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HEIDEGGER ON FREEDOM AND PRACTICAL JUDGMENT

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ABSTRACT: One prevalent strategy for connecting Heidegger's thought and his support of Nazism focuses on his notion of resolve. The claim is that it is through resolve that Dasein achieves authenticity, but that Heidegger's notion of resolve is without determinate content, and thus empty. Since the call to authenticity, it is supposed, is Heidegger's version of the command to be moral, the indeterminacy of Heideggerian resolve apparently results in an ethicopolitical "decisionism"—an effectively amoral form of judgment that precludes Heideggerian thought from recognizing the evil of National Socialism.

In this paper, I argue that the above critique is based on a misinterpretation of Heidegger's notion of freedom. Specifically, it imputes the "existentialist" conception of freedom as unconstrained arbitrariness to Heideggerian resolve. A proper understanding of Heideggerian freedom, however, reveals that freedom is highly constrained, and that the freedom of resolve is far from an empty notion.

I

In recent years, the thought of Martin Heidegger has come under a barrage of attacks fueled by Victor Farias's unequivocal documentation of the fact that Heidegger was a longtime member and staunch supporter of Germany's National Socialist regime.[1] The goal of these attacks, like those that took aim at Heidegger's thought in the late 1940s and again in the 1960s, is to show that Heidegger's support of Nazism was far from an extraphilosophical biographical peculiarity, but instead must be seen as a direct result

of his philosophy. Although the connection between Heidegger's thought and his political choices of the 1930s has been drawn in a variety of ways, a prevalent strategy focuses on the notion of resolve as it appears in his early works.[2] This critique of Heidegger notes that it is through resolve that Heideggerian Dasein achieves authenticity. But Heidegger's notion of resolve is without determinate content; in Karl Löwith's words, it is "a pure Resolve whose aim [is] undefined."[3] This lack of adumbrated content in the demand that Dasein be authentic renders Heideggerian resolve empty. Authentic Dasein resolves itself, but not to anything in particular. This problem is reflected in the infamous joke, allegedly told by one of Heidegger's students: "I am resolved, only towards what I don't know."[4]

Since the call to authenticity, it is supposed, is Heidegger's version of the command to be moral, the indeterminacy of Heideggerian resolve apparently leads to an ethical "decisionism"—a brand of political thought that received its definitive formulation from Carl Schmitt in the 1920s, and was adopted by Germany's neoconservatives of that period.[5] The decisionist denies the existence of a predetermined, objective criterion for judging the moral character of actions. Without such a criterion, an action is evaluated not by its content, but simply by the force of will with which the decision to act was made. In this way, human actions are not subject to moral judgment; instead, they willfully and arbitrarily legitimate themselves. Thus decisionism offers an amoral form of practical judgment, insofar as it valorizes will and self-assertion for their own sake. Human agents are neither good nor evil but precede this distinction, since their actions effectively create their own arbitrary norms. Heidegger's critics argue that by divesting resolve of any determinate contours, he empties the content from any possible standard for judging human action, thereby leaving the ethical agent without a criterion by which to distinguish good and evil. As in Schmitt's decisionism, Heidegger's notion of human action is reduced to pure, radical decision without moral constraints. The indeterminacy of Heideggerian resolve, then, results in what Richard Wolin calls the "normative impoverishment"[6] that is characteristic of decisionism.

According to his critics, Heidegger's turn to Nazism simply transposes the moral blindness implicit in his notion of resolve from the individual, ethical level to the collective, political level.[7] Lacking a criterion for ethical judgment, Heidegger's thought is equally unable to recognize, and thus condemn, an *individual's* immoral actions or a *state's* immoral policies. From the Heideggerian point of view, Germany's decision to embody the repugnant ideals of National Socialism is, morally speaking, no better or worse than any other political decision. As Tom Rockmore puts it, for Heidegger, "Nazism is as good as altruism."[8] Lacking the resources for making political judgments, Heidegger's thought has no way of recognizing the evil of National Socialism.

I believe that the critique just sketched would be damning if, in fact, the indeterminacy of Heideggerian authenticity led to the consequences alleged:

i.e., if it is the case that an indeterminate criterion for practical judgment is equivalent to no criterion at all. If this is so, then Heideggerian practical judgment is doomed to amoral decisionism. This certainly seems to be the case. After all, if a criterion for practical judgment is completely indeterminate, then it cannot be violated; and an inviolable criterion fails to distinguish that which meets the criterion from that which does not. It fails to distinguish good and evil. If, on the other hand, Heidegger's criterion for resolve were indeterminate in a way that, nevertheless, allowed the possibility of its being violated, and so admitted the possibility of irresolute actions that could be judged as such, then the above critique would lose its force. Certain acts could be recognized as irresolute, and the perpetrators of such acts, be they individuals or states, could be held responsible for these violations of the call to authenticity. The question, then, is whether or not Heidegger's notion of resolve admits of an indeterminate criterion that still leaves room for the abrogation of that criterion.

A close examination of Heideggerian resolve will reveal that its criterion is, in fact, both indeterminate and violable. Thus Heidegger's thought does not harbor the normative abyss with which his critics charge it. We will see that the ascription of an inherent normlessness to Heideggerian practical thought is rooted in a fundamental misinterpretation of the nature of Dasein, most importantly of Dasein's *freedom*—an interpretive error that Heidegger's critics consistently commit. A proper understanding of Dasein's freedom, or better the freedom that *is* Dasein,[9] will allow us to see how Heidegger can conceive an indeterminate yet violable criterion. Equipped with this radically nontraditional type of practical standard, Heidegger's thought precludes determinate standards for action without falling prey to the decisionistic amoralism that his critics suppose led him to Nazism.

II

The argument advanced by Heidegger's critics supposes that Dasein's freedom is the type of freedom espoused by "existentialist" philosophy[10]—that is, the voluntaristic conception of freedom as unconstrained arbitrariness. Such a conception of freedom seems to be implied by the alleged inviolability of the criterion for resolve. If there were no way to violate this criterion, then all would be permitted. Action would be self-legitimating, since there would be no normative constraints on Dasein's free actions. Free action would occur when Dasein arbitrarily chose to act in any way that it pleased. And by so acting Dasein would achieve itself, or gain authenticity, since freedom is its very essence. To act without moral constraints, then, would be to achieve authenticity, to be resolved. It is this implication that Heidegger's critics seize upon when they interpret his thought as decisionistic and thus intimately tied to Nazism. Given the supposed criterionlessness of resolute action, the *freedom* of resolve, announced in Heidegger's statement that Dasein

is "*Being-free-for* . . . the authenticity of its Being,"[11] seems to be its freedom from any constraint.

However, Heidegger explicitly asserts that his notion of freedom is not the existentialist's arbitrary freedom. He claims that "[i]t is misguided to think that one understands freedom most purely in its essence if one isolates it as a free-floating arbitrariness."[12] Freedom, for Heidegger, is highly constrained. To act freely is not to behave however one pleases, but to act in accordance with certain restrictions. It follows that Heidegger views the indeterminacy of the criterion for resolve as an indeterminacy that does not preclude the violation of that criterion, but instead limits the range of actions that can count as free acts of resolve. Hence the claim that Heidegger's notion of resolve leads to an amoral decisionism directly conflicts with his notion of freedom. To understand how, exactly, Heidegger upholds this position, we must examine his conception of freedom and the precise character of the indeterminacy of the practical criterion with which it is associated.

Although Heidegger examines freedom in a great number of passages throughout his work, the most useful discussion for our purposes is found in a section of *The Basic Problems of Phenomenology*, where Heidegger explicates the Kantian notions of freedom and morality.[13] Through this confrontation with Kant, we find Heidegger's assessment of human freedom and its relation to morality. We also see that Heidegger agrees with Kant, insofar as they both view freedom as the fundamental characteristic of the human subject. In addition, they are essentially in agreement with regard to the basic structure of freedom. Nevertheless, Heidegger argues that when the implications of freedom's structure are fully drawn, we find that the traditional notion of the subject must be radically revised. And although Heidegger acknowledges that Kant's analysis of the free moral subject is "an immensely successful [attempt] to shake off the unconscious burden of the traditional ontology,"[14] and thus approaches Heidegger's own reassessment of subjectivity, Kant fails to carry his insights to their ultimate conclusion. It is Heidegger's reinterpretation of subjectivity, by way of his analysis of freedom, that leads him to conceive of the criterion for resolve as indeterminate. Therefore, by examining his notion of freedom and its consequences for an understanding of subjectivity, we can better understand the type of indeterminacy possessed by the criterion for resolve.

III

Heidegger's discussion of Kantian freedom notes that, for Kant, "the true and central characterization of the ego, of subjectivity . . . lies in his concept of the *personaltas moralis*,"[15] i.e., in the subject as free. From the Kantian point of view, to be free is to be self-determining rather than necessitated by external, natural laws.[16] Kant conceives of this primary dimension of subjectivity as the *moral* personality because he views the very essence of moral

agency to be its freedom from sensuous inclinations, which are manifestations of the natural laws that endeavor to conquer the acting subject's ability to determine itself.[17] To act freely, then, is to act from self-determination, and to do so is to act morally.[18] But the subject's moral freedom is not simply freedom *from* something. This merely negative component of freedom must be complemented by a positive component, or else freedom would not be self-determination but rather a complete lack of determination.[19] Such is the fate of the existentialist's decisionistic notion of freedom. If the freely acting moral subject lacks a determining principle and so acts arbitrarily, as is the case with existentialist freedom, then its very moral dimension is lost, since there remains no way to judge the moral character of its actions.

The positive component of freedom, which distinguishes Kantian freedom from existentialist freedom, refers to the fact that to act morally, the subject must impose restrictions on itself.[20] A free action is neither an arbitrarily willed action nor an action that is externally determined, but one that is determined by the restrictions that the moral subject imposes on itself. Kant conceives of the Moral Law as the articulation of these self-imposed restrictions by which the free subject determines itself: A free action is an action that obeys the constraints of the Moral Law.[21] The Moral Law, then, serves as Kant's criterion by which the moral dimension of an action is judged. Heidegger concludes that, for Kant, the free subject's imposing the law on itself renders the subject morally responsible to and for itself.[22] It is responsible *for* itself because it escapes subjection to external determination; it is responsible *to* itself because, as free from external determination, it is subject to its own determination, or to itself.

Thus far, Heidegger is essentially in agreement with Kant. His move beyond Kant occurs in his examination of the ontological structure of the free subject—a project that he believes Kant's commitment to the traditional ontology of the subject (that will be discussed below) precluded him from completing. Heidegger pursues this project by inquiring into the nature of a being that determines itself, or that subjects itself to itself: the free subject.

We can begin to understand Heidegger's interpretation of the free subject's ontological structure through his characterization of self-determination as a "self-subjecting self-elevation."[23] Freedom is self-subjecting, since the free subject imposes its own law on itself; it *subjects* itself to its law. But this self-subjecting is equally a self-elevation, since it is a subjection *to itself.* By obeying its own law, the free subject elevates itself, insofar as it becomes what it properly is. That is, in free, autonomous action, the subject achieves itself qua free subject. This, Heidegger argues, is why Kant rightly defines the free subject as an end in itself; the free subject strives to achieve itself, and therefore is, as Heidegger puts it, "its own end."[24]

Now we are prepared to address the fundamental disagreement between Heidegger and Kant. Kant holds that the free subject's self-achievement is in fact unattainable, but he also maintains that it is at least conceivable.[25] For

Kant, there is a determinate state of affairs that would count as the free subject's achievement of itself. And it is this state of affairs whose actualization is demanded by the Moral Law. By articulating a determinate image of the subject's self-achievement, the Moral Law serves as a determinate criterion in terms of which an action's moral character is measured; it distinguishes good and evil. The image articulated by the Moral Law is the subject acting as a member of the Realm of Ends: the image of a free subject.[26] Here we see a clear contrast with Heidegger, for whom the criterion for judging actions is indeterminate.

The indeterminacy of Heidegger's practical criterion follows from the structure of the free subject, of the being that is its own end. Kant fails to draw this conclusion because his thought is wedded to the traditional ontology of the subject, in Heideggerian terms, the notion of subjectivity that is couched in the "ontology of the present-at-hand."[27] The basic presupposition of this ontology is that whatever is is a determinate, or "present-at-hand," thing. In keeping with this presupposition, Kant must interpret the free subject as a determinate thing. Specifically, he admits that the subject's self-achievement has not yet occurred and will never actually occur, but he still conceives this self-achievement as possible in principle. He must conceive this self-achievement as possible because, as ontologically determinate *per* the ontology of the present-at-hand, the free subject's actualization must be a determinately representable state of the subject. Hence the standard for measuring this actualization—the Moral Law—must itself be a determinate criterion.

Heidegger, on the other hand, argues that the ontology of the present-at-hand lacks the resources for understanding free subjectivity. Kant's mistake was to treat the subject as though it were present-at-hand. For Heidegger, the free subject is its own end, but the eclipsing of this end, the self-achievement of the subject, is not even conceivable as a determinate state of the subject. Hence the indeterminacy of Heidegger's criterion for authentic resolve: the Heideggerian version of the subject's self-achievement. But to see how this indeterminacy does not result in amoral decisionism, we must see exactly how Heidegger conceives the free subject, if not as a determinate thing.

IV

Heidegger's conception of the free subject is found in his characterization of Dasein as "for-the-sake-of-which."[28] This interpretation of subjectivity is rooted in *Being and Time*'s analysis of circumspective concern.[29] There Heidegger examines, and ultimately redefines, the nature of subjectivity and objectivity by focusing on the way that objects appear to us in our immediate experience, or in our "average everydayness."[30] This turn to immediate experience yields the phenomenological clue for Heidegger's reinterpretation of subjectivity.

Heidegger refers to the mode of experience in which we immediately encounter objects as circumspective concern. In this mode, objects are experienced as things for practical use, rather than as the inert objects of a disinterested

theoretical gaze. In Heidegger's language, entities are proximally given as ready-to-hand rather than as present-at-hand. The fundamental characteristic of the ready-to-hand object is that it is useful for some purpose. And to be useful is to be useful *for someone*, for a user. That is, the ready-to-hand entity of immediate experience is useful *for Dasein*. Heidegger points out this dependence of the ready-to-hand entity on Dasein by designating Dasein as the for-the-sake-of-which, or ultimate purpose, of all practical involvements. As the ultimate purpose of the ready-to-hand, it is Dasein that gives useful objects their usefulness. Dasein, as the user of the ready-to-hand, constitutes the ready-to-hand by making the usefulness, which is definitive of the ready-to-hand, possible.

After establishing that the usefulness of the ready-to-hand is made possible by Dasein, Heidegger notes that this very usefulness, although dependent upon Dasein, precedes Dasein.[31] That is, our everyday experience is of useful objects whose specific usefulness has already been determined; the ready-to-hand is always found as having already been constituted as such. Were this not the case, then Dasein would be able to arbitrarily legislate the uses to which ready-to-hand entities could be put. In effect, any object-using act that Dasein might capriciously choose to perform would be equivalent to an object-constituting act. But a given ready-to-hand entity only admits a restricted, predetermined range of uses; to try to use it otherwise is simply to misuse it, or to fail to use it. The ready-to-hand manifests this capacity to be misused in its intrinsic recalcitrance to Dasein's practical activities, its present-at-hand dimension. This present-at-hand dimension follows from the predetermination of the ready-to-hand's usefulness, its being what it is prior to Dasein's assuming the role of being its user.

According to Heidegger's analysis, the ready-to-hand object of immediate experience, being both useful and misusable, possesses two equally essential but apparently incompatible dimensions. Insofar as it is useful, it is *for* Dasein, or dependent upon Dasein; but insofar as it is misusable, it precedes Dasein, and so is what it is *without* Dasein, or independently of Dasein. The point of Heidegger's analysis is not that objects are to be simply equated with ready-to-hand objects. Rather, his examination of the ready-to-hand, and his discovery of its bidimensional structure, functions as the phenomenological clue to the basic ontological structure of objects per se. Specifically, the ready-to-hand's being useful for Dasein is the ontic manifestation of its ontological Dasein-dependence, while its being misusable is the ontic manifestation of its ontological Dasein-independence. The basic ontological structure of objects per se, then, is to be both Dasein-dependent and Dasein-independent.

But what must the nature of Dasein be in order for objects to be both dependent upon it and independent of it? With this question, we approach Heidegger's reinterpretation of subjectivity. Just as his analysis of the ontological structure of the object takes its bearings from the way that objects immediately appear, so Heidegger's analysis of the subject looks to the way that Dasein

appears to itself in its everyday mode.[32] And immediate experience reveals a subject that possesses a bidimensional structure that parallels the bidimensional structure of the ready-to-hand object of immediate experience.

Heidegger begins his examination of everyday Dasein by noting that Dasein always finds itself with Others, i.e., with Other Daseins. As Heidegger says, "Dasein in itself is essentially Being-with."[33] The fact that Being-with is essential to Dasein does not mean that Dasein is necessarily accompanied by other actually present people and so could never find itself to be numerically alone. Rather, Others are implicated in the structure of Dasein's everyday involvement with the ready-to-hand, since ready-to-hand entities are not only useful for oneself but for Others as well.[34] The experience of Others correlates with the misusability, or present-at-hand dimension, of the ready-to-hand object. That is, the usefulness of the ready-to-hand is applicable to the practical activities of Others because this usefulness is not arbitrarily legislated by Dasein, but precedes, and so is independent of, Dasein. Thus Others appear with the public character of the ready-to-hand's usefulness. And they appear as those for whom the ready-to-hand possesses this public dimension; they *are* the public. Heidegger unfolds his phenomenological interpretation of Dasein's immediate experience of itself in terms of Dasein's relation to this public.

Since an actual encounter with other people is not required in order for the public to play its role in immediate experience, the public is not determinable as any actual group of people. Instead, the public consists of whomever could use the ready-to-hand. The Others that belong to the public "are not *definite* Others. On the contrary, any Other can represent them."[35] The public, then, is completely impersonal: "the neuter, the 'they' *(das Man)*."[36]

As the 'they' is correlated with the present-at-hand dimension, or independence, of the everyday object, the 'they' appears as an alien force restricting Dasein's use of the ready-to-hand. We can see how this is the case by noting that the 'they'—whoever could use the ready-to-hand—is anyone who acts within the confines of the ready-to-hand's range of proper uses. And since everyday Dasein is a user of the ready-to-hand, it must act as 'they' do. To do otherwise, to stray from the patterns of practical involvements exhibited by the 'they', is to fail to use the ready-to-hand, and so to fail to be everyday Dasein. Like the presence-at-hand of the ready-to-hand, the 'they' imposes restrictions on what Dasein, as such, can do. As Heidegger puts it, "[t]he 'they' . . . *prescribes* the kind of Being of everydayness."[37] It is the 'they' that constitutes the ready-to-hand by prescribing the proper uses for ready-to-hand entities that make them what they are. Thus Dasein "stands in subjection"[38] to the 'they'. And as the form of agency that imposes restrictions on Dasein, the 'they' is an alien force. Still the 'they' is not completely alien to Dasein, but "belongs to Dasein's positive constitution."[39] This follows from Heidegger's observation that in its immediate experience Dasein finds itself not only subjected to the ways of the 'they', but it also finds itself behaving as 'they' do. That is, Dasein finds itself already using the ready-to-hand in the

ways prescribed by the 'they'; Dasein is one of 'them', one of the constitutors of the ready-to-hand. Heidegger expresses this by saying that "[t]he Self of everyday Dasein is the 'they'-Self (*das Man-selbst*),"[40] i.e., Dasein as a functioning member of the public.

Notice how the structure of the everyday subject parallels the bidimensional structure of the everyday object. Insofar as the ready-to-hand is useful for Dasein, and thus dependent upon Dasein, Dasein appears as the 'they' that uses the ready-to-hand, and so prescribes the ways that objects may be used. As 'they'-Self, Dasein determines the specific usefulness of the ready-to-hand, thereby constituting the ready-to-hand as such. But insofar as the ready-to-hand's use determinations are predetermined, and thus are independent of Dasein, Dasein is that upon which the 'they' imposes restrictions for object-use. Just as the object of immediate experience possesses the apparently incompatible aspects of being what it is both for and without Dasein, so the subject of immediate experience possesses the apparently incompatible aspects of being determinative of the ready-to-hand and of having these determinations imposed on it.

Finally, just as Heidegger's analysis of the ready-to-hand does not simply equate objects per se with the ready-to-hand, but rather functions as the phenomenological clue to the ontological structure of objects per se, so his analysis of everyday Dasein as 'they'-Self is to be taken as the phenomenological clue to Dasein's ontological structure. That is, everyday Dasein's being both the 'they' and subjected to the 'they' is the ontic manifestation of Dasein's basic ontological characteristic of being self-restrictive. Heidegger's analysis of immediate experience, then, shows that objects are both dependent upon and independent of subjectivity, and that the subject correlated with such objects is a being that imposes restrictions on itself.

V

In view of the above analysis, we can see that Dasein, as the for-the-sake-of-which of everyday practical activity, possesses the ontological structure of freedom. To be that *for whom* the ready-to-hand objects of immediate experience possess a *predetermined* range of uses is to be a subject that imposes its own laws of object-use on itself, since such a subject prescribes laws of object-use while being subject to them. The ontological structure of Dasein, then, is to be self-restrictive. And, as we have seen, to be self-restrictive, or self-subjecting, is, for Heidegger, to be free. We have also seen that Heidegger interprets the free self-restrictive subject as its own end, insofar as it is not only self-subjecting but self-elevating as well. The free subject elevates itself to itself, or becomes itself, as it restricts itself. For to be self-restrictive is its very nature. Therefore, everyday Dasein, as free, should be self-elevating, as well as self-restrictive.

We can understand how Dasein is self-elevating by first recalling the precise sense in which it is self-subjecting. Dasein is self-subjecting, insofar as it

imposes restrictions, or laws for proper object-use, on itself; it subjects itself to its own laws. For this self-subjection to also be a self-elevation, Dasein's subjection to laws of proper object-use, its obedience to these laws, would have to result in its becoming what it properly is. That is, Dasein would achieve itself by properly using the ready-to-hand. And, in fact, it does.

Recall that Dasein constitutes, or makes possible, the ready-to-hand by being its user. Dasein prescribes laws for object-use, then, by using objects properly. Therefore, it is by properly using the ready-to-hand that Dasein assumes its role as that which constitutes the ready-to-hand, as that upon which the ready-to-hand is dependent: the for-the-sake-of-which of all practical activities. Dasein's imposition on itself of laws for proper object-use is equally a self-elevation, then, since it is by subjecting itself to this imposition, by obeying the laws imposed, that it becomes itself. Deigning to allow laws of object-use to guide it, Dasein assumes the role of the imposer of these very laws; by acting as 'they' do, it reclaims its object-constituting prerogative that the 'they' has usurped. Thus by striving to properly use the ready-to-hand, Dasein strives to become itself; Dasein is its own end. Specifically, Dasein qua performer of object-constitutive acts is the end for Dasein qua subjected to the laws of these acts. And since the analysis of Dasein's immediate, everyday practical activities serves as Heidegger's clue to Dasein's ontological structure, Dasein's being the end of its everyday practical activities reveals that Dasein's ontological structure is its being its own end. As Heidegger and Kant both noted, the free subject is an end in itself.

Unlike Kant, however, Heidegger holds that the free subject's achievement of itself, its actualization of itself as its own end, is inconceivable. Heidegger's free subject is its own *in principle unachievable* end; the very notion of a fully actualized free subject is absurd. This can be seen by again looking to Dasein's self-imposition of laws of object-use, which is the ontic manifestation of the ontological structure of freedom.

It may seem that Dasein can achieve itself, since to achieve itself is to become the proper user of the ready-to-hand, which Dasein apparently is. But for Dasein to achieve itself as user of the ready-to-hand is not simply to use the ready-to-hand, but to use it without its resisting Dasein. For Dasein's subjection of itself to the proper uses of the ready-to-hand is equivalent to its achieving itself qua performer of object-constitutive acts; it is to take over the object-constituting function of the 'they' rather than being subjected to it. If Dasein were to achieve itself, then, laws of practical use would cease to be an imposition. As the performer of object-constitutive acts, Dasein would be able to arbitrarily assign uses to objects by using them however it pleases. Objects would yield, without giving any resistance, to Dasein's practical activities; arbitrary acts of object-use would be self-legitimating. But objects would then cease to be objects at all, since their present-at-hand dimension, their essential Dasein-independence, would be completely compromised. So, everyday Dasein proves to be its own, in principle unachievable, self-restrictive end.

VI

Earlier in this paper, it was proposed that the indeterminacy of Heidegger's practical criterion is rooted in the structure of the free subject, of the being that is its own end. More precisely, it was suggested that the unachievability of the free subject, the inconceivability of the free subject's actualizing itself, renders the criterion for resolve indeterminate. Now that we have explicated the structure of the Heideggerian free subject, we can better understand the type of indeterminacy possessed by the criterion for resolve. This is most easily seen by first focusing on the ontological indeterminacy of the free subject itself.

The free subject is ontologically indeterminate because it is unachievable. This is not to say that unachievability necessarily implies indeterminacy. Rather, the indeterminacy of Heidegger's free subject follows from the specific type of unachievability that characterizes it. That is, Heidegger's free subject is unachievable in a manner distinct from the way in which a present-at-hand object may be unachievable. As ontologically determinate, a present-at-hand object may be unachieved if it has not yet reached full actualization. The present-at-hand may also be unachievable if its actualization is, in fact, impossible. But whether a present-at-hand object is simply unachieved or is unachievable, its ontological determinacy, its ability to be captured by representational thought, renders its achievement at least conceivable as a determinate state of the object in question. We can tell that Kant conceives of the free moral subject as a present-at-hand object, since he views its self-achievement as conceivable in the figure of the subject acting as a member of the Realm of Ends. Heidegger's analysis of the everyday subject, on the other hand, reveals that the free subject cannot be conceived as a determinate, present-at-hand thing.

Heidegger's position is that the full actualization of Dasein, the self-achievement of the free subject, is not only factually impossible, but is inconceivable on pain of absurdity. The very idea of its self-achievement, of its reaching determinate status, is senseless, and so it is indeterminate in its very Being. Hence the indeterminacy of Heidegger's criterion for resolve, since resolve is the Heideggerian version of the free subject's self-achievement, its attainment of authenticity. Since the free subject's self-achievement cannot be thought of as a determinate state of affairs, there is no determinate criterion by which the subject's success or failure in this regard—its resolve—can be measured. And, as we have seen, it is this lack of a determinate practical criterion that has led Heidegger's critics to conclude that his thought is devoid of any practical criterion by arguing that, since an indeterminate criterion is inviolable, it is no criterion at all. In order for Heidegger to circumvent this accusation, it must be possible for Dasein to violate the call to authenticity, despite the fact that there is no determinate criterion in terms of which such violations can be recognized. If this is the case, then the criterion

for resolve will prove to be indeterminate yet violable, and thus Heidegger will be acquitted of the charge of amoral decisionism. Does Heidegger's free subject admit of a criterion of self-achievement that is violable despite its indeterminacy?

If Dasein's freedom were of the "existentialist" variety, then the criterion for resolve would be indeterminate in a way that would render it inviolable. Free actions would occur whenever Dasein arbitrarily chose to act in any way that it pleases. And, since Dasein's very essence is its freedom, arbitrarily chosen actions would count as authentic acts of self-achievement. Such a position easily leads to amoral decisionism. But Heidegger's position is that this is not the type of freedom that constitutes Dasein's ontological structure. If it were, then it would manifest itself on the everyday ontic level as Dasein's ability to arbitrarily legislate the uses to which ready-to-hand entities could be put. Everyday Dasein's object-using acts would be equivalent to object-constituting acts; but this is clearly not the case.

Objects possess an essential present-at-hand dimension that predetermines the ready-to-hand's proper uses, and thus allows the ready-to-hand to resist Dasein's practical involvements with it. Everyday Dasein achieves itself not by defying this resistance, but by obeying the laws that determine the object's resistance. However, complete obedience to such determinations is inconceivable because, as we have seen, objects would thereby lose their presence-at-hand. Perfect obedience to resistance-determinations would be equivalent to Dasein's arbitrarily legislating these determinations and thus defying resistance as such. On the ontological level, then, Dasein's freedom is constrained by uneclipsable laws of self-achievement. As unachievable in principle, Dasein is ontologically indeterminate, thereby yielding an indeterminate criterion for resolve. The laws of the free subject's self-achievement are ultimately inarticulable. But the indeterminacy of Heidegger's practical criterion does not render that criterion inviolable and thus empty. On the contrary, Heidegger's notion of free subjectivity yields a practical criterion that, though indeterminate, is well equipped to pass judgment on actions, whether they be the actions of an individual or a State.

Heidegger's indeterminate criterion allows practical judgment, since the indeterminacy of the criterion issues from Dasein's ontological unachievability. Because Dasein is unachievable, and since the criterion for resolve measures Dasein's success or failure to achieve itself, it follows that our actions can *never* satisfy this criterion. Just as, on the ontic level, everyday Dasein always violates laws of proper object-use, insofar as it necessarily encounters resistance in objects, so, on the ontological level, Dasein always violates the indeterminate laws of authentic self-achievement. As Heidegger puts it, Dasein is ontologically "guilty."[41] Therefore, not only is practical judgment possible from the Heideggerian point of view, but it is unavoidable; *every* action is found to be morally wanting. And this is the very antithesis of the decisionistic, amoral permissiveness of which Heidegger has been accused.

Here, it may be argued that although Heidegger's thought may not preclude negative practical judgments and so is not permissive, it does preclude positive practical judgments, and this seems to be equally problematic. After all, if we are always in the wrong, then all actions are to be condemned, in which case the distinction between good and evil disappears, just as it did for the decisionist. Still, there is a clear and essential difference between the decisionist's claim that no actions can be condemned and the Heideggerian position that all actions are subject to condemnation. In the former case, the agent arbitrarily creates the law through its actions, since the law is not in place prior to any given action. Thus the very idea of moral constraint, and so of morality itself, is dissolved. The law is not something to be obeyed but to be arbitrarily forged through willful, self-legitimating decisions to act.

But from the Heideggerian point of view, practical constraint is present in full force. Although the law can never be satisfied, it does not disappear. On the contrary, it constantly imposes its insatiable demand that we attempt to live up to its indeterminate prescriptions. We are always guilty before the law, but this does not mean that it can be ignored. Instead, we are enjoined to always hold ourselves to a standard that is beyond our powers. Heidegger's indeterminate criterion, then, demands that we continually strive to achieve ourselves, to be moral, and that we recognize that our practical vocation is never complete. The indeterminacy of the law does not destroy practical judgment, but instead ensures that it is always possible to do better, and demands that we always attempt to do so.

In closing, I emphasize that the point of this paper is not that Heidegger's philosophy cannot be linked to his support of Nazism. The search for this connection is important, given the enormous influence that Heidegger has had on twentieth-century thought. And Heidegger's critics are right to carry on this search. But their belief that the search is completed through the alleged discovery of a decisionistic element in Heidegger's supposedly "existentialist" philosophy is mistaken. To accept the position taken by these critics only prevents us from truly addressing, and coming to terms with, the sense in which Heideggerian philosophy, and the movements in twentieth-century thought inspired by that philosophy, may ultimately permit the sorts of political horrors that took place in Nazi Germany.

ENDNOTES

[1]Victor Farias, *Heidegger and Nazism*, trans. Paul Burrell and Gabriel Ricci (Philadelphia: Temple University Press, 1989).

[2]Examples of this critique of Heidegger include Karl Löwith, *My Life in Germany before and after 1933,* trans. Elizabeth King (Chicago: University of Illinois Press, 1994), hereafter ML; Jurgen Habermas, *The Philosophical Discourse of Modernity,* trans. Frederick Lawrence (Cambridge: MIT Press, 1987), hereafter PM; Richard Wolin, *The Politics of Being* (New

York: Columbia University Press, 1990), hereafter PB; Leo Strauss, "Philosophy as Rigorous Science and Political Philosophy" (*Interpretation* 2 [1971]), hereafter PRS; and Tom Rockmore, *On Heidegger's Nazism and Philosophy* (Berkeley: University of California Press, 1992), hereafter OHN.

[3]ML 30.

[4]See ibid.

[5]For an instructive explication of Schmitt's decisionism and its alleged affinities with Heideggerian thought, see Christian Graf von Krackow, *Die Entscheidung: Eine Untersuchung über Ernst Jünger, Carl Schmitt, Martin Heidegger* (Stuttgart: Enke, 1959). See also PB 29–30, PM 141, ML 32, and OHN 35.

[6]PB 52.

[7]Löwith makes this point when he says that to understand Heidegger's affinity with Nazism, we need simply "apply authentic 'existence' . . . and the 'duty' which follows from it to 'specifically German existence' . . . and to proceed from there to 'destruction', now on the terrain of politics" (ML 32). See also PB 52, PM 157, and OHN 118.

[8]OHN 65.

[9]Heidegger equates Dasein with its freedom in several passages from *The Metaphysical Foundations of Logic*, trans. Michael Heim (Bloomington: Indiana University Press, 1984), hereafter MFL. For example, he claims that "Being-in-the-World is . . . nothing other than freedom" (192). See also MFL 185 ("the basic feature of Dasein's existence [is] *freedom* . . . to put it briefly Dasein's transcendence and freedom are identical!"), and MFL 214 ("freedom is the metaphysical essence of transcending, existing Dasein.").

[10]Löwith refers to Heidegger as an existentialist at ML 32. Strauss makes the same claim (PRS 30), as do Wolin (PB 32, 38–9) and Habermas (PM 160).

[11]*Being and Time*, trans. John MacQuarrie and Edward Robinson (New York: Harper & Row, 1962), hereafter BT, 232. See also, BT 236–75.

[12]MFL 196.

[13]*The Basic Problems of Phenomenology*, trans. Albert Hofstadter (Bloomington: Indiana University Press, 1988), hereafter BP, 135ff.

[14]BP 147.

[15]Ibid. 131.

[16]Kant makes this claim in a number of passages from the *Critique of Practical Reason,* trans. Lewis White Beck (Indianapolis: Bobby-Merrill, 1956), hereafter CPR. For the free will as beyond the laws of nature, see CPR 28, 57, 75, 100. For the free will as self-determining, see CPR 32, 33, as well as *Foundations of the Metaphysics of Morals*, trans. Lewis White Beck (New York: MacMillan Publishing Co., 1985), hereafter FM, 76, 81.

[17]See CPR 33, 89.

[18]Kant makes this point most succinctly in FM: "A free will and a will under moral laws are identical" (74).

[19]For Kant's distinction between negative and positive freedom, see CPR 33–4 and FM 73–4.

[20]For freedom as self-restriction, see CPR 33, 89, 90, and FM 61, 76.

[21]See CPR 29, 33–4, 44.

[22]BP 136.

[23]Ibid.

[24]Ibid. 138.

[25]In FM, moral self-achievement would be attained by acting as a member of the Realm of Ends (see FM 61). This Realm of Ends can be conceived, although it is "certainly only an ideal" (FM 59). In CPR, Kant replaces the Realm of Ends with the Highest Good, and, again, he characterizes this ultimate goal of moral action as conceivable (CPR 118), although unactualizable (CPR 33, 126).

[26]See FM 61.

[27]As Heidegger says, "Kant talks about man's existence and about the existence of things as ends; but the terms for existence . . . signify for him merely extantness" (BP 141). See also BP 147, 153.

[28]For a full analysis of the issues treated in this section, see my "Heidegger on Realism and Idealism," *Journal of Philosophical Research* 23 (1998): 95–111. Heidegger makes a clear connection between freedom and the for-the-sake-of-which, when he says that the latter is "the structural moment that motivated Kant to define the person ontologically as an end" (BP 170), i.e., as its own end, or free.

[29]BT, div. 1, chap. 3.

[30]Ibid. 38.

[31]As Heidegger puts it, the environing world, or context of usefulness, is that "wherein Dasein as such *already* is" (BT 120, my emphasis).

[32]BT, div. 1, chap. 4.

[33]Ibid. 156.

[34]Ibid. 163.

[35]Ibid. 164.

[36]Ibid.

[37]Ibid. (my emphasis).

[38]Ibid..

[39]Ibid. 167.

[40]Ibid. See also, ibid. 154, 163, 167.

[41]See ibid., sec. 58.