

**The Young Hegel:
Tragedy, and the
Irreducible Priority
of Absolute
Contradiction for
Critical Social
Analysis**

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Abstract. This essay concentrates on young Hegel's Natural Law essay. It centres on its rendering of the category of "absolute ethical totality"—i.e., the text's essential category for the analysis of modern social life. In exploring the significance of this category, the essay demonstrates the ultimate relationship between comedy, tragedy, and the philosophical analysis of society. In other words, the essay shows how, for young Hegel, analysis moves from the "shadows of self-determination" characteristic of the standpoint of modern comedy, and so too the individualistic standpoint of much of modern political philosophy (Hobbes and Fichte), to the generative and seemingly impassible contradictions of the social totality, the subject-matter proper to the domain of tragedy, and so also young Hegel's speculative philosophy. This essay emphasizes the most important aspect of young Hegel's position for critical social analysis: the priority of irreducible contradiction not only in the comprehension of society, but also in terms of its actual processes, because it marks the very emergence of the new as a real possibility.

Key words: Hegel, natural law, absolute ethical totality, comedy, tragedy, absolute contradiction

1. Introduction to the Young Hegel, Comedy and Tragedy, Contradiction and Social Analysis

Considering Karl Marx's opening to his *Eighteenth Brumaire*, where he states that history has a tendency of repeating itself, "...the first time as tragedy, the second as farce,"¹ is to inquire, in essence, as to the relationship between tragedy and farce. It introduces the possibility of a question: how ought we to think of the relationship between the two, especially as they apply to the project of social analysis, and so historical development? What, in other words, is the ultimate relationship between tragedy and comedy in the context of the analysis of societies in their historical development?

G.W.F. Hegel's interpretation of tragedy provides a perhaps unexpected and yet intriguing potential line of response to these questions, and so also demonstrates his continued relevance within the contours of contemporary social analysis. While important and substantial scholarship has focused on Hegel's conception of tragedy and his original interpretation of Sophocles' *Antigone*,² significantly less has examined the ultimate meaning of young Hegel's interpretation of Aeschylus's tragedy *the Eumenides* as developed within his *Natural*

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1 Marx, 2004, p. 85

2 Butler, 2000

*Law*³ essay, and how it develops conceptual resources for the critical analysis of bourgeois society, processes constitutive of its historical development, its evolution and potential demise, and so the possibility of the new. One of the exceptions to this trend is Georg Lukacs' *The Young Hegel: Studies in the Relations between Dialectics and Economics*.⁴ This essay aims to further develop lines of interpretation that receive their first inchoate form in that text.

In order to explore the relationship that Hegel proposes between tragedy and philosophical social analysis, this essay concentrates on Hegel's category of "absolute ethical totality"—i.e., the essential category of Hegel's analysis of modern social life in his natural law essay. In exploring the significance of this category, the essay unearths the ultimate relationship between comedy, tragedy and the philosophical analysis of society and concludes that contrary to Marx's formulation where history repeats itself, "first as tragedy, then as farce" social analysis actually moves in the opposite sequential order, i.e., from the finite, to the infinite. To put the same point in terms of the language of the essay on natural law, analysis moves from the "shadows of self-determination" characteristic of the standpoint of modern comedy, and so too the individualistic standpoint of much of modern political philosophy, which Hegel identifies with Fichte (and Hobbes), to the generative and seemingly impassible contradictions of the social *totality*, the subject-matter proper to the domain of tragedy, and so also young Hegel's speculative philosophy. This essay places repeated emphasis on the most important aspect of young Hegel's position for critical social analysis: the priority of irreducible contradiction not only in the comprehension of society, but also in terms of its actual processes, because it marks the very emergence of the new as a real possibility. This emphasis, in turn, also invites the re-evaluation of farce in relation to comedy and tragedy as offering points of insight concerning social analysis. Consequently, the essay concludes with reflections on how exactly tragedy might collapse into the cold cynicism complimenting farce.

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3 Hegel, 1975b; Hegel, 1970b

4 Lukacs, 1975

2. Absolute Ethical Totality, Absolute Negativity, and Tripartite Class Structure

Central to Hegel's *Natural Law* is the concept of "absolute ethical life", "absolute ethical totality" [*absolute sittliche Totalität; absoluten Sittlichkeit*].⁵ The category signifies the dynamic processes that are crucial to the life of a people (*Volk*), a community, a nation. The objective is to develop a comprehensive category that can account for society in terms of its countervailing tendencies, on the one hand, the binding unity and activity, which Hegel denotes by "absolute negativity," [*der absoluten Negativität*],⁶ and which permeates the society in its entirety; and, on the other, the multiplicity of individuals and institutions that compose the various strata of the social formation, its multiplicity. Simultaneously, this category is identical with the movement of conceptual thought itself, and therefore constitutes the very basis of science, and so the very substance of conceptual social analysis. Society, and its philosophical conceptualization, therefore, consists in a totality whereby its binding unity, its "absolute negativity," differentiates itself by way of stratification, only to, in turn, negate those differences and so return within the unity of the whole. The self-differentiating, negating and unifying process Hegel views as "absolute" and "infinite," hence "absolute ethical totality." From that standpoint of the totality and its differentiating processes, Hegel seeks to address the question of human freedom, the nature of the domain of rights and how those, in turn, relate to the register of morality.

The "ethical totality" is composed of the free, universal class, and two unfree classes devoted to the elemental and inorganic spheres. The first class denotes "the living movement and the Divine self-enjoyment of this whole in its organs and members."⁷ Composed of "single individuals" this class is nevertheless unified in terms of a "universal" project. This universal class engage the "inorganic" register of different nations and work together to preserve the nation as an "absolute ethical totality." Hegel says that they must be willing to engage "nullifying death" for "the preservation of the entirety of the ethical organization."⁸ Simultaneously, they are committed to the public interest, "the totality" (which Plato connects with philosophy), and the development of the country's political institutions and so their status as free.

The second class consists of individuals who Hegel explicitly characterizes as "not free" [...*Stand der nicht Freien*...].⁹ Their work

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5 Hegel, 1975b, p.92; Hegel, 1970b, p.480-81

6 Hegel, 1975b, p.57; Hegel, 1970b, p. 437

7 Hegel, 1975b, p.99

8 Hegel, 1975b, p.99-100

9 Hegel, 1975b, p.100; Hegel, 1970b, p.489

relates to the domain of transactions: the “inorganic” objects of possession and property, concerns of physical need. Considered as a whole, the second class is proficient in law and has a sound understanding of the nature of transactions but, because they do not risk their lives in relation to the preservation of the ethical totality, and such a risk is the criterion of freedom, they are unfree. The third class, in turn, consists of those individuals who are not versed in the laws of property and are determined by the “crudity of its uneducative work”, those who deal with the “earth as an element.”¹⁰ Nevertheless, in entering the standing army “in their elemental being” they are connected to the freedom of the first class, they risk “violent death” insofar as they are subjected to the violence of war in the preservation of the “totality.” The social classes’ systolic and diastolic movements constitute the dynamical unity grounding the category of “absolute ethical totality.” While their unique movements and processes constitute the moments of internal differentiation (organs) within the body politic they are constantly deployed and aligned within the immanent negative unity of the “ethical totality.”

3. The Spirit of the Bourgeoisie:

Universal Private Life, Fichte and the Other Comedy

Crucial to Hegel’s conceptualization of the modern “ethical totality” is his analysis of the second class, the bourgeoisie, that class which is primarily concerned with “universal private life,” [*allgemeinen Privatleben*],¹¹ property relations and their corresponding legal rights. Not only does private life function as the *sine qua non* of the second class, i.e., as the spirit of the bourgeoisie understood as a class, but insofar as this class dominates within the modern ethical totality, it follows that it also constitutes the spirit of the modern ethical totality. It can readily be demonstrated, for instance in the context of his writings on aesthetics, but also his writings on the history of philosophy, and even within the context of his early writings on natural law, that the viewpoint from which the philosophical analysis of the modern ethical totality *begins* is that of the individual. The beginning finds one of its most sophisticated conceptual articulations in Fichte’s social philosophy.

Hegel traces the origins of the predominance of the second class in the modern ethical totality at least as far back as the Roman Empire and imperialism.¹² Hegel argues that it is first within the period of Roman

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10 Hegel, 1975b, p.100

11 Hegel, 1975b, p.102; Hegel, 1970b, p.492

12 Harris, 1997, p.230. See especially Chapter 4 “The Expulsion from the Garden” and in particular subsections “VI A (c): Condition of Right”; “(d) The Rule of Law”; “(e) Anarchy” pp. 230-246.

Empire that the principles of universality and equality come to permeate the entire ethical totality and to thus “master the whole.”¹³ This mastering marks the appearance of what Hegel calls “universal private life.” Hegel states that “This universal private life...immediately establishes the formal legal relationship which fixes, *and posits absolutely, individual separate existence.*”¹⁴ It denotes the proliferation of the “system of property and law,” the legal basis of property and contract and so includes “the whole endless expansion of legislation.”¹⁵

The expansion of property and its corresponding legal sphere implicates the technological material developments of industry upon which they depend, as Lukacs has shown.¹⁶ Therefore, advances in production and material wealth generate a corresponding intensification and increase of the domain of property, its mediation within the legal matrix. The two developments inform each other. Moreover, Hegel states “This system has to develop ...it is necessary that this system be consciously adopted, recognized in its rightfulness, excluded from the class of the nobility and given a class of its own realm, where it can make itself secure and develop its whole activity...”¹⁷ Permeation of the second class by the relation of possession results in a situation where each/every individual is capable of possession (at least formally, to say nothing of the excluded, e.g., slaves, women): each is related to all others in the social whole “as being a burgher in the sense of *bourgeois*”, i.e., one who owns property and its enjoyment.¹⁸ Hegel’s analysis maintains that while the origins of private life trace to Roman Empire, this class finds its “whole length and breadth,” i.e., its complete logical and actual development, only in the modern ethical totality.

Concentrating on the social philosophy of the period, and having criticized Hobbesian empiricism as abstract and incomplete in its arbitrary isolation of one characteristic as definitive for human social reality, Hegel examines the idealisms of Kant and Fichte, paying particular attention to the latter. The advantage of *a priorism*, says Hegel, is that it has unearthed, and prioritized, not only the spontaneous activity of the subject, but also that self-positing activity of conceptuality. In this sense, the critical tradition of Kant and Fichte is able to discursively account for the “negative” activity of the subject, and conceptuality, which is only implicit in the empirical tradition, and yet inadequately

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13 Hegel, 1975b, p.101

14 Hegel, 1975b, p.102. Emphasis added.

15 Hegel, 1975b, p.102.

16 Lukacs, 1975, p. 404 ff.

17 Hegel, 1975b, p.103

18 Hegel, 1975b, p.103

conceptualized. In other words, the breakthrough for philosophical inquiry into the nature of social reality that Kant and Fichte represent is in the power and awareness they assign to the spontaneity of subjectivity and conceptuality not only in terms of social reality but also in terms of its philosophical analysis. As a result, critical idealism has the resources, and potential, to develop the much-needed category of negative unity in relation to the social formation in a way that is largely inaccessible to the empiricist tradition's emphasis on observation and multiplicity, and hence the former's advantage over the latter. As is well known, Fichte proposes to deduce the register of rights from the a priori structure of self-consciousness alone, i.e., on the basis of the *individual*. In order for the I, self-consciousness, to be able to posit, bring itself forth, as individual, it must be "summoned" by another free individual. The same condition applies for the other individual. In a sense, therefore, intersubjectivity is the condition for individuality. However, Fichte's philosophical deduction proceeds entirely from *within* the individual standpoint of self-consciousness and I-hood. More concretely stated in terms of the freedoms of individuals, Fichte writes that this mutual summons means that "each is to limit his freedom through the concept of the possibility of the other's freedom."¹⁹

Rational members of a society are therefore tasked with reciprocally recognizing one another as autonomous agents. Mutual recognition's ultimate objective is (1) maximizing the sphere of freedom for each and every member of society. Simultaneously, however, (2) finding the necessary and sufficient number of restrictions on each and every individual's sphere of freedom to respect (1). Yet, there is no certainty in the social setting. Individuals may respect the freedoms of others. Or, they might not. This dilemma therefore introduces the demand for a system of coercion that will enforce against infractions of individuals' freedom and rights. That basic framework, on Hegel's view, functions as a "universal system of compulsion" [*diesem allgemeinen Systeme des Zwangs*].²⁰ What Hegel means here is that as the guarantor of that system, the state must function as a force. It imposes respect for the rights of all.

Hegel argues that the threat of compulsion cannot, in the final analysis, force an individual into submissive identification with the dictates of the legal regime. One retains the possibility of absolute resistance. Hegel writes: "...by his ability to die the subject proves himself free and entirely above all coercion. Death is the absolute subjugator."²¹ For Hegel, this example demonstrates a lacuna within the Fichtean

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¹⁹ Fichte, 2000, p.49. See §4.111.

²⁰ Hegel, 1975b, p.85; Hegel, 1970b, p.472

²¹ Hegel, 1975b, p.91; Hegel, 1970b, p.479

explanatory matrix, accounting for legal freedom strictly in restrictive terms of individuals' physical security, protection in terms of external force. For Fichte, there is a multiplicity of restrictive legal prescripts which enforce such security. However, Hegel argues that the case of absolute resistance demonstrates a level of freedom which is entirely unaccounted for and yet demands explanation if the Fichtean analysis of the social realization of freedom is to be "absolute."²²

Hegel does not claim, however, on this basis, that therefore Fichte's social philosophy is invalid. Rather, just as the complete development of "universal private life" is a necessary within the contours of the modern ethical totality, so also is Fichte's deduction of the legal prescripts pertaining to individual freedoms, the correlate system of coercion. In fact, Hegel says that Fichte's position defines a "system of reality"²³ and so isolates an important dimension of social life—to wit, that aspect concerned with the material domain of possession, property, "physical necessity" and "enjoyment." Hegel would say that Fichte's system constitutes a significant advance beyond the "chaos" of multiplicity characteristic of Hobbes and the empiricist tradition. Though Hegel only attributes the determination to Fichte's position, it applies equally well to Hobbes's empiricism, in that both, due their intrinsic limitations, are "self-cancelling," [*sich selbst aufhebt*].²⁴ Not only does this approach and assessment anticipate Hegel's method of immanent critique, but it also clears the conceptual space for the introduction of the new: a theoretical standpoint that might bypass what, on Hegel's view, are the limitations of empiricism and Fichte's idealism of the individual. Nevertheless, Fichte's displays real shortcoming, specifically in terms of its almost exclusive concern with the abstractions of right, the legal sphere, and the mechanics of coercion. Pressing the point, Hegel goes so far as to characterize Fichte's position as "abstractions without substance", "creatures of imagination, without reality" [*...daß sie wesenlose Abstraktionen, Gedankendinge oder Wesen der Einbildung, ohne Realität sind...*].²⁵ Despite its latent potential for advancing to the standpoint of the infinite, Hegel still sees it as overly abstract, and thus another instantiation of a framework of the finite. Hegel's language in this assessment is highly significant and ought to draw our attention to passages in the natural law essay containing similar language.

For instance, concerning the standpoint of modern comedy Hegel writes that it "...falls within non-life and therefore presents only

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22 Hegel, 1975b, pp.90-91

23 Hegel, 1975b, p.98

24 Hegel, 1975b, p.88; Hegel, 1970b, p.475

25 Hegel, 1975b, p.88; Hegel, 1970b, p.476

shadows of self-determination and absoluteness.”²⁶ The language of “abstractions without substance” connects directly with “shadows of self-determination and absoluteness”—both characterizations, one of Fichte, the other of comedy, insist upon an illusory, even deceptive quality to both. Similarly, when differentiating between ancient and modern comedy, Hegel revealingly writes “The comedy so separates the two zones of the ethical that it allows each to proceed entirely on its own, so that in the one the conflicts and the finite are *shadows without substance*, while in the other *the Absolute is an illusion...*”²⁷ Although “shadows without substance” comes closest to the language Hegel uses to characterize Fichte’s position, it is the latter phrase, “the absolute is an illusion,” that he deploys to capture the essence of modern comedy. Nevertheless, the inference is straightforward enough: comedy does not operate from the perspective of “the absolute,” so it must function in terms of the finite, or the individual. This absence of “the absolute” standpoint is what marks modern comedy in essence as abstraction. It, on Hegel’s view, therefore, operates in terms of the rigid distinctions characteristic of the understanding in contrast to the dialectical nature of reason. The rigidity of the conceptual distinctions stemming from the understanding also has the potential to manifest in social analysis and so political philosophy. Indeed, it is such rigidity that prevents social philosophy from thinking in terms of the conceptual synthesis of multiplicity and unity, the “absolute ethical totality” at the centre of Hegel’s analysis. Consequently, comedy, for Hegel, just as in the case of Fichte’s political philosophy (and we could even say this this holds equally well for empiricism and Hobbes) stems from the standpoint of the finite, the individual, and therefore is limited in its purchase as to what it may truthfully say about social life, the nature of rights, morality, the state.

Pursuing the issue of abstraction further, Hegel writes that in modern comedy “...the ethical urge...must...*transmute the existent into the formal and negative absoluteness of law*. And thereby it must give its anxious mind the impression that its possessions are secure, must lift all its belongings to safety and certainty by contracts and all imaginable varieties of clause and subclause in the formulary.”²⁸ Hegel explicitly identifies modern comedy with the standpoint of possessions, property and the sphere of formal law. This identification therefore also makes significant connections with Hegel’s discussion of the second class, the bourgeoisie, and especially Fichte’s philosophy of right: each unfolds primarily in terms of the individual standpoint and “universal private life,”

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26 Hegel, 1975b, p.105

27 Hegel, 1975b, p.108. Emphasis added.

28 Hegel, 1975b, p.107. Emphasis added.

the coercions of the legal sphere, possessions and property. Modern comedy and Fichte's social philosophy are consistent in their standpoint, despite their different mediums, one in philosophy, the other in the arts, both account for social life from a strict prioritization of the individual.

At first glance, Hegel's identification of modern comedy, and Fichte's philosophy of right, with the individual of private life would seem to consist in a criticism: both present the individual as if it were the only perspective from which to frame social life. This readily demonstrates how, on Hegel's view, this schematic error constitutes their respective shortcomings. But that evaluation alone tends to obscure the important significance Hegel simultaneously assigns to modern comedy, and Fichte's "system of reality," and the register of human social life that each purport to explore. Comedy's value, and this holds for Fichte's system of right as well, stems directly from its inherent limitation: its finitude. True, on Hegel's view, its constitutive limitation is that it does not adopt a holistic standpoint; yet, that very limitation is what defines and assigns its value: it assigns extreme significance to the individual's freedom, their inner life and private personality. Therefore, Fichte and modern comedy prioritize the intensifying complexity and sophistication of the interior life of the individual, or, the intensifying internal dynamics of modern subjectivity, the domain of rights that must be in place for its actualization in (bourgeois) society. Modern comedy's potential for representing important truths about the interiority and freedom of modern subjectivity is why Hegel appeals to it in illuminating the operative logical categories of the second class, the private spirit of the bourgeoisie. The same holds for Fichte's philosophy of right.

But, if this characterization holds, then, it entails at least three further points. First, Fichte and the standpoint of modern comedy isolate something fundamentally true about the dynamics of modern social life because they chart the conceptual and experiential space that must be safeguarded if the freedom of modern subjectivity is to be actualized in society. The individual and their inner strivings, in conjunction with the legal space of property and possession, must be given their due in that process of actualization. This necessity, on Hegel's view, constitutes its truth. Second, the truth of the standpoint of finitude becomes false, however, at the exact moment at which it asserts itself as the only standpoint from which to conceptualize and represent modern subjectivity, its position within the modern social formation.²⁹ Third, it follows that, for Hegel, it is possible to say that the speculative analysis of the modern ethical totality actually *begins* with finitude. In other words, it begins with Hobbes, Fichte and the standpoint of modern comedy. The conceptual progression in Hegel's analysis of the modern

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29 Hegel, 1986, p.29. See especially the section "Infinity" pp. 29-37. There we find that "This alone is the true nature of the finite: that it is infinite, that it sublates itself in its being" (35).

ethical totality, on this reading, is one the actually proceeds, therefore, from comedy to tragedy. Further establishing this claim requires a reconstruction of Hegel's strikingly original analysis of Aeschylus's *The Eumenides*.

4. Aeschylus and Tragedy: the Irreducible Priority of Absolute Contradiction

Hegel's analysis of the tripartite structure of the modern "absolute ethical totality" entails a fundamental tension between the first, "universal" class, and the bourgeoisie. The complete development of the second class entails at least two significant consequences for the ethical totality in which it finds its complete articulation. First, Hegel interestingly argues that when considered as a class, the bourgeoisie denotes a "political nullity" [*die politische Nullität*],³⁰ This for the reason that individually and collectively the second class, the bourgeoisie, are essentially *private* individuals. The paradigmatic logic of the second class determines its de facto orientation: it is committed to the individual standpoint of property and possession, their corresponding legal spheres. Yet, as per Hegel's conceptual schema of the ethical totality, the political substance of the first class concerns *universal* life, the public interest and good, the life of the ethical totality which functions as the negation of the particularity of private life—the domains of the citizen. To the precise degree that the second class's structural logic is that of the private sphere, their normative demand is that of private life and its proliferation, the result is a void politically, if by political substance Hegel means concerns with the universal, the ethical totality as such. What is interesting here is how Hegel anticipates, in inchoate form, the political power that inevitably follows from the predominance of the bourgeoisie, though he does not make the inference that they will or ought to reconfigure the political institutions in line with their own interests. Here, then, we see Hegel's intuitive anticipation of Marx.

Second, and this seems to follow in part from the previous point, under conditions of the second class's continued expansion and predominance, the universal class risks obliteration. This obliteration, in turn, seems to risk a sort of political power vacuum. Hegel writes that "... under the law of formal unity, the first class is in truth *entirely cancelled*, and the second alone becomes the people..."³¹ Insofar as the "formal unity" of private life determines the status of individuals, they are "... gradually reduced to the same level..." with the consequence that they "...no longer possessed that public courage which is nourished by the

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30 Hegel, 1975b, p.103; Hegel, 1970b, p.494

31 Hegel, 1975b, p.101.Emphasis added.

love of independence...”³² The priority of public interest and the universal sphere, in other words, disintegrates in terms of the real promises of private life. And, yet, in the interests of the preservation of the ethical totality as the condition for the possibility of the classes whatsoever, Hegel’s analysis ultimately demands the intervention of the universal class against unchecked proliferation of the second class. Hegel, therefore, clearly understands that the proliferation of the second class undermines the composition and practical effectiveness of the universal class. And yet, while acknowledging the dissolution of the power of the universal class, the analysis nevertheless calls for its intervention in checking the second class’s destabilizing expansion.

The significance of this tension between the first and second class within the modern ethical totality cannot be understated, especially when considered in relation to Fichte’s philosophy and so too the standpoint of modern comedy. Hegel’s category of “absolute ethical totality” means that the standpoint of finitude and the individual, the domain proper to the second class, must be thought in terms of its position within the larger architectural schema of not only society, the ethical totality, but in terms of how the classes relate one to the other. The insight and power of Hegel’s conceptual innovation emerges forcefully by way of this dimension of his analysis. With it, he has isolated a fundamental contradiction within the modern ethical totality, i.e., between the bourgeoisie, and the universal class, between the private sphere and the interests of the society as a whole, in other words, the state. And, yet, on Hegel’s view this contradiction is inaccessible, or at the very least obscured, by the individualistic standpoint of Fichte’s philosophy of right, and so too modern comedy. Indeed, this lacuna speaks not only, on Hegel’s view, to the necessity of an alternative perspective, which he claims to satisfy by the category of ethical totality, but which also finds clear expression in the history of the art by way of tragedy.

Concerning the holistic standpoint, Hegel writes that “...the true and absolute relation [*absolute Verhältnis*] is that the one really does illumine the other...”³³ which is to say the logical structures and norms of the first and second classes need to be thought not in terms of isolation, but instead in terms of their relationship to each other. Continuing, he emphasizes that “...each has a living bearing on the other, and each is the other’s serious fate [*ernste Schicksal*]. The absolute relation, then, is set forth in tragedy.”³⁴ Hegel’s use of the “absolute relation” changes throughout the natural law essay, nevertheless, here it seems to suggest that one of the intrinsic merits of tragedy is that it is able to frame the

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32 Hegel, 1975b, p.101-102

33 Hegel, 1975b, p.108; Hegel, 1970b, p. 499

34 Hegel, 1975b, p.108; Hegel, 1970b, p. 499

contradictions that social life entails from the standpoint of the “absolute ethical totality,” that is, from the perspective of society as whole—while still doing justice to the conflicting standpoints involved. This constitutes its advance beyond the perspectives of finitude, which in this context Hegel identifies with Fichte’s philosophy of right and modern comedy.

Consequently, in a strikingly original yet condensed and opaque analysis essential to the argument of the *Natural Law* essay, Hegel deploys Aeschylus’ ancient tragedy *The Eumenides* in order to illuminate the constitutive logical impasse generated by the processes constitutive of the modern ethical totality itself, by which the first and second classes, each driven by their own internal normative commitments, come into a necessary and yet seemingly insoluble conflict—a conflict which Hegel goes so far as to characterize as the “absolute contradiction between these two natures...,” [...*des absoluten Widerstreits dieser zwei Naturen...*].³⁵ Recall that the second class’s prioritization of universal private life (considered conceptually as applying to an entire class) entails a commitment to the normative dictates of the finite.³⁶ The finite here, as we have seen, denotes the system of property and related law. Conversely, the first class signifies the universal class, as we have also seen, that register of the totality concerned with the public good. It, therefore, entails a commitment to the normative commands of what Hegel characterizes as “absolute ethical life” [*absoluten Sittlichkeit*].³⁷ “Absolute ethical life” means the realm of conduct and codification which concern the “...the being and preservation of the entirety of the ethical organization.”³⁸ Given that tragedy proposes that these demands must be thought in relation to each other, it is at this precise point that the normative demand of one class comes into contact with the binding imperative of the other so that the explosive “absolute contradiction” of the modern ethical totality manifests.

Concerning the paradigmatic incompatibility of the two normative demands, Hegel states that:

This is nothing else but the performance, on the ethical plane, of the tragedy which the Absolute eternally enacts with itself [*Aufführung der Tragödie im Sittlichen, Aufführung der Tragödie im Sittlichen, welche das Absolute ewig mit sich selbst spielt*], by eternally giving birth to itself into objectivity, submitting in this objective form to suffering and death, and rising from its ashes into

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35 Hegel, 1975b, p. 104; Hegel, 1970b, p.495

36 Hegel, 1975b, p.102

37 Hegel, 1975b, p.99; Hegel, 1970b, p.489

38 Hegel, 1975b, p.100

glory. *The Divine in its form and objectivity is immediately double-natured, and its life is the absolute unity of these natures.*³⁹

Subsequently, Hegel writes that “*Tragedy* consists in this, that ethical nature segregates its inorganic nature (in order not to become embroiled in it), as a fate [*als ein Schicksal*], and places it outside itself, and by acknowledging this fate in the struggle against it, ethical nature is reconciled with the Divine being as the unity of both.”⁴⁰ The “two natures” of the ethical totality do not evade one another. Rather, as Hegel explicitly states, “ethical nature” actively recognizes, and struggles against, its “subterranean” other. This struggle with a seemingly alien other, which in truth and actuality one is bound to, even identical with, constitutes the very essence of fate.⁴¹ The struggle constitutive of fate, therefore, is one’s encounter with oneself in a form that first appears as otherness. Therefore, the potential for the tragedy in the analysis of the modern ethical totality, for Hegel, consists in its ability to represent the double nature—or classes—constitutive of the ethical totality, and the seemingly irresolvable contradiction that these two normative paradigms entail when brought to bear one upon the other within the concrete specificity of the modern ethical totality. Tragedy does not collapse one into the other, but rather brings the two into unity by perpetually differentiating them via a circular process of fateful, even destructive struggle. It is this fateful “life and death struggle” which constitutes the processes of the ethical totality.

Specifying the further significance of Aeschylus’ tragedy for his analysis, Hegel writes that “the picture of this tragedy, defined more particularly for the ethical realm, is the issue of that litigation between the Eumenides (as powers of the law in the sphere of difference) and Apollo (the god of indifferenced light) over Orestes, conducted before the organized ethical order, the people of Athens.”⁴² Consequently, the tragedy illuminates what is at stake for the *individual and society* as living sites at which these normative dilemmas gain traction. This implicates the figure of Orestes and the people of Athens as represented by the Aeropaus. On the one hand, Hegel sees Orestes tormented by the imperative of the Eumenides, representing the “subterranean powers” of the ethical totality, i.e., the finite registers of property and possession and related laws, their demand for recognition.⁴³ In turn, Hegel’s reads

39 Hegel, 1975b, p.104; Hegel, 1970b, p.495. Emphasis added.

40 Hegel, 1975b, p.105; Hegel, 1970b, p.496.

41 Harris, 1972, p.258. See especially “IV: Frankfurt 1797-1800: Phantasie und Herz” (pp. 258-408), and, in particular, “Punishment and fate” (pp. 346-354).

42 Hegel, 1975b, p.105

43 Hegel, 1975b, p.104

Orestes as open to the summons of Apollo, the “god of undifferentiated light,” viz. the universal imperative of the ethical totality.⁴⁴ Crucially, Hegel states that the contradictory normative demands stemming from each sphere are recognized as legitimate and binding on Orestes by the people of Athens, i.e., the Areopagus. Hegel writes that “Athens, as the Areopagus, puts equal votes in the urn for each litigant and recognizes their coexistence; *though it does not thereby...settle the relation between the powers or their bearing on one another.*”⁴⁵ The Areopagus’ process of deliberation, its impasse as to which normative demand imposes on the other, ultimately implicates the condition of individual and collective freedom which ultimately grounds the very possibility of the impasses itself. It is only because Orestes is freely determinable in relation to either imperative, and that there is no clear reason which determines which is *the* binding command to the exclusion of the other, that the tragedy attains its significance. Undecidability underwritten by freedom propels the tragedy’s constitutive contradiction. Consequently, the potential for the tragedy in the analysis of the modern ethical totality consists not only in its ability to represent the normative impasse that the two classes generate, but also to unearth and render intelligible the sort of radical freedom that undergirds it.

Importantly, Hegel’s use of tragedy to explore the contradiction of the modern ethical totality, the radical freedom which it presupposes, also implicates a crucial limitation within that very same conception of freedom. More precisely, it is highly significant that neither Orestes nor the Aeropaus decide which imperative to pursue. Rather, recognizing the legitimacy of both imperatives, without a higher order normative framework to decide which to pursue, decision and action stall. This constitutes the deadlock of the tragedy. The determining factor in the fate of Orestes is neither he himself, nor the people of Athens. Rather, the determining element is the divine in the figure of Athena—a determining power that is external to Orestes—the human agency—at the centre of the drama.⁴⁶ Yet, a freedom that cannot decide, and so consciously act in terms of its decision, and that must be determined externally by the

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44 Hegel, 1975b, p.105

45 Hegel, 1975b, p.105. Emphasis added.

46 Hegel, 1975a, p.1204. Hegel writes that:

...the Greeks had tragedies which did have an outcome like this, in that individuals were not sacrificed but saved: for example, in the *Eumenides* of Aeschylus the Areopagus grants to both parties, Apollo and the avenging Furies, the right to be worshipped; and in the *Philoctetes* [of Sophocles] the divine appearance and advice of Heracles settles the fight between Neoptolemus and Philoctetes, and they go off to Troy together. But in these cases the reconciliation comes from outside by command of the gods, etc., and does not have its source within the parties themselves, while in modern plays it is the individuals themselves who are led in the course of their own action to this cessation of strife and to the mutual reconciliation of their aims or characters (p.1204).

decree of a god, isolates a short-circuit in the tragedy's structure of freedom. Hegel, in the *Naturphilosophie*, connects strict determination in terms of externality to the domain of unfreedom, and natural necessity.⁴⁷ The greatest potential of tragedy, therefore, in its rendering of the insoluble contradiction that pertains to human freedom in the modern ethical totality, resides in its ability to represent the ultimate *necessity* of the dilemma. Hegel maintains that the tragedy ultimately implicates "the absolute" standpoint—a standpoint native to speculative philosophy—and so demonstrates that the conflicting claims of the two normative paradigms on the institutions of human freedom are ultimately necessary moments that somehow, yet obscurely, connect to the life of the divine and "the absolute." Without the 'tragedy of the ethical', in other words, neither the life of the totality, nor its oblique connection to the life of "the absolute" itself would be actual. The dual nature of the "absolute" manifests in the ethical totality—this manifestation entails the contradiction that human freedom finds itself ensnared in. This tension constitutes the focus of Aeschylus' tragedy. This manifestation is necessary and the supreme merit of the tragedy, on Hegel's view: it intelligibly represents the necessary processes constitutive of not only the ethical totality, but indirectly the life of the divine, the "absolute" itself.

Tragedy denotes one of the ways in which the community might come to a higher form of self-awareness and self-understanding, a process, in turn, that functions as an opaque extension of the "life of the absolute" itself. Thinking the necessity of the ethical totality's internal conflict, via tragic representation, truly comprehending the necessity of this conflict, the community is able to not only endure it but also to reproduce its constitutive tension. In consciously undergoing destructive antagonism and bifurcation the ethical totality reproduces itself, and its internal differences. Hegel is explicit: cognitive insight of the necessity of the modern ethical totality's bifurcation into "subterranean" and "ethereal" natures transforms the significance of their seemingly irreconcilable normative demands. Hegel writes:

...reconciliation lies precisely in the knowledge of necessity [*Versöhnung eben in der Erkenntnis der Notwendigkeit*], and in the right which ethical life concedes to its inorganic nature, and to the subterranean powers by making over and sacrificing to them one part of itself. For the force of the sacrifice lies in facing and objectifying the involvement with the organic. This involvement is dissolved by being faced; the inorganic is separated and, recognized for what it is, is itself taken up into indifference while

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47 Hegel, 1970a, p.208. Concerning nature's status as "otherness," Hegel writes that "In this externality, the determinations of the Notion have the appearance of an *indifferent subsistence and isolation* with regard to one another; the Notion is therefore internal, and nature in its determinate being displays *necessity and contingency*, not freedom" (§248, p. 208).

the living, by placing into the inorganic what it knows to be a part of itself and surrendering it to death, has all at once recognized the right of the inorganic and cleansed itself of it."⁴⁸

Consequently, the final value of tragedy in its illumination of the modern ethical totality consists in its ability to represent the conflicting normative imperatives that the nature of human freedom makes possible, and the *necessity* of this impasse, the unity and continued life the ethical totality actualizes in the reproduction of the contradiction. Tragedy makes possible an understanding that endures, and is born afresh from the totality's antagonisms. This knowing endurance also facilitates the reproduction of the ethical totality. Thinking the necessity of the conflict in terms of the processes of the whole serves to dissolve the alienation of the opposing forces, constitutes their ultimate unity within the sphere of conceptual thought. This reproductive affirmation and dissolution of the ethical totality's constitutive contradiction is what Hegel demarcates by the concept of reconciliation [*Versöhnung*].⁴⁹ Speculative philosophy—conceptuality—categorically unlocks the tragedy's ultimate meaning. This conceptual breakthrough, at least implicitly, announces the ultimate superfluity of tragedy in the comprehension of social life, and so can be read as consistent with the mature Hegel's controversial position as developed within his *Lectures on Aesthetics*.

Hegel's discussion of tragedy's function of reconciliation here is, nevertheless, ambivalent. One of the risks, as I have demonstrated elsewhere,⁵⁰ is that it serves to establish the modern social totality's constitutive contradiction as one that is ultimately insoluble, insurmountable. To the extent that one takes reconciliation to denote a fateful concession to the reproduction of the *same* ethical totality, it risks being reactionary, if by this one means the acceptance, maintenance and reproduction of its constitutive contradiction as an inescapable and necessary 'fate.' Conversely, the most illuminating dimension of tragedy's reconciliation is the way in which it consistently underscores and emphasizes the irreducible priority of "absolute contradiction" in the modern ethical totality. This emphasis points the way, at least implicitly, to the possibility of the dissolution of the tragedy's constitutive elements, the classes, and so also to the possibility of the emergence of the radically new.

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48 Hegel, 1975b, p.104; Hegel, 1970b, p.494.

49 Hegel, 1975b, p.104; Hegel, 1970b, p.494.

50 Furlotte, 2021, pp. 57-78.

5. Prioritizing Real Possibilities and the New: Against Farce and Cynicism

Hegel's speculative analysis of the tensions constitutive of the modern ethical totality means that the analysis *concludes* with "the absolute" standpoint. But, in the lexicon of young Hegel, it is only from "the absolute" standpoint proper to tragedy, and speculative philosophy, though the one tracks in representational thought what the other maps conceptually, that the "absolute contradiction" constitutive of the modern ethical totality, all its attendant consequences, is rendered sufficiently intelligible as to its ultimate significance.

Yet, the *Natural Law* essay's shift in the analytical framework, the shift with which it thinks the problem of right and freedom in modern social life, from the standpoint of the finite to "the absolute," the transition from Fichte to Hegel, or to continue the analogical series, from modern comedy to tragedy, does not pit the correlates in irresolvable tension. Rather, as Hegel's speculative analysis demonstrates, the concept of the absolute ethical totality, like the absolute standpoint in tragedy, incorporates the system of the finite within the conceptual parameters of the ethical totality, just as tragedy's structure is able to incorporate the logic propelling modern comedy within it. The analysis *begins*, therefore, with finitude, viz., Fichte, modern comedy, and the standpoint of the individual, but concludes with infinitude and totality, i.e., Hegel, tragedy, and the categorical frame of the absolute ethical totality. But, and this is a crucial caveat, a totality that is ultimately held open to the new by way of the prospect of reconciliation, understood not in the sense of concession to fate and the inevitable reproduction of sameness, but in terms of the priority it assigns to "absolute contradiction," i.e., the necessary dialectical precondition for the possibility of the emergence of the new—the new in which the constitutive dramatis personae of the previous social world are understood as just that, transmissions from a former way of life.

If we here repose the question that stems from Marx's opening to his *Eighteenth Brumaire* where he states that history has a tendency of repeating itself, first as tragedy and secondly as farce, we inquire, in essence, as to the relationship between tragedy and farce. How ought we to think the relationship between the two, especially as they apply to the question of social analysis, and so history? The position that we have developed here contains an answer by first reversing the sequential ordering of the events in question. As we have seen, analysis of the modern "ethical totality" does not begin with the standpoint of tragedy. Rather, it begins from the perspective proper to that of modern comedy. This beginning introduces the fundamental significance of the individual and modern subjectivity, their demand for freedom as this unfolds, at least in part, in terms of private life, property, possession, and the legal sphere of abstract right. Yet, young Hegel's methodological breakthrough

as developed in the *Natural Law* essay situates comedy, the individual, and so philosophies of finitude, viz. Fichte (and Hobbes), within the broader architectonics constitutive of the ethical totality itself, its complex histories, including that of its explosive “absolute contradiction.” Individuality, modern comedy, and finitude become problematic, ideological in the original sense which Marx deployed it, only once they are taken as final, as the sole perspective and framework through which to conceptualize the dynamics of modern social life. Hegel’s reorientation of the analysis in terms of holistic historical process forcefully yet cryptically demonstrates that the expansion and development of the bourgeoisie comes with direct and irreversible consequences for the social totality in which that development transpires. The evacuation of the universal class, the domination of private interest, the resultant social volatility. The seeds of Hegel’s later insights into the problem of poverty, as explored in the *Philosophy of Right*, are present in this early work: despite an excess of wealth society is not rich enough. Conceptual insight into this explosive contradiction constitutes the real merit of the young Hegel’s essay on natural law.

Yet, not only should we reverse the sequential order between tragedy and comedy, in thinking the relation between the two, but we should also add a term to the sequence. Consequently, modern comedy becomes tragedy becomes farce at the exact moment when the standpoint of totality and contradiction are either jettisoned entirely, as in happy consciousness’ return to the life of comedy, the life of strict finitude, or taken to denote nothing other than the means by which the ethical totality achieves the inevitable reproduction of sameness, all its attendant features, class divisions, power distributions exclusions etc., in short, the status quo. In other words, tragedy becomes farce in those moves, intellectual and material, that service the closure and suppression of the radical possibilities stemming from concrete forms of social contradiction—i.e., in the abandonment of the explosive potential of actual contradictions to generate the radically new. The priority assigned to a society’s real possibilities for new modes of social life is something consistently underscored and conceptualized by Adorno and Marcuse in the wake of a history of philosophy that has consistently subordinated, if not obliterated, the possible in terms of the actual.⁵¹

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51 Adorno, 2006, p.67. Adorno writes that:

...this possibility of making a leap forward, of doing things differently, always existed, even in periods when productivity was far less developed...this entire view of history contains a single strand, and this applies both to the Hegelian and Marxian doctrine. Emancipation from this single-stranded view will only come when we refuse to accept the dictum that it has only now become a real possibility. It is important to realize that in all probability the opportunity we see today of a sensible organization of mankind was *also* possible in less complicated times, when there were far fewer people and social conditions were incomparably more modest (pp.67-68).

In Marcuse' work, for instance, we find the clear statement that one of the objectives of critical theory is to highlight those real possibilities that remain resident—yet suppressed—within the actual intellectual and material development of “advanced industrial society.” Adorno and Marcuse are entirely consistent with the lingering significance of the young Hegel that this essay has underscored. Young Hegel, Adorno, and Marcuse insist on thinking the social formation in terms of holistic process, it follows therefore from the standpoint of tragedy. Yet, not with an eye to fateful acceptance of the contradictions that they discover therein. Rather, the emphasis falls on the real potential of that discovery. Tragedy becomes farce, and the farce more lethal than the initial tragedy by way of cynicism, when it is experienced and conceptualized in terms of the inevitable, the rigidity of a lone possibility which is therefore absolutely necessary.⁵² Undoing the priority of farce finds a starting-point, however modest, in the articulation and pursuit of real possibilities which are in the process of being levelled as impossible within the reproduction of the same.

Also, Marcuse, 1966, p.xi. See especially “the Introduction” where Marcuse writes of the obligation of critical theory to conceptualize possibilities that are “...within reach of the respective society; they must be definable goals of practice” (p. xi). He also writes that “the terms “transcend” and “transcendence” are used throughout in the empirical, critical sense; they designate tendencies in theory and practice which, in a given society, “overshoot” the established universe of discourse and action toward historical alternatives (real possibilities)” (p. xi).

52 Marcuse, 1969, pp. 55-59. Marcuse writes:

All this is the stuff of the twentieth century—but the twentieth from the perspective of the nineteenth, in which the horror of the fascist and postfascist periods is still unknown. This horror requires correction of the introductory sentences of the ‘Eighteenth Brumaire’: the ‘world-historical facts and persons’ which occur ‘as it were twice’, no longer occur the second time as ‘farce.’ Or rather, the farce is more fearful than the tragedy it follows (p. 55).

One of the entailments of this farce, of “reason turned into unreason” (p. 59), is concession to, and withdrawal from, the “severity of the horror.” This I denote by “cynicism.”

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