which people possess by definition. As we have discussed in the previous section Locke often assumes the availability of multiple possibilities, or 'no's' as I have called them, in order to legitimise the authorities in his society. Thereby we can safely state that Locke regards freedom as something to be assumed, regardless of the specific circumstances in which people find themselves.

To better understand why this is an issue it is interesting to describe this framing of freedom as a freedom of choice in Hegelian terms. Traditionally the subject is seen as the most important part of a proposition and a predicate is simply an attribute we ascribe to this subject. Hegel turns this division upside-down by arguing that it is actually the predicate (or substance) which is most important in any proposition. The positive information of a proposition is given exclusively by its substance. Its subject is, to put it in Hegelian terms, but an 'empty gesture' (Ruda, 2016, pp. 144-145).

In Lockean political philosophy 'freedom' never adds any content to a statement, but is nevertheless a necessary prerequisite to any meaningful thesis. It is clear that freedom lacks any substance in the logic of Locke's philosophy. While we have a 'freedom to revolt' or 'a freedom to exercise our divine executive power,' it becomes rather absurd to ask whether a slave has more freedom than a slave owner. Sentences like 'the woman is emancipated,' 'the slave won his freedom' or 'the poor beggar is being oppressed' become quite difficult to express when freedom is seen as 'empty.'

In Locke's philosophy freedom has become a formal characteristic of a proposition. It is a necessary condition in order to discuss power and human actions in Locke's philosophy, but is itself devoid of meaning. Only when we see freedom as the result of an act rather than a capacity, we can speak coherently about essential concepts like emancipation, oppression or liberation. As long as we see freedom as a capacity these concepts become at best needlessly hard to explain and at worst empty concepts.

5. Confused Agents

In our analysis of power and freedom we have failed to ask one important question: Who are the central agents in this political theory? Locke is often labelled as an individualist in secondary literature based on his defence of individual rights and his characterization of power as consent. But this interpretation fails to grasp that it is not the individual, but the community who is the main player in political society (Tunick, 2014, pp. 55-56).

It is easy to get confused by the many actors that take centrefold in the two treatises. The state of nature, community and political society are three[5] different layers with each their own agents, duties and acts of consent (Cushing, 2003, pp. 220-221). Every layer has a main actor, which holds power and is the one to give their consent to the next layer. The individual is the main actor in the state of nature, the will of the majority is the deciding actor in the community and the executive and legislative power are the main actors in the political society (Locke & Shapiro, 2003, pp. 142, 158-159).

We can analyse the relationship between the actors in different layers through the perspective of consent or dissent. From the perspective of consent, we can remark that the power of every actor is dependent on the consent given by the

5. One could argue that God acts as a fourth layer in Locke's philosophy. All of humanity's rights and attributes were given by God, so one can reasonably say that the layer of the individual is dependent on God's consent. But a disqualifying factor to call God a layer is the fact that his dissent is transitive in nature. God is the highest authority in every possible layer and always withholds the right to take back his consent. This clashes with Locke's main conception of dissent as a non-transitive attribute.

previous layer. Power is always fiduciary and therefore consent and power are both transitive concepts. If a community decides to adopt a constitution, the consent all individuals have given to that community, automatically transits to this next layer.

In contrast dissent is a non-transitive concept. Although the individual has to obey the constitution when they gave consent to the community that adopted the constitution, they are not able to revolt legitimately against the constitution. Only the community has the power to draw back the consent they have given to the political society (Locke & Shapiro, 2003, pp. 197-198). Only the entity which has consented to a certain power structure is able to withdraw this consent.

But the central position given to the community is rather problematic for several reasons. Both the individual and the government are positive entities, i.e. things we do not have to theoretically construct in order for them to have an impact on reality. An individual or a government can reason and act coherently. We can visit, talk and argue with them. It is unclear however what 'a community' is exactly outside of the pages of the two treatises. Locke says that on the basis of an evaluation the community has the right to overthrow the government, but how can 'a community' evaluate and how does it act (Grady, 1976, p. 277)?

Locke tries to solve this conundrum in one of his most famous passages, which is now regarded as one of the essential tenets of democratic society.

> Here, it is like, the common question will be made, "Who shall be judge, whether the prince or legislative act contrary to their trust?... To this I reply, "The people shall be judge;" for who shall be judge whether his trustee or deputy acts well, and according to the trust reposed in him, but he who deputes him, and must, by having deputed him, have still a power to discard him, when he fails in his trust? (Locke & Shapiro, 2003, p. 208)

The people shall be judge! But what is 'a people' and how is it supposed to judge? These questions are relevant because the people are not, as one would assume, the community. The people are rather a theoretical entity introduced in the analysis of political society. They are those in the political state who are not part of the government. 'The people' exist only as a theoretical construct in relation to the government.

Yet the people share many similarities with the community. They have the power to overthrow a government (Locke & Shapiro, 2003, p. 194), act according to the will of the majority and their existence seems to be simply theoretical in nature (Grady, 1976, p. 283). One could theoretically construct a legal or political entity which would broadly correspond to the 'community' or 'people' as described in the *Two Treatises of Government*, but these cannot be 'found' outside of the pages of a treatise in the same manner as one can find an individual or gov-

ernment. The people have no counsel, procedures or weekly meetings. Therefore it seems absurd to ascribe to them the capacity to contemplate, judge or act in a coordinated manner.

However, according to an individualist reading of Locke's philosophy, it is often argued that the people is but a collection of individuals. This would imply that it is the individual who holds the power to judge and eventually revolt against the government. But there is one problem with this interpretation. This individualist reading accidentally conflates the individual as a member of the state of nature with the individual as a member of society (Grady, 1976, p. 290).

Central to Locke's philosophy is the implicit dichotomy which he introduces between the fundamentally free individual and the individual as a citizen. The latter one is a cog in the larger machine of the state, who has to obey the law in order for society to function properly (Locke & Shapiro, 2003, pp. 158-159). Meanwhile the idea of the individual as a fundamentally free entity that consents to its own subjugation acts as the legitimacy for that same machine (Cohen, 1986, pp. 311-312).

Herbert Marcuse noticed that this dichotomy is a commonality shared by many theories of modern philosophers. There is the internal, which is fundamentally free and has certain divine rights. The external meanwhile is part of a deterministic world, in which we are reduced to material objects subject to the laws that be (Marcuse & De Bres, 2008, pp. 12-13). This dichotomy can lead to a certain worldly indifference. If no external factor can have any effect on our rights and freedom, why would one bother to evaluate the concrete power structure one happens to be part of (Marcuse & De Bres, 2008, p. 14)?

It is this indifference which captures best the condition of the Lockean citizen. While their right to revolt legitimises the government's authority, they are supposed to simply follow the rules and act 'rational.' This rationality is not seen as a tribunal or a dialectic, but as a mechanistic way of enhancing one's property and safety (Cohen, 1986, pp. 314-315). If they would organize themselves in order to critically evaluate the government they would not, as one would assume, be exercising their political rights, but paradoxically they would be committing a crime of the highest order.

6. Conclusion

This paper has argued that Locke's insistence on freedom actually serves the role of validating the power of the state rather than protecting the liberty of the individual. The first section gave a very brief overview of Locke's main arguments considering freedom and authority. This overview was used to analyse the status of both power and freedom.

I have argued that power is identified as a relationship of consent between the powerful and the subjugated. Instead of using this definition for critical purposes, Locke uses it to legitimise the power structures of his time. In order to do this successfully he has to fabricate the possibility of dissent in every situation where one has to obey an authority.

This production of the possibility of dissent directly results in his conception of freedom as a fundamental human attribute. Freedom has essentially become an empty concept in Lockean philosophy devoid of any positive meaning. This definition of freedom subverts any attempt to use it in a substantial sense and effectively makes political vocabulary, like 'oppression' and 'emancipation,' meaningless.

The individual, often taken as the main focus of Locke's philosophy, is essentially split in two. The theoretical individual of the state of nature acts as a central point of legitimacy for the state. The individual as citizen however has to obey the law carefully. The Lockean subject is absolved into a faceless community and loses its autonomy in order to justify the power of the state. Locke puts forward the community as the main actor in political society, but it is unclear how this new entity is supposed to fulfil this role in any meaningful way.

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