BETWEEN NORMATIVITY AND FREEDOM
An Introduction

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Kafka's "The Hunter Gracchus" tells the story of a man trapped between two worlds. "Hundreds of years" prior to the events recounted in the story, Gracchus "followed [his] calling as a hunter in the Black Forest, where there were still wolves in those days."[1] Yet, as Gracchus tells the mayor of Riva, when his death came he was not conveyed to "the next world." (HG, 229/5:78) Rather, an unspecified "mishap" (*ibid.*) caused his death ship to lose its way: "So I, who asked for nothing better than to live among my mountains, travel after my death through all the lands of the earth." (HG, 228/5:77) Neither fully living nor fully dead, Gracchus is borne through the ages, incomprehensible to those around him, for he is neither of their worlds nor of another. Consequently, "the thought of helping [him] is an illness that has to be cured by taking to one's bed." (HG, 230/5:79) In other words, with the exception of a very few (*e.g.*, Salvatore, the mayor and fleeting "saviour"), we can only relate to Gracchus by denying his existence and the unthinkable transitions that he represents.

Adorno interprets the parable in terms of our contemporary historical predicament. Like Gracchus, "the bourgeoisie has failed to die. History becomes Hell in Kafka because the moment of salvation was missed. The late bourgeoisie itself brought about this Hell. In the concentration camps, the boundary between life and death was eradicated. A limbo was created, inhabited by living skeletons and putrefying bodies, victims unable to take their own lives."[2] Or, as he

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[1] Franz Kafka, "The Hunter Gracchus," in *The Complete Stories*, (tr.) W. and E. Muir (New York: Schocken Books, 1971), 229–30, hereafter referred to parenthetically in the text as HG; Kafka, *Gesammelte Werke,* (ed.) M. Brod, Taschenbuchausgabe in sieben Bänden (Frankfurt am Main: S. Fischer Verlag, 1976), 5:78–79. References to works in German are to an English translation (tacitly emended where appropriate) and to the original text, respectively, separated by a slash.

[2] Adorno, *Prisms*, (tr.) S. and S. Weber (Cambridge: The MIT Press), 260; Adorno, *Gesammelte Schriften*, (ed.) R. Tiedemann (Frankfurt am Main: Suhrkamp Verlag, 1997), 10.1:273.

puts it in *Minima Moralia,* the bourgeois live on today as "revenants"[3] (though perhaps "zombies" would be more contemporary): in spite of affirmations about the possibility or necessity of their overcoming (*e.g.*, through revolutionary projects of emancipation), they remain all too effective and actual. We have borne witness to the dissolution of the subject "without a new subject arising from it, such that individual experience still bases itself on the old subject, now historically condemned—still for itself, but no longer in itself."[4] However, to be clear, the problem is not simply one of stubborn-willed bourgeois individuals clinging to deprecated symbols of power. Nor is the point to read Kafka's parable as an allusion to the concentration camps of the Second World War—the story was, after all, written in 1917. What is at issue is a general problem that traverses history and defines its law of movement from epoch to epoch and culture to culture—or, as the parable puts it, from mountain to sea and to all the lands of the earth. It is a problem of history itself, of how to correctly understand the fundamental relations and forces that drive it.

The problem is one of *betweenness* and *transition;* and it leads to certain paradoxes that beset our attempts to think through and resolve it. What Adorno suggests in his interpretation of Kafka's parable and elsewhere is that the transition from the obsolete legitimacy of one historical period to its overcoming or self-correction in another is far from obvious, linear, or inevitable. Indeed, fading forms of ethical life may call for their replacement through all manner of evidence and internal contradiction, but the "moment of salvation"—*i.e.*, the transition to a way of life that remedies the injustices of a prior world—can be missed, not least because the inhabitants of this prior world may, through some undiagnosed "mishap," never quite die and so return to seek revenge upon their gravediggers. The question is: how do such transitions happen and what are the difficulties they may encounter?

The essays collected together in this volume address this problem of betweenness and transition, and come to grips, in various ways, with the questions that quickly come to the fore once we begin to explore this territory. For the problem that Gracchus names is not limited to the transition from life to death; it applies to a host of philosophical difficulties: how do freedom and law, emancipation and reification, liberation and enslavement, second nature and first

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[3] Adorno, *Minima Moralia*, (tr.) E. F. N. Jephcott (London: Verso, 1978), § 14, 34–35; *Gesammelte Schriften*, 4:36–37.
[4] Adorno, *Minima Moralia*, 16; *Gesammelte Schriften*, 4:14.

nature, autonomy and heteronomy, and so on, relate to each other? If we are attentive in pursuing this line of questioning, we may find that these terms require that we leave aside our usual, largely oppositional, ways of approaching them, in order to see them as mutually entwined—and ourselves as living out the tension between them, just as Gracchus travels ever on, suspended between life and death. I will not rehearse here the arguments that are presented in the following pages. However, it may be of interest to note how the problem of Gracchus plays itself out in each case.

Christoph Menke, in "Hegel's Theory of Liberation," urges us to understand the dialectical nature of freedom: the fact that freedom is not a prior quality of the subject, but exists only in "its self-production out of unfreedom." (11)[5] But in fleshing out this claim, he soon confronts a paradox: how is the self-production of freedom possible unless the subject has already produced itself, out of the immediacy of existence, as capable of freedom? Or: how does the immediacy and apparent necessity of a given form of ethical life relate to freedom, which may lead beyond the form of ethical life from which it arises? The Hegelian concept of education (*Bildung*) provides one piece of the puzzle insofar as it names the discipline required to raise social necessity up over natural necessity. But it leads us directly to a peculiar "logic of repetition" (30): the educated subject is periodically caught, at turning points in history, between existing laws (which simultaneously express social necessity and a certain freedom from natural necessity) and the possible transformation of these laws through action, art, thought, and so on (which can represent true freedom through liberation). Freedom is thereby shown to depend upon a critical division of the self within itself: education represents the adoption of immediately binding social forms and customs; but it can also generate the opposition to presupposed and deficient "necessities" that is required for true freedom, understood as liberation from such necessities. This then entails that liberation never leads to a finished state of being, but is rather a *process* of (1) establishing necessity and (2) transforming this necessity in the play of repetition, where necessary. In other words, the on-going process of liberation and education explains how "freedom is the truth of necessity," as Hegel was wont to say.

Christoph Menke's second contribution, "Hegel's Theory of Second Nature," complements his first by showing that second nature is caught between finite and absolute spirit, and that spirit therefore

[5] Otherwise unattributed parenthetical page references are to the essays in the present volume.

hesitates between realization and misapprehension in second nature. In its simplest form, that of habit, second nature is neither reducible to purely natural causality, nor has it yet attained to reason-governed freedom. Rather, habit shows how second nature is "an order of necessity *in* spirit" (41), in the sense that it bears the mark of both spirit and mechanism. But this is, of course, an "inversion" (*passim*) or misapprehension of spirit, insofar as spirit is fully realized only in *liberation* from mechanism, necessity, and unfreedom. Is spirit simply unfree in second nature, then? In truth, it is both free and unfree. For spirit is *responsible* for this inversion of itself, and capable of seeing itself as such; spirit posits *itself* as second nature. In other words, spirit gives itself over to second nature, but, in this act of giving itself over, also proves that it is already beyond any mere reduction to second nature. It posits second nature and the necessity it implies; but it can also presuppose second nature and show itself to be more than second nature. (Menke gives as examples the beautiful artwork and the true philosophical thought.) It is in this sense that the concept of second nature "stands *between*" *finite* spirit (which subjects itself to second nature) and *absolute* spirit (which is the ground or origin of second nature). Second nature is "the undecidable in-between of absolute and finite spirit." (43)

Thomas Khurana's contribution, "Paradoxes of Autonomy," takes its title from a peculiarity that seems to arise from Kant's moral philosophy, which may be summarized as follows: the moral law requires that a duty be purely self-authored—*i.e.*, that it emanate from an act of autonomous self-legislation and be free from any prior command or interest—; but in order to obey such a duty, it would seem that the subject must in fact be following a prior law that commands its subjection.[6] Khurana deploys resources in Kant in order to sidestep the "fatal" form of the paradox and goes on to show that freedom and law in fact relate to each other dialectically, such that the subject is defined by a productive tension between the two. As Khurana puts it, we have to see how freedom and law are "*inseparable in their very tension*." (69) Freedom and law condition each other: neither freedom without law, nor law without freedom; neither caprice, nor blind obedience; neither lawlessness, nor the collapse of rational into natural necessity.

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[6] See Robert Pippin, "Hegel's Practical Philosophy: The Realization of Freedom," in *The Cambridge Companion to German Idealism* (Cambridge: Cambridge University Press, 2000), 192; and Terry Pinkard, *German Philosophy 1760–1860: The Legacy of Idealism* (Cambridge: Cambridge University Press, 2002), 59.

In his "Absolute Spontaneity of Choice," Dirk Setton deals with a related problem in Kant's moral philosophy: the question of how the power of choice (*Willkür*) contributes to the determination of the will by the moral law if it must remain free of heteronomous influence, while yet being dependent upon the empirical subject's inclinations. Setton deals with this problem by exploring the force—*i.e.*, self-affection—that "enables choice to generate a maxim that possesses [the form of law]." (84–85) This then allows him to show that this force (the self-production of a necessary moral affect) makes possible *radical* acts of freedom that break with established forms. But, for reasons that become clear, such a radically free subject, ever able to determine itself anew, is structured by a rather peculiar temporality that dislocates it with respect to the reflexive, deliberative subject—for the deliberative subject's familiar space of reasons may be utterly transformed by an act of radical freedom. Hence the irreducibility of the enigmatic relation of will to choice, *Wille* to *Willkür:* choice can determine the will in such a way as to disrupt the deliberative subject's practical understanding of universality, and so refers us to a (temporal) rift between what the free subject is capable of producing and what is immediately compatible with the deliberative subject's practical self-consciousness. Radical freedom suspends the subject between these two poles, and reserves a place for such acts in the future.

Juliane Rebentisch's essay on "The Morality of Irony" offers a critical perspective on Hegel's assessment of Socratic and Romantic forms of irony in relation to the problem of transition in ethical life. Essentially deploying Hegelian insights against Hegel, Rebentisch shows not only that Socratic irony implies an intersubjective truth-praxis that should be retrieved and defended, but also that Romantic irony involves a salutary—and dialectically necessary—distance from prevailing practices that provides the basis for a convincing model of self-determination and the renewal of ethical life. Irony, in a word, is a transitional practice that allows for the development of new norms. It is what articulates the connection, often difficult to see, between different (and possibly mutually exclusive) aspects or forms of ethical life. Thus, just as Socrates' *daimon* "occupies an intermediate position between the oracles of the ancient world and the new principle of conscience" (106), so too "the hegemony of certain universal formulations must always remain open to the challenges of alternative views." (128) This openness or betweenness, here described as a special form of irony, is the mark of real subjective freedom.

Dirk Quadflieg's essay, "On the Dialectics of Reification and Freedom," undertakes to illuminate the problem of freedom from another standpoint in the Hegelian and post-Hegelian tradition. Reading the concept of reification against the grain, Quadflieg shows how a certain relation to objects and, indeed, a certain kind of "making-oneself-into-a-thing" (in Hegel's words) is required by a robust concept of freedom. Unlike Lukács, who presupposes a "residue" of "true" praxis in his theory of reification (134), Quadflieg aims to reactivate certain Adornian and early Hegelian claims, in order to show that reification turns pathological only when the particular will can no longer recognize itself in the social objects and labour that it actively produces. In other words, there is no freedom without a dependence upon practices and objects in which the particular will allows its singularity to be absorbed and reflected by the social whole. Thus a certain kind of reification—of "making-oneself-into-a-thing"—"is a condition for, rather than merely the destruction of, freedom." (132) Consequently, according to Quadflieg, this modified form of reification, or social self-objectification, acts to undermine the traditional opposition of reification (as oppression) and freedom (as total liberation from reification). "Making-oneself-into-a-thing" is a between-state that invalidates the dichotomous view of freedom and reification.

Finally, Francesca Raimondi's essay on "The Presumption of Political Freedom" takes up the problem of the transition to democratic freedom in revolutionary political practice, first on the basis of a reading of Schmitt's and Arendt's writings, and then in a retrospective revision of their approaches occasioned by a reading of Derrida. The question here is how the transition to freedom takes place, since any foundational declaration of freedom seems to presuppose the very freedom declared—and would thereby seem to be either deluded or superfluous. Raimondi shows that we can neither presuppose freedom as a mere given, nor establish it by simple *fiat.* This leads to a concept of democratic freedom-as-process that never culminates in a fixed form, but which remains perpetually open to transformation and correction in history. Democracy lies, in large part, in a self-becoming proper to its history, but because existing institutions may not be compatible with that becoming, we have to draw on acts of self-determination that have one foot in the present and another in the future: "Democracy is never fully achieved…and yet has to be actualized (now)." (169)

Returning to the parable of "The Hunter Gracchus," one might say that what the essays in this collection all show, each in its particular manner, is that the truth of freedom, democracy, normativity, and

second nature lies not in the rigidity of traditional categories and oppositional perspectives, but in their sometimes paradoxical process-character. As Benjamin says of Kafka, "he sacrificed truth for the sake of clinging to its transmissibility [*Tradierbarkeit*]."[7] This astonishing statement means *not* that there is no truth, but that it is rather the *movement* of truth within history—and possibly of truth against truth—that first of all constitutes the truth. For example, we need to understand the transitional (retrospective-anticipative) nature of freedom, not its apparent givenness and opposition to law. Likewise, until we gain an understanding of the relation of liberation to enslavement, second to first nature, autonomy to heteronomy, freedom to law, emancipation to reification, and so on, we are likely to continue to "draw the bedclothes over [our heads]" (HG, 230/5:79) and fail to understand the lesson of Gracchus, which is: Gracchus is not an "exception" to history but its very *condition.* His suspension between life and death is the illustration of a basic truth: the relation between essential moments of history and thought cannot be understood strictly linearly or rigidly, as though first nature simply conceded to second nature, or as though freedom required only self-affirmation in the face of constraint. Rather, the relation between such essential moments is marked by a complexity that is, in general, badly understood because it is beset by interdependence, involution, undecidability, and paradox. Like Gracchus, who moves between life and death, the historical subject moves periodically between freedom and law, first and second nature, the necessary reproduction of social forms and the equally necessary possibility that they undergo a transformation, and so on.[8] And, like Gracchus, we have to reckon with the fact that history bears us along in such a way that we ourselves are constantly prone to misunderstanding our predicament, and so always vulnerable to the dream of a final transition to true being, the myth of a final homecoming and ultimate overcoming of becoming. As Gracchus puts it, clearly not in full command of the thought: "My ship has no rudder, and it is driven by the wind that blows from the undermost regions of death." (HG, 230/5:79) The point is this: there is no perfect freedom, no end other than that

[7] Walter Benjamin, "Some Reflections on Kafka," in *Illuminations*, (tr.) H. Zohn (New York: Schocken Books, 1968), 144; Benjamin, *Briefe*, (ed.) G. Scholem and T. W. Adorno (Frankfurt am Main: Suhrkamp Verlag, 1978), 2:763.

[8] In a diary entry relating to Gracchus, Kafka emphasizes the periodic nature of his coming and awakening: "'To whom does the ship belong?' I asked. 'It comes in every two or three years,' said the man. 'It belongs to the hunter Gracchus.'" (Kafka, *Gesammelte Werke*, 7:378)

which appears in the ever-renewed interaction between the actions of the helmsman and the wind with and against which he works.

In this regard, we should ask ourselves the question put by Benjamin, and seek to understand the answer he gives: "Do we have the doctrine which Kafka's parables interpret…? It does not exist; all we can say is that here and there we have an allusion to it. Kafka might have said that these are relics transmitting the doctrine, although we could regard them just as well as precursors preparing the doctrine."[9] The essays in this collection all contribute to this work of preparation.[10]

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The following essays present some of the results of the individual and collective work undertaken by Christoph Menke and the team of researchers he assembled to take part in a project entitled "Normativity and Freedom"—a branch of the Goethe-Universität Frankfurt am Main's "Cluster of Excellence," which is dedicated to "The Formation of Normative Orders." This work grew out of an initial three years of collaboration (2009–2012), renewed in 2012 for another five years. More of their work (and of others involved in similar projects) can be found in the following books and articles (in descending chronological order, by year of original publication):

Francesca Raimondi and Dirk Setton, eds. *Vor dem Gesetz. Freiheit und Gesetz IV*. Berlin: August Verlag, forthcoming 2013.

Thomas Khurana, ed. *The Freedom of Life: Hegelian Perspectives. Freiheit und Gesetz III*. Berlin: August Verlag, 2013.

Christoph Menke. *Recht und Gewalt*. 2nd ed. Berlin: August Verlag, 2012.

Juliane Rebentisch and Dirk Setton, eds. *Willkür. Freiheit und Gesetz II*. Berlin: August Verlag, 2011.

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[9] Walter Benjamin, "Franz Kafka: On the Tenth Anniversary of his Death," in *Illuminations,* 122; Benjamin, *Gesammelte Schriften,* (ed.) R. Tiedemann and H. Schweppenhäuser (Frankfurt am Main: Suhrkamp Verlag, 1977), 2.2:420.

[10] I would like to thank Thomas Khurana for helping me to compile this representative selection of essays. Thanks too to Christoph Menke for his support in this endeavour.

Thomas Khurana and Christoph Menke, eds. *Paradoxien der Autonomie. Freiheit und Gesetz I*. Berlin: August Verlag, 2011.

Thomas Khurana. "Force and Form: An Essay on the Dialectics of the Living." *Constellations* vol. 18, no. 1 (March 2011): 21–34.

Juliane Rebentisch. *Die Kunst der Freiheit. Zur Dialektik demokratischer Existenz*. Frankfurt am Main: Suhrkamp Verlag, 2011.

Juliane Rebentisch. "Hegels Missverständnis der ästhetischen Freiheit." In *Kreation und Depression. Freiheit im gegenwärtigen Kapitalismus,* ed. C. Menke and J. Rebentisch. Berlin: Kadmos, 2010, 172–90.

Christoph Menke. "Ein anderer Geschmack. Weder Autonomie noch Massenkonsum." In *Kreation und Depression. Freiheit im gegenwärtigen Kapitalismus,* ed. C. Menke and J. Rebentisch. Berlin: Kadmos, 2010, 226–39.

Christoph Menke. *Force: A Fundamental Concept of Aesthetic Anthropology*. Trans. G. Jackson. New York: Fordham University Press, 2013. Translation of: Christoph Menke. *Kraft. Ein Grundbegriff ästhetischer Anthropologie*. Frankfurt am Main: Suhrkamp Verlag, 2008.

Christoph Menke. *Tragic Play: Irony and Theater from Sophocles to Beckett*. Trans. J. Phillips. New York: Columbia University Press, 2009. Translation of: Christoph Menke. *Die Gegenwart der Tragödie. Versuch über Urteil und Spiel*. Frankfurt am Main: Suhrkamp Verlag, 2005.

Christoph Menke. *Reflections of Equality.* Trans. H. Rouse and A. Denejkine. Stanford: Stanford University Press, 2006. Translation of: Christoph Menke. *Spiegelungen der Gleichheit*. Berlin: Akademie Verlag, 2000.

Christoph Menke. *Tragödie im Sittlichen. Gerechtigkeit und Freiheit nach Hegel*. Frankfurt am Main: Suhrkamp Verlag, 1996.

Christoph Menke. *The Sovereignty of Art: Aesthetic Negativity in Adorno and Derrida*. Trans. N. Solomon. Cambridge, MA: MIT Press, 1998. Translation of: Christoph Menke. *Die Souveränität der Kunst. Ästhetische Erfahrungen nach Adorno und Derrida*. Frankfurt am Main: Suhrkamp Verlag, 1991.