The Necessity of Contingency: *Law, State, and Freedom in German Idealism*

Level: Undergraduate seminar with lecture components
Duration: 1 Term / 12 Weeks
Subject Area: Political philosophy, German Idealism, history of political thought

Course Description

This course explores the evolution of classical German political philosophy or German Idealism through the thematic lens of 'the necessity of contingency'. Rather than treating German Idealism merely as an abstract metaphysical movement, we examine how thinkers from Kant, Schlegel, and Erhard to Fichte, Hegel, and the antipodal Friedrich Julius Stahl sought to resolve the fundamental tension between pure rational necessity (laws, duty, universal reason) and empirical contingency (historical crises, war, historical state forms, monarchy, and individual freedom).

The syllabus is structured around explicative lecture frameworking alongside key primary texts and focused secondary literature.

Learning Objectives

By the end of this course, students will be able to:

1. Critically assess the history of German Idealism, connecting its philosophical ideas directly to historical events.
2. Formulate independent written positions responsive to primary philosophical and political texts.
3. Communicate abstract conceptual material effectively during peer seminar discussions.

Required Texts

Primary source excerpts, critical-theoretical articles, and translations will be available through digital course reserves.

Course Assessment and Pedagogical Guidance

1. **Active Student Participation (20%)**
2. **Midterm Take-home Exam (30%):** 2,000 words analysing a key concept of the course.
3. **Final Term Paper (50%):** 3,000-word research paper exploring the tension between rational necessity and empirical contingency in Fichte, Hegel, or Stahl.

Course Structure and Weekly Readings

Unit I: Foundations – Kant, Schlegel, Erhard, and the Problem of Freedom

Week 1: Introduction – Necessity, Contingency, and the System of Freedom

Theme: The core problem of transcendental idealism: bridging theoretical necessity and practical freedom. Why must reason confront historical and empirical contingency?

Primary Reading: Immanuel Kant, 'An Answer to the Question: What is Enlightenment?' (1784); 'Idea for a Universal History with a Cosmopolitan Aim' (1784).

Secondary Reading: Jürgen Habermas, 'Natural Law and Revolution', in idem *Theory and Practice*, translated by Jon Viertel (Beacon Press, 1973), 82–120.

Week 2: Schlegel – Conceptual Volatility and the Critique of the Pure Republic

Theme: Schlegel's rapid transition from idealising the democratic republic to embracing the monarchical principle. How his Kantian inversion – that 'the pure republic' is the 'necessary source of perpetual civil war' – reveals a frantic, real-time search for viable political agency amidst the collapse of the old order.

Primary Reading: Friedrich Schlegel, selected political fragments on the republic, the French Revolution, and the monarchical principle (1796–1800).

Secondary Reading: Frederick C. Beiser, *The Romantic Imperative: The Concept of Early German Romanticism* (Harvard University Press, 2003), 43–55, 106–30.

Week 3: Erhard – Constitutional Relativism and Evolutionary Agency

Theme: Erhard's constitutional relativism: political agency as a developmental capacity contingent on essence over formal structures. Using concepts like maturity (*Mündigkeit*) and evolutionary reform to navigate the revolutionary crisis in France without lapsing into Jacobinism.

Primary Reading: J. B. Erhard, *Über das Recht des Volkes zu einer Revolution* (1795) (selections).

Secondary Reading: Dan Edelstein, *The Terror of Natural Right: Republicanism, the Cult of Nature, and the French Revolution* (The University of Chicago Press, 2009), 15–48, 85–118.

Unit II: Fichte – From Natural Right to The Doctrine of the State *(1813)*

Week 4: Fichte's Foundations of Right – Coercion, Law, and the Inter-Subjective Will

Theme: Fichte's early Jena model of right – legal coercion, reciprocal recognition, and the separation of law from ethics. Examining the conceptual break between the coercive legal condition and the ethical culture of freedom reveals how the state serves as a mere means to a higher rational order – aiming toward its own

eventual superfluity and offering a dynamic, non-substantialist definition of political agency. The collective will is a mediate construct of individual wills that, under the rule of the ethical law, tend toward a historical-philosophical utopia.

Primary Reading: J. G. Fichte, *Foundations of Natural Right* (1796/97), Introductions and §§ 1–7.

Secondary Reading: Douglas Moggach, *Freedom and Perfection: German Political Thought from Leibniz to Marx* (Cambridge University Press, 2025), 180–90.

Week 5: The Application of the *Wissenschaftslehre* – From Pure Image to Historical Life

Theme: Fichte's late Berlin period shift. Theoretical idealism as a 'model' [*Vorbild*] for living moral life and establishing the external conditions of freedom.

Primary Reading: J. G. Fichte, 'Introduction', in *The Doctrine of the State* (1813), 17–41.

Secondary Reading: Moggach, *Freedom and Perfection*, 190–213.

Week 6: Reading Week – No Class

Week 7: The Realm of Reason (*Vernunftreich*) vs. The State **(Midterm Take-home Exam)**

Theme: Secularisation, the retreat of historical dogmatic religion, and the ultimate transition from external political coercion (*Staat*) to an internal rational community (*Reich*).

Primary Reading: J. G. Fichte, 'The Modern World', in *The Doctrine of the State*, 140–90.

Secondary Reading: David James, 'The Political Theology of Fichte's *Staatslehre*: Immanence and Transcendence', *British Journal for the History of Philosophy* 24, 6 (2016): 1157–75.

Unit III: Hegel and the Necessity of Contingency

Week 8: Logic and Contingency – The Logical Foundation of Political Reality

Theme: Hegel's logical deduction of contingency. Why contingency is not mere illusion or error, but a necessary logical category that permeates nature, law, and concrete history.

Primary Reading: G. W. F. Hegel, *Science of Logic*, II, §3 'Actuality' (and excerpts from *Encyclopedia Logic* §§ 142–9).

Secondary Reading: John W. Burbidge, 'The Necessity of Contingency', in idem, *Hegel's Systematic Contingency* (Palgrave Macmillan, 2007), 16–47.

Week 9: Ethical Life (*Sittlichkeit*) and the Rational State

Theme: How concrete political freedom reconciles subjective particularity (contingent desires) with objective universality (institutions of right).

Primary Reading: G. W. F. Hegel, *Elements of the Philosophy of Right* (1821), edited by Allan Wood, translated by H. B. Nisbet (Cambridge University Press, 1991), Preface, §§ 142–157, §§ 257–271.

Secondary Reading: George di Giovanni, 'The Category of Contingency in the Hegelian Logic', in Warren E. Steinkraus & Kenneth L. Schmitz (eds.), *Art and Logic in Hegel's Philosophy* (Harvester Press, 1980), 179–200.

Week 10: Monarchical Power, History, and Contingent Personality

Theme: Hegel's concept of the constitutional monarch: why the ultimate legal decision-maker must be embodied in a contingent individual (hereditary prince) to complete the rational state.

Primary Reading: Hegel, *Elements of the Philosophy of Right*, §§ 275–86, 340–60.

Secondary Reading: Bernard Bourgeois, *Études hégéliennes. Raison et décision* (PUF, 1992), 207–38.

Unit IV: Post-Hegelian Transformations and Constitutional Debates

Week 11: The Monarchical Principle in Nineteenth-Century Public Law

Theme: The institutionalisation of Idealist political philosophy in German constitutionalism. Friedrich Julius Stahl's defence of the *Monarchische Prinzip* against western parliamentary sovereignty.

Primary Reading: Friedrich Julius Stahl, *Das monarchische Princip* (1845), 1–19.

Secondary Reading: Ernst-Wolfgang Böckenförde, 'Der deutsche Typ der konstitutionellen Monarchie im 19. Jahrhundert', in idem, *Recht, Staat, Freiheit* (Suhrkamp, 2016), 273–305.

Week 12: Synthesis – Reassessing German Idealism and German Political Thought

Final Seminar Discussion.