

The Objectivity of Freedom: A systematic commentary on the
introduction to Hegel's *Philosophy of Right*

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DEDICATION

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The Spirit, without moving, is swifter than the mind; the senses cannot reach him : He is ever beyond them. Standing still, he overtakes those who run. To the ocean of his being, the spirit of life leads the streams of action. — Isa Upanishad

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Abstract

The introduction (§§1-33) to Hegel's *Philosophy of Right* is the key to the work's structure, its argumentative strategy and it functions as a foundation for Hegel's practical philosophy in general. Its explanatory potential is best realised by situating it within the systematic context of the *Encyclopedia of Philosophical Sciences* and the *Science of Logic*. This interpretative strategy reveals that for Hegel, the true site of agency is 'the concept' and that particular individuals and their arbitrary activity are at best the concept's 'appearance'. This does not render their activity 'false' but describes how willing and freedom are 'for us' as self-conscious subjects that confront an external world. For Hegel, 'true' freedom in the sense of 'self-determination *to itself*' resides with the universal *and* singular concept that negatively unites itself with its objectivity to form what he calls the 'Idea of the will' or 'right'.

This interpretation contradicts the mainstream of contemporary Hegel scholarship since its proponents either deny the reality of the universal concept *as agent* or absolutely differentiate between the concept's activity (subjective action) and its objective reality (norms, institutions). This prevents the interpreter from appreciating that it is Hegel's concept that is manifest in form of particular willing subjects and their socio-political context. Since most commentators associate 'activity' or 'freedom' primarily with particular subjects, their notions of freedom are, by Hegel's standards, either empty and fail to describe *actual* willing or they fall short of the standard of 'true freedom', viz. 'self-determination *to itself*' because their agents' freedom depends on something that differs from the agents.¹ The present commentary argues that such a dilemma can be avoided by an interpretation that attributes agency to Hegel's concept. By determining itself to be Idea, the universal concept determines itself (as subject) *to* itself (as object) and rational agency and rational institutions are grasped as aspects of the same entity. This is what Hegel calls the unconditioned Idea of right or 'objective freedom'.

¹ Such as historically developed norms and institutions or arbitrarily accepted practices.

PRELIMINARY REMARKS

The source text for this commentary is Suhrkamp's *Grundlinien der Philosophie des Rechts* (Frankfurt: 1986) and T. M. Knox's translation, revised, edited and introduced by Stephen Houlgate. References are to the translations throughout unless otherwise indicated by '(Suhrkamp)'. Suhrkamp's edition is based on Hegel's October 1820 edition (although its front page states '1821') of the *Grundlinien der Philosophie des Rechts* which were published by the bookshop Nicolai. While the paragraphs were read in the lectures, the remarks were intended for reference. The additions to the paragraphs are taken from Eduard Gans's edition of the *Rechtsphilosophie* of 1833. They are based on oral and handwritten remarks by Hegel. Gans's edition of these additions is suspected of "stylistic intervention"¹ and a certain "bias".² The same applies to Suhrkamp's *Enzyklopädie der philosophischen Wissenschaften* (Frankfurt: 1986). Its additions are taken from the 1830 edition and — according to the editors — ought to be considered "with serious reservations".³ The notes of the *Rechtsphilosophie* are from Hegel's own hand, virtually identical to those of the Hoffmeister edition of 1955.

Throughout the writing process, the additions were not found to conflict with the content of the paragraphs or the remarks. In cases where they are not directly relevant to the paragraphs' content, their discussion remains relatively brief.

¹ PR: 527 (Suhrkamp).

² PR: 527 (Suhrkamp).

³ Enz III: 424 (Suhrkamp).

LIST OF ABBREVIATIONS

Aesth	<i>Aesthetics: Lectures on Fine Art</i> (Oxford: Clarendon Press, 1988) trans. T. M. Knox.
Enz §§1-244	<i>Enzyklopädie der Philosophischen Wissenschaften I</i> (1830) (Frankfurt: Suhrkamp, 1986) Translation: (1991), <i>The Encyclopaedia Logic, with the Zusätze</i> , trans. T. Geraets, W. Suchting, H. Harris, Indianapolis: Hackett Publishers.
Enz §§377-577	<i>Enzyklopädie der Philosophischen Wissenschaften II und III</i> (1830) (Frankfurt: Suhrkamp, 1986) Translation: (2007), <i>Hegel's Philosophy of Mind</i> , trans. M. Inwood. Oxford: Clarendon Press.
LNR	<i>Lectures on Natural Right and Political Science 1817-1818 with additions from the lectures of 1818-1819</i> (Berkley: University of California Press, 1995), transcribed by Peter Wannenmann, translated by J. Michael Stewart and Peter Hodgson.
LPWH	<i>Lectures on the Philosophy of World History</i> (1822-1830) (Cambridge: Cambridge University Press, 1975), ed. Johannes Hoffmeister, trans. H. B. Nisbet.
PR	<i>Grundlinien der Philosophie des Rechts</i> (Frankfurt: Suhrkamp, 1986) Translation 1: (2008), <i>Outlines of the Philosophy of Right</i> , trans. T. M. Knox, Stephen Houlgate rev., ed., Oxford: Oxford University Press. Translation 2: (2007), <i>Elements of the Philosophy of Right</i> , trans. H. B. Nisbet, Cambridge: Cambridge University Press.
PW	<i>Hegel's Political Writings</i> (Oxford: Oxford University Press, 1964), trans. T. M. Knox.
SL	<i>Wissenschaft der Logik</i> (Frankfurt: Suhrkamp, 1986) Translation: (2010), <i>The Science of Logic</i> , trans. G. Giovanni, Cambridge: Cambridge University Press.

GLOSSARY

appearance	= Erscheinung (e.g. Enz § 131 SL: 418)
Concept (Geraets, Aesth)	= concept (e.g. Enz §160, SL: 507)
conception	= representation = Vorstellung (e.g. Enz §451)
Dasein	= determinate being (Houlgate), being-there (Geraets), existence (Giovanni) (e.g. Enz §89, SL: 83), determinate existence (LNR)
existence	= Existenz, concrete existence (Giovanni) (e.g. Enz §123, SL 420)
Geist	= mind (Inwood), spirit (Houlgate, Geraets, Giovanni) (e.g. Enz §440)
geistig	= spiritual, mind-like, minded, spirited
idea (Houlgate)	= Vorstellung = representation (e.g. Enz §451)
Idea, idea (LNR, Inwood)	= Idee (e.g. Enz §213, SL: 670)
illusory being, shining, semblance, shine (Geraets, Giovanni)	= Schein (e.g. SL 341, Enz §112, §114) (see also seeming, commentary II. 2.4.7.)
Singularity	= individuality (Houlgate, Aesth) = Einzelheit (e.g. Enz §164)
Sittlichkeit	= ethical life (e.g. PR §142)
Verstand/Verstandesdenken	= understanding (e.g. Enz §80)
Willkür	= arbitrariness, wilfulness (e.g. PR §15)

I. Introduction

Despite the vast amount of secondary literature on Hegel's *Philosophy of Right*, there is no systematic and detailed commentary on the work's introduction that allows the reader to reconstruct Hegel's argument line by line.

Instead, the majority of general studies focus on Hegel's account of *Sittlichkeit*¹ and reconstruct it without addressing his use of the specialist vocabulary that derived from his *Science of Logic* or they intentionally avoid the larger systematic context within which the work is situated. The aim of such approaches seems twofold. First, by avoiding logical intricacies, they intend to render Hegel's thought less complicated and second, they aim to make his thought more acceptable to contemporary audiences.² However, by failing to consider the logical structure that provides the foundation for Hegel's ontological argument, such studies frequently suffer from a lack of precision or distort Hegel's position beyond recognition by superimposing the commentator's own — often implicit — ontological commitment onto the text — see for example the individualist interpretations by Pippin,³ Patten⁴ and Neuhouser⁵. Even many of the more detailed commentaries⁶ do not systematically relate or sufficiently explain key ontological categories⁷ and consequently fail to explicate Hegel's *argument* for his method of choice.

The present study aims to address some of these shortcomings by providing a logically detailed commentary of one of the most neglected, yet essential parts of the *Philosophy of Right* — its introduction.

¹ Usually translated as 'ethical life'

² Brooks makes this point repeatedly: See e.g. Brooks 2009: 7.

³ Pippin: 2008.

⁴ Patten 1999.

⁵ Neuhouser 2000.

⁶ See e.g. Peperzak 2001, Knowles 2002.

⁷ Such as for example 'appearance', 'Idea', 'immanence'.

I.1. The relevance of the *Philosophy of Right*'s introduction

According to Hegel, there is no socio-political reality without action. The institutions, norms and practices that constitute the social world are realised, embodied and created by deeds. However, the notion of 'action' implies an 'agent' and many systematically ambitious political philosophies accordingly begin with a description of the acting subject. Hegel's *Philosophy of Right* does the same and its rather detailed account of agency and action can be found in its first thirty-three paragraphs — the work's introduction.

From an interpretative point of view, this section is remarkable for a variety of reasons. Unlike the *Encyclopedia*'s rather brief section on 'practical Geist', the *Philosophy of Right*'s introduction gives a detailed analysis of the concept of action's — or, as Hegel calls it, the will — categorial stages and their relationship to the Idea of right. In contrast to the *Philosophy of Right*'s 'morality' section, it discusses agency at the most basic level without presupposing abstract right's categories of 'personhood', 'contract', 'property' and 'wrong' or morality's notions of 'the good', 'the external world' and 'the moral subject'. Furthermore, the introduction provides the minimally necessary categorial tools that are needed for dealing with the *Philosophy of Right*'s later claims about the institutions, norms and practices that define the world of universal, communal and individual human action.⁸

The introduction's account of the will is also a prime example of the kind of systematic discussion that is so characteristic for Hegel's work. It slowly develops a single practical concept — 'the will' — by drawing on several of the *Science of Logic*'s key categories such as 'Dasein', 'existence', 'appearance', 'actuality', 'idea', 'concept', 'singularity', 'for itself', 'infinity', 'judgement' etc. and thereby establishes a web of conceptual relations between Hegel's theoretical and his practical philosophies. Using these categories as conceptual links allows the interpreter to

⁸ Plamenatz description of the whole work's aim is valid for the introduction, also: "Hegel's account in the *Philosophy of Right* of what is involved in being a person, a self-conscious, rational and purposeful being, is not an explanation of how man acquires personality. It is neither an historical account nor a theoretical model, a deducing of consequences from precisely formulated definitions and assumptions. Rather, it is an attempt to make explicit what, according to Hegel, is implicit in specifically human, or rational and purposeful, behaviour." (Plamenatz 1971: 33).

bridge the perceived gap between Hegel's 'purely' logical work and what has been called his 'Realphilosophie'.⁹

Thirdly, in the context of Hegel's philosophical system, the concept of 'the will' marks the transition from 'subjective Geist' to 'objective Geist'. While the former is concerned with Geist-internal determinations such as 'soul', 'consciousness' and 'thought', the latter makes a point that is often considered counterintuitive: The 'second nature' of socio-political reality that results from human activity and that articulates itself in form of institutions, norms and practices is a Geist-immanent phenomenon. Instead of there being a 'Geist-external world' that opposes Geist, Hegel suggests that socio-political reality is Geist itself albeit in an objective guise.

This image raises questions about the relationship between Geist and its 'other' — 'nature' — insofar as socio-political reality contains several natural elements. There are for example the agents' passions and drives and a transformed natural world that has been altered to accommodate the agents' requirements. Hegel thus suggests that in virtue of its status of being part of Geist, the will *contains* nature and those elements that appear natural about it — for example impulses and drives — are in truth spiritual or 'geistig'. This renders the introduction's 'concept of the will' a focal point where a specific form of Geist — the wilful 'I' — and nature — drives, impulses — are initially differentiated and only subsequently united.

Fourthly, within Hegel's system, the *Philosophy of Right's* introduction is the main site of his critique of methodological individualism. Instead of contrasting individual agent-centred views with collectivism, Hegel proposes a categorial¹⁰ solution to the perceived contradictions and

⁹ I.e. most of the *Philosophy of Spirit*.

¹⁰ cf. Hartmann's variety of categorial interpretation: "[I]n order to fulfil [the task of giving a theoretical account of rational *affirmative relations* between the various social structures, including institutions] we shall have to have recourse to the concept of *category*. As opposed, e.g., to the concept of a *rule*, which might be used in the interpretation of law, the notion of a category has the advantage that with it one can achieve absolute comprehension of social structures as unities of specific content, provided that it is legitimate, as in the case of other categorial unities, to claim an ontological grasp of supra-individual unities. Categories are *unity claims* which can count as ontologically justifiable, in other words, claims without which the realm of actuality under consideration cannot be made intelligible. [...] [F]inally, it will be possible, by means of linking categories with one another in the dialectic, to establish affirmative relations between the various levels of social formations that may be legitimated.[...] One substantial attempt to achieve such a theory of the social domain is Hegel's *Philosophy of Right*. [...] An analysis of the theoretical fabric of *Philosophy of Right* has first to face the fact that it is a section out of a more comprehensive system. It covers the realm of what Hegel calls 'objective spirit', the subject-matter, together with the realm of 'subjective spirit', of a practical philosophy (*Realphilosophie*) valid for man. The statement as we have it in the *Encyclopedia* in turn points

the ‘emptiness’ of individualist accounts of right. This culminates in his claim that the ‘true’ agent is neither one nor a sum of particular individuals but what Hegel calls the ‘concept’, a universal singularity that is manifest in form of particular individuals and their actions.

Finally, the *Philosophy of Right*’s introduction provides Hegel’s most comprehensive account of ‘freedom’.¹¹ It not only touches on the well-established metaphysical discussion about the individual’s free will, but by identifying the freedom of the will with the ontological structure of the concept, it provides the conceptual key to what is arguably Hegel’s main contribution to the history of metaphysics — the dynamic unity of freedom and its objectivity in the category of the ‘Idea’.

Although Hegel argues that right is an ‘Idea’ and provides an analysis of the meaning of its specific ontological structure in the *Science of Logic* and the *Encyclopedia Logic*, a variety of scholars deny the relevance of the connection between Hegel’s theoretical and practical philosophies. For instance, Z. A. Pelczynski¹², Robert Pippin¹³, Frederick Neuhouser¹⁴, Allen Wood¹⁵, J.N. Findlay¹⁶ and Steven Smith¹⁷ advocate an engagement with the *Philosophy of Right* in isolation from the remainder of the system. Their reasons vary from the alleged implausibility of Hegel’s ‘metaphysics’¹⁸ to the claim that he fails to succeed in marrying the *Logic*’s account of ontological determination with the more concrete claims of the *Philosophy of Right*.

However, it seems that neither contemporary unpopularity nor personal dislike of a certain philosophical method can provide sufficiently good reasons for disregarding Hegel’s own claims about the validity of his methodological commitment. Rather than simply denying the

back to the *Logic*. So the *Philosophy of Right* benefits from the overarching rational structure of the system; it is ultimately grounded in the *Logic* which provides the determinations of universality, particularity and individuality so essential to any analysis of social structures.” (Hartmann 1984: 116-117).

¹¹ cf. “It is only in the *Philosophy of Right*, though, that the idea of freedom receives full and thematic treatment. This book is nothing other than a complete elaboration of the meaning and implications of human freedom properly understood.” (Franco 1999: 155).

¹² see Pelczynski 1984.

¹³ see Pippin 2008.

¹⁴ see Neuhouser 2000.

¹⁵ see Wood 1994. and Wood 1990.

¹⁶ see Findlay 1970.

¹⁷ see Smith 1991.

¹⁸ Most commentators seem to refer to Hegel’s analysis of categorical forms with this expression.

plausibility of Hegel's account of the logical Idea or its compatibility with the arguments of the *Philosophy of Right*, it seems philosophically more sound to *argumentatively* point out how Hegel might have failed his own standards or why these standards are mistaken in the first place.

In order to make Hegel's own position of the *Philosophy of Right*'s introduction more conspicuous, the present commentary thus attempts to reconstruct his practical project in the context of his philosophical system and its methodological ambition. This aims to render Hegel's methodological commitment and its standards more explicit. While such an exposition might still entail a reasoned rejection of Hegel's arguments and his method, a response based on the study's findings will be methodologically better informed than previous criticisms of Hegel's project.

I.2. Argument and purpose of the commentary

It thus seems that many of the general discussions of Hegel's *Philosophy of Right* misinterpret its systematic ambition and ontological commitment precisely because they neglect its introduction's arguments against what has become one of the most commonly accepted interpretative stances: Methodological individualism. In one form or another, this perspective is implied by most of the commentators. It means that at all times, there remains some conceptual distinction between particular willing subjects — individual 'agents' — and the norms, institutions and practices that these are embedded in. Even if individual freedom is conditional on the existence of institutions, norms and practices¹⁹ and there remains something like a reciprocal relationship of mutual dependence between individuals and institutional context, the two remain different. While Hegel associates this point of view mostly with Kant and Rousseau,²⁰ their modern heirs are not inclined to consider Hegel's ontological argument against this stance.

One of the main features that might make Hegel's conceptual alternative difficult to accept is that it requires what he calls an act of 'speculative thinking'. This means that particular individual agents are but a dimension or aspect of the universal entity that particularises itself *as*

¹⁹ See e.g. Pippin's work.

²⁰ See discussion of PR §29 remark.

them. The unity of the logical dimensions of universality and particularity escapes what Hegel calls ‘the understanding’ and it suggests that particular willing subjects and right’s universal singularity are ontologically *simultaneous* instead of being ‘related’ or ‘different’ to each other. In order to grasp this thought, so Hegel argues, the thinker has to ‘let go’ of the strict determinations that the understanding and reflection impose onto the object of thought and grasp these as elements of a dynamic negative unity.

Whilst some might reject Hegel’s proposed ‘solution’ to the ‘particularity-universality-singularity’-problem because they reject speculation as a method of thought in general, others disagree with the conclusion of Hegel’s argument that ‘true’ agency and ‘absolute freedom’ are part of what Hegel calls the ‘Idea of right’ or ‘objective Geist’. This suggestion of Hegel might appear unattractive because it seemingly invokes a ‘supra-natural’ or ‘non-immanent’ meta-entity that resides ‘beyond’ the particular individuals and their actions. However, Hegel’s claim is not that objective Geist is ‘extra’ or ‘different’ to particular actions. Instead, he takes it to be different *and* identical — it is the active principle articulated in particular activities that does not express itself in anything but them.

Since these categories can only be grasped in their logical context, one of the aims of this study is to argue for the necessity of engaging with the *Philosophy of Right*’s wider systematic context in general and with the *Science of Logic* in particular. It is indispensable to be aware of Hegel’s account of the categories of thought, of their immanent contradictions and their relationships if one wants to provide a fair and philosophically sound analysis of his work on political philosophy.

I.3. Structure

The commentary is organised in six chapters that proceed along with the introduction’s sequence of paragraphs. Chapter one discusses paragraphs one to four and introduces several key notions such

as 'Idea', 'Dasein' and the 'concept' (§1). It also contains a discussion on method (§2), on positive right (§3) and situates the *Philosophy of Right* within the complex of 'Geist' (§4).

Chapter two is concerned with the most abstract notion of 'the will' and discusses its moments of universality (§5), particularity (§6) and singularity (§7) before differentiating between the 'appearance' of willing and its 'truth' (§8). The categories of 'form' and 'content' (§9) as well as the transitions from 'appearance' to 'actuality' and from 'actuality' to 'freedom' (§8) are also analysed here.

Chapter three is dedicated to Hegel's discussion of Willkür (§§10 - 20). It relates the notions of 'immediacy' (§10), 'finitude' (§10) and 'being-in-itself' (§10) to each other, discusses 'limitation' (§12) and the role that Hegel assigns to thinking in the context of his discussion of willing (§13). Hegel's claim that Willkür renders freedom to be something merely *possible* (§14) is related to the notions of 'consciousness', 'arbitrariness' (§15), 'contingency' (§15) and 'spurious infinity' (§16). The chapter closes with a discussion of Hegel's account of the evaluation (§18), purification (§19) and rational ordering (§20) of the competing impulses that he takes to be the source of Willkür's content.

This is followed by chapter four's discussion of Hegel's conceptual transition from Willkür to the Idea. Hegel there suggests that from the point of view of the Idea, the inferior categories of 'appearance', 'teleology', 'existence' and 'actuality' are ontologically synonymous with Willkür (§21) and fall short of the Idea's true and contentful infinity (§22). This is related to Hegel's argument that the Idea overcomes Willkür's arbitrariness and contingency (§23) in virtue of its 'true' universality. It is this universality that Hegel sees articulated in the works of the judgement and the syllogism (§24). The chapter closes with an analysis of Hegel's discussion of the Idea's moments of subjectivity and objectivity in §25 and §26 and his claim that the Idea is 'the free will that wills the free will' in §27.

Chapter five discusses Hegel's claim that will and right are connected and engages with his argument that the procedural Idea of the will (§28) is right (§29) as the negative unity of subject

and object of the will. This is followed by a commentary on Hegel's rejection of Kant's and Rousseau's (§29 remark) alleged individualism.

The dissertation's final chapter six analyses Hegel's claim that right is an internally differentiated unity of different 'forms' that stand in a mutually constitutive (§30) and dialectical (§31) relationship. It closes with a discussion of Hegel's claim that these forms constitute socio-political reality (§32) in all its subjective and objective aspects and elaborates on his summary of the rest of the work's structure in §33.

II. Commentary

II. 1. Chapter 1 (§§1-4)

In the *Philosophy of Right*'s first four paragraphs, Hegel outlines the methodological framework that provides the background for the introduction's later claims. In §1, Hegel thus identifies the 'Idea of right' as the object of concern of this specific philosophical enquiry and in §2, he describes the relationship between Idea and philosophy in terms of the thinker's striving towards a systematic account of the Idea. Although Hegel presupposes a certain acquaintance with his general philosophical method, he describes the difference between the positivist and the philosophical accounts of the Idea of right in more detail in §3 and differentiates both of these from what he calls the merely 'historical perspective'. This discussion serves to illustrate Hegel's point that philosophical claims can assume validity only within a larger systematic context. In §4, he then situates his description of the Idea of 'right' within such a context: The ontological complex of 'Geist'.

Hegel argues that while the 'Idea' is the most appropriate subject of philosophical enquiry, it differs from 'representations', which are 'in the individual thinker's Geist'. In contrast to the representation's dependence on a particular Geist, Hegel's 'Idea' is objective, procedural and stands for the most developed form of being itself. As such, the Idea is not to be equated with 'what is simply there', what 'exists' or what 'appears'. Rather, so Hegel, it is the product of the concept's free activity.

Insofar as philosophy aims to describe the Idea, so Hegel, it has to *critically* engage with the world of existence and grasp the Idea as the world's inherent or immanent normativity. This focus on normativity, so Hegel, distinguishes philosophy from the positivist perspective, which contents itself with giving a description of how the Idea happens to be articulated in a given spatio-temporal and cultural context. This also entails that philosophy differs from the historical perspective that merely records what happens to be legal.

Because the ‘Idea of right’ is part of universal ‘Geist’, so Hegel, it cannot be explained in terms of ‘nature’ or in terms of the activity of particular subjects alone. And while the institutions and practices that constitute right appear like a ‘second nature’, they truly are the result of rational ‘willing’. Consequently, insofar as both Geist and willing are articulations of self-determination, they embody freedom.

II. 1.1. §1

II. 1.1.1. Idea, concept and actualisation

In paragraph one of the *Philosophy of Right*’s introduction, Hegel states that the *Philosophy of Right* is concerned with the “Idea of right”²¹ and defines this ‘Idea’ as the a unity of concept and actuality: “The subject-matter of *the philosophical science of right* is the *Idea of right* — the concept of right and its actualization”.²²

II. 1.1.2. Idea and representation

According to Hegel, ‘Ideas’ differ from “mere concepts [*blosse Begriffe*]”²³ or representations. While the latter are an “abstract determination of the understanding”²⁴ and “one-sided and false”,²⁵ the ‘Idea’ is the product of what he calls an abstract concept’s self-actualisation: “Philosophy has to do with Ideas and therefore not with what are commonly described as *mere concepts*. On the contrary, it shows that the latter are one-sided and lacking in truth, and that it is the *concept* alone (not what is so often called by that name, but which is merely an abstract determination of the understanding) which has *actuality*, and in such a way that it gives actuality to itself. Everything other than this actuality which is posited by the concept itself is transitory *existence* [*Dasein*], external contingency, opinion, appearance without essence, untruth, deception, etc. The *shape*

²¹ PR §1: 25.

²² PR §1: 25. cf. “Natural Right [...] has as its object the rational determinations of right and the actualization of its idea.” (LNR §1: 51)

²³ PR §1 remark: 25.

²⁴ *ibid.*

²⁵ *ibid.*

which the concept assumes in its actualization, and which is essential for cognition of the *concept* itself, is different from its *form* of being purely as concept, and is the other essential moment of the Idea.”²⁶

Hegel’s ‘Idea’ is objective and universal and shares these features with the *concept*. However, unlike the merely subjective concept, so Hegel, the Idea is also *concrete*, that is it *contains* particularity *and* universality and it is not merely abstract. While the initially abstract concept is the driving force behind the Idea, it has to unite with its own objectivity to form the Idea.

This also entails that for Hegel, the concept’s *subjective* dimension carries the connotation of activity while the concept’s *objectivity* is passive. In the *Encyclopaedia of Philosophical Sciences*, Hegel thus initially identifies the concept with activity: “The singularity of the Concept is strictly *what is effective*—and of course, it not longer works like a cause, with the semblance of producing something else; rather, [it is] what produces *itself*.”²⁷ It is the *subjective* concept that actively gives objectivity *to itself* and so “turns itself” into an Idea: “[T]he concept is essentially this: to be an identity for itself that is different from an objectivity that is in itself and thus to have externality, but to be the self-determining identity in this external totality. Thus, the concept is [...] Idea.”²⁸

The passage from abstract concept to Idea is thus the concept’s *actualisation*. The subjective concept *becomes* Idea insofar as it actively assumes the external, objective dimension of concrete actuality and unites itself with it. This self-initiated passage from abstraction to concreteness, so Hegel, is a *mediation* that the concept initiates and effects as the free subject that it

²⁶ *ibid.* cf. “Now, as regards the nature of the Concept as such, it is not in itself an abstract unity at all over against the differences of reality; as Concept it is already the unity of specific differences and therefore a concrete totality. So, for example, ideas like man, blue, etc., are *prima facie* not to be called ‘concepts’, but abstractly universal ideas, which only become the Concept when it is clear in them that they comprise different aspects in a unity, since this inherently determinate unity constitutes the Concept: for example, the idea ‘blue’ as a colour has the unity, the specific unity, of light and dark for its Concept,’ and the idea ‘man’ comprises the oppositions of sense and reason, body and spirit; though man is not just put together out of these two sides as constituent parts indifferent to one another; in accordance with his Concept he contains them in a concrete and mediated unity.” (Aesth: 108).

²⁷ Enz §163 remark: 240.

²⁸ SL: 461. (Suhrkamp) cf. “Those who suppose that they have in the Idea something totally other than the Concept, something particular in contrast with it, do not know the nature of either the Idea or the Concept. But at the same time the Concept is distinguished from the Idea by being particularization only *in abstracto*, since determinacy, as it exists in the Concept, remains caught in the unity and ideal universality which is the Concept’s element.” (Aesth: 109).

is. It is thus the concept's 'internal motivation' towards actualisation and towards taking an 'external (objective) form' that drives the creation of the totality of the Idea. Once the concept has become Idea, so Hegel argues, it is manifest concretely; it has ceased to be merely subjective. Consequently, the Idea is the *concrete*²⁹ concept.

Like the 'Idea', so Hegel's subjective concept and its objectivity are descriptions of reality itself rather than being mere categories of subjective thought that allow the thinker to conceptualise what reality is. As will be shown, this also entails that the ultimate or most real *subject* of willing for Hegel is the *concept* of the will rather than one or many individual human subject(s). Since this concept of the will brings forth the *Idea* of right in the course of its self-actualisation, willing *as such* is the activity of the concept of the will as ultimate agent. While Hegel's reasons for conceiving of the agent as the *concept* shall become more transparent in the course of the commentary, it can already be argued that any subsequent reference to 'the will' refers to this 'concept of the will' with which the introduction begins.

II. 1.1.3. Dasein

Hegel thus argues that reality is the product of, and can accordingly be described in terms of, self-actualising concepts or Ideas. While the 'Idea' is the most developed form of reality, and as such is the unity of concept and 'what is there' or of the concept and its objectivity, so Hegel argues, there are also aspects of reality that are *merely* there. This means that not all of reality is part and product of the mediating relationship between the concept's objectivity (the concept's Dasein) and the concept. For Hegel, not everything is Idea and thus there is being that falls short of the unity of subjective concept and its objectivity — it "is *merely* there" or "*merely exists*": "Everything other than this actuality which is posited by the concept itself is transitory existence [*Dasein*], external contingency, opinion, appearance without essence, untruth, deception, etc."³⁰

²⁹ PR §1 remark: 25.

³⁰ *ibid.*

In the larger *Science of Logic* and the *Encyclopedia Logic*, Hegel situates ‘Dasein’ in the ‘logic of being’. In contrast, he defines ‘Existenz’ and ‘appearance’ as part of the ‘logic of essence’. Since it is only preceded by the initial categories of ‘undetermined being/nothing’ and ‘becoming’, ‘Dasein’ is a comparatively low and thus abstract categorial determination for Hegel: “Existence [*Dasein*] proceeds from becoming. It is the simple oneness of being and nothing. On account of this simplicity, it has the form of an immediate. Its mediation, the becoming, lies behind it; it has sublated itself, and existence [*Dasein*] therefore appears as a first from which the forward move is made. It is at first in the one-sided determination of being; the other determination which it contains, nothing, will likewise come up in it, in contrast to the first.”³¹

Whatever ‘there is’, so Hegel, is thus something *determined* in contrast to ‘pure’ or ‘undetermined’ being. In virtue of being determined, something is differentiated from everything that it is not. Since Dasein *is*, so Hegel argues, it contains ‘being’, and since it is also *not everything else*, it contains ‘nothing’. As opposed to becoming, Hegel’s ‘Dasein’ is not a movement but rather a static determinacy: “According to its [German] etymology, [*Dasein*] is being (Sein) in a certain place (da). But the representation of space does not belong here. As it follows upon becoming, existence [*Dasein*] is in general being with a non-being, so that this non-being is taken up into simple unity with being. Non-being thus taken up into being with the result that the concrete whole is in the form of being, of immediacy, constitutes determinateness as such.”³²

II. 1.1.4. Dasein and Idea

While Dasein on its own is thus a rather abstract determination for Hegel, it can also turn out to be the subjective concept’s objective dimension. In that case, so Hegel, Dasein’s ontological concreteness surpasses that of the subjective concept since it is the *product* of the subjective concept’s actualisation and thus presupposes it. Nevertheless, whether it is ‘mere Dasein’ or the ‘Dasein of the subjective concept’ and thus the concept’s objectivity, Dasein for Hegel is always

³¹ SL: 83.

³² SL: 83, 84.

passive or ‘determined’ in contrast to the ‘activity’ or ‘determining’ of the concept.³³ This also entails that Hegel’s ‘Idea’ is the *unity* of determining and determined: it is what is determined *and* what determines.

Insofar as Hegel’s Idea is the last possible determination of reality and thought, it is ‘truth’: “The Idea is what is true *in and for itself, the absolute unity of Concept and objectivity*. Its Ideal content is nothing but the Concept in its determinations; its real content is only the presentation that the Concept gives itself in the form of external thereness; and since this figure is included in the Ideality of the Concept, or in its might, the Concept preserves itself in it.”³⁴

In virtue of the dimension of the concept’s ‘Dasein’ or objectivity, Hegel’s Idea ‘is there’, it has Dasein and it conceptually relies on this Dasein, for otherwise, it would be merely subjective: “The Idea can be grasped as [...] the *subject-Object*, as the *unity of the Ideal and the real, of finite and the infinite, of the soul and the body*, as the *possibility that has its actuality in itself*, as that whose *nature can be comprehended only as existing*, and so forth.”³⁵

II. 1.1.5. The Idea as process

Hegel’s notion that initially abstract concepts actualise themselves into Ideas suggests that Ideas are not merely ‘static’: they *contain* the moment of a relationship between the subjective concept’s activity and its passive ‘Dasein’. For Hegel, the relationship between ‘concept’ and ‘Dasein’ (or objectivity) is consequently one of *procedural* negation: “The Idea is essentially *process*, because its identity is only the absolute and free identity of the Concept, because this identity is the absolute negativity and hence dialectical. The Idea is the course in which the Concept (as the universality that is singularity) determines itself both to objectivity and to the antithesis against it, and in which this externality, which the Concept has with regard to its substance, leads itself back again, though its immanent dialectic, into *subjectivity*.”³⁶

³³ On Dasein, see e.g. Inwood 1992: 94, Taylor 1977: 232, Houlgate 2006: 290 and Houlgate 2006: 297.

³⁴ Enz §213: 286.

³⁵ Enz §214: 288.

³⁶ Enz §215: 290.

For Hegel, the concept's passing from abstraction towards the Idea's concreteness is thus an inherently dialectical and conflictual process. This conflict takes place *within* the actualising Idea and drives an *immanent* process: "The progression of the Concept is no longer either passing-over or shining into another, but *development*; for the [moments] that are distinguished are immediately posited at the same time as identical with one another and with the whole, and [each] determinacy is as a free being of the whole Concept."³⁷

When the concept takes the form of Dasein — when it actualises or objectifies itself — so Hegel, it merely posits what is already implicitly in it. This differentiates the concept's Dasein from 'mere Dasein'. The latter is simply the product of 'becoming's' transition [*Übergehen*] into determination and remains at this abstract ontological stage. Hegel thus argues that the concept manifests itself in form of particular instances and takes the form of particular objects in the course of its actualisation or development. Nevertheless, the concept as such remains different from these particular and individual instances and objects — although it is in the form of *particular* objects, it is also something *universal*. Hegel calls this unity of the concept's universal and particular dimensions its 'singularity': "The *Concept* as such contains the moment of *universality*, as free equality with itself in its determinacy; it contains the moment of *particularity*, or of the determinacy in which the Universal remains serenely equal to itself; and it contains the moment of *singularity*, as the inward reflection of the determinacies of universality and particularity. This singular negative unity with itself is what is *in and for itself determined*, and at the same time identical with itself or universal."³⁸

Insofar as the concept is universal, it differs from its particular objects. Yet insofar as the single objects are an instance of the concept's objectification, so Hegel argues, the concept *is* these objects and is not *merely* universal. This dual existence of the concept — being simultaneously identical and different from the self-posited object (the instance of its objectification) — is the very dialectical conflict that takes place *within* the Idea.

³⁷ Enz §161: 237.

³⁸ Enz §163: 239.

One might ask whether this opens the floodgates for an inflation of Ideas. For example, is every plant for Hegel the manifestation of a particular plant-Idea? The architecture of the Hegelian system seems to suggest otherwise. For instance, Hegel's *Philosophy of Nature* suggests that he thinks that there is only one Idea of nature. For Hegel, all particular manifestations that can be described as a part of this Idea are the result of the concept of nature's self-actualisation. The resulting single Idea of nature manifests itself on different levels of abstraction, for example as 'Dasein', 'existence', 'actuality' etc., which can be described in terms of mechanics, physics or organic mechanics.³⁹ Insofar as Hegel's *Philosophy of Nature* is concerned with the *Idea* of nature *as Idea* — just like the *Philosophy of Right* is concerned with the *Idea* of right *as Idea* — it describes the more abstract determinations only insofar as they are relevant to the structure of the Idea.

Hegel seems to suggest that an enumeration of those determinations of nature that '*happen to be there*' would amount to a description of nature's 'Dasein' rather than its 'Idea'. For the philosopher, so Hegel, the Dasein of nature is only interesting insofar as it is posited by the concept of nature and thus insofar as it forms part of nature's Idea. For Hegel, a systematic, philosophical account of nature must show how the determinations of nature — for example all physical, mechanical and organic mechanical entities — and their subdeterminations stand in relation to the concept that posited them.

This entails that although all of what is commonly taken to be empirically recordable reality is an expression of the Idea, a record of it *as such* would not be adequate to the Hegelian Idea *as Idea* but rather to the Idea *as Dasein*. Since the 'Idea' is the ultimate condition of Dasein, Hegel's philosophical account is confined to a description of the Idea and its internal determinations insofar as they are relevant for comprehending its internally differentiated structure.

For Hegel, 'Dasein', 'concept' and 'Idea' are thus all categories with which reality — or, given that 'reality' is a specific category, 'being' — can be described. However, due to the unity

³⁹ Enz §252: 37. (German original)

of thought and being that Hegel implies, they also *are* reality. Consequently, they have to be thought of as reality's modifications *and* as its conceptual determinations.

II. 1.1.6. Is and ought

The unity of reality's categorial description and its manifestation from which Hegel conceptually departs also entails the unity of 'is' and 'ought'. Since being and thought are *one* for Hegel, there is no absolute conceptual difference between reality on the one hand and the non-real, 'abstract' or 'imagined' ideal on the other. Insofar as the 'ought' relies on such a difference, it is absent: There is no 'perfectly' or 'purely' ideal state of affairs in the light of which reality can be evaluated.

Nevertheless, for Hegel, this does not entail that there is no 'normativity' in the account of the Idea. While there is no discrepancy between 'is' and 'ought' *within* the Idea, for Hegel there is a difference between the Idea and the lower categorial forms. However, the conflict between the normative Ideal of the Idea and the lesser manifestations of reality takes place *within* reality. This is different from contrasting a given form of being with an external Ideal and thereby negating being 'from the outside'. Instead, Hegel takes the categories — and thus 'being' — to *contain* the critical negation of everything non-Ideal.

In other words, for Hegel, every categorial stage of being is an attempt to frame and realise the absolute normativity of the Idea. However, absolute normativity in form of a negative unity of being and its own negation remains out of reach until the stage of the 'Idea'. Insofar as for Hegel, the 'Idea' is the final determination of reality and thought it constitutes what 'truly is' and therefore also what 'ought to be' to the highest possible degree. This reality-immanent normativity stands in contrast to the transcendental point of view that opposes empirical reality to a world-external norm or rationality: "The notion that Ideas and Ideals are nothing but chimeras, and that philosophy is a system of pure phantasms, sets itself at once against the *actuality of what is*

rational; but conversely, the notion that Ideas and Ideals are something far too excellent to have actuality, or equally something too impotent to achieve actuality, is opposed to it, as well.”⁴⁰

For Hegel, the Idea as the concrete coincidence of 'is' and 'ought' is thus not to be confused with the abstract moral 'ought' of the preface to the *Philosophy of Right*. Hegel there criticises the appeal to abstract representations [*Vorstellungen*] in the face of existing institutions: “It is just as foolish to imagine that any philosophy can transcend its contemporary world as that an individual can overleap his own time or leap over Rhodes. If his theory does indeed transcend his own time, if it builds itself a world as it ought to be, then it certainly has an existence, but only within his opinions - a pliant medium in which the imagination can construct anything it pleases.”⁴¹

Further, in the *Encyclopaedia*, Hegel argues: “[T]he severing of actuality from the Idea is particularly dear to the understanding, which regards its dreams (i.e., its abstractions) as something genuine, and is puffed up about the “ought” that it likes to prescribe, especially in the political field — as if the world had had to wait for it, in order to learn how it ought to be, but is not. If the world were the way it ought to be, what then would become of the pedantic wisdom of the understanding’s “ought to be”?”⁴²

As far as the Idea-internal moments of ‘concept’ and ‘Dasein’ are concerned, Hegel suggests that ‘Dasein’ is normatively warranted as long as it is ‘animated’ by the concept. In contrast, random or passing ‘Dasein’ is neither true nor part of the Idea: “When the understanding turns against trivial, external, and perishable ob-jects, institutions, situations, etc., with its “ought”—ob-jects that may have a great relative importance for a certain time, and for particular circles—it may very well be in the right; and in such cases it may find much that does not correspond to correct universal determinations. Who is not smart enough to be able to see around him quite a lot that is not, in fact, how it ought to be? But this smartness is wrong when it has the illusion that, in its dealings with ob-jects of this kind and with their “ought,” it is operating within

⁴⁰ Enz §6 remark: 30. cf. “[T]he Idea of reason itself, philosophy should help us to understand that the actual world is as it ought to be. It shows us that the rational will, the concrete good is indeed all-powerful, and that this absolute power translates itself into reality.” (LPWH: 66).

⁴¹ PR: 21,22.

⁴² Enz §6 remark: 30.

the [true] concerns of philosophical science. This science deals only with the Idea—which is not so impotent that it merely ought to be, and is not actual—and further with an actuality of which whose ob-jects, institutions, and situations are only the superficial outer rind.”⁴³

For Hegel, the task of philosophy remains to describe what is ‘normative’ or ‘Ideal’ about reality: the Idea. However, he argues that this normativity or ideality has to be found *within* reality rather than beyond it. On this view, philosophy retains its critical momentum insofar as it opposes what merely ‘exists’ or ‘happens to be there’ and what is therefore inadequate from the perspective of the Idea. While what ‘there is’ can turn out to *be part of* the Idea, it takes philosophical thought to recognise it as such.

II. 1.1.7. The unity of being and thought

One might argue against this view that it is impossible to tell what aspect of reality is a manifestation of the Idea and which part ‘is merely there’. Or, one might claim that there are no good reasons for conceiving of reality in terms of a Hegelian Idea. Hegel’s reply to the former objection seems to be that there is nothing *in principle* that renders the discovery of the Idea amidst reality impossible. This would imply that the Idea is itself somehow eternally ‘out of reach’ for thought, that it transcends or conditions thought without being directly describable. In his critique of the different “attitudes to objectivity” in §§19-87 of the *Encyclopedia*, Hegel attempts to show that such a view of the relationship between ‘thought’ and ‘object’ is inconsistent. He there concludes that thought and being (the object of thinking) have to be conceived of as *united*: “The *antithesis* between an independent immediacy of the content or of knowing, and, on the other side, an equally independent mediation that is irreconcilable with it, must be put aside, first of all, because it is a mere *presupposition* and an arbitrary *assurance*. All other presuppositions or assumptions must equally be given up when we enter into the Science, whether they are taken from representation or from thinking; for it is this Science, in which all determinations of this sort must

⁴³ *ibid.*

first be investigated, and in which their meaning and validity like that of their antithesis must be [re]cognised.”⁴⁴

For Hegel, this notion of being’s and thought’s *unity* disqualifies any thought-external truth of being. Although Hegel maintains that there is still plenty of space for incorrectness, error and thus lack of normative value in thought and reality, these shortcomings are *within* thought and reality. Accordingly, Hegel’s account of the different determinations of being and thought in the *Science of Logic* and in the *Encyclopedia Logic* aims to describe how being and thought can fall short of the ultimate determination that is the ‘Idea’ and thus how they each incorporate error in their own specific manner.⁴⁵

Consequently, both ‘Idea’ and ‘Dasein’ are determinations of the same thing: being or thought. Insofar as he takes the ‘Idea’ to be the more complex or concrete determination and ‘Dasein’ to be a rather simple and abstract one, Hegel says that the ‘Idea’ *contains* the concept’s ‘Dasein’. However, this Dasein is not all the Idea is — it is also ‘subjective concept’. Meanwhile, ‘Dasein’ as *mere* ‘Dasein’ is all there is to ‘Dasein’. It is not the Dasein *of the Idea* but rather the Dasein *of Dasein*. In comparison to the Idea, such mere ‘Dasein’ fails to live up to its inherent claim to be the most truthful or absolute stage and description of being.

For example, the fact that an apple is there might be all that there is to be known about it. In contrast, a particular family is also there but its ‘being there’ can also be thought of as an expression of the concept of right. This suggests that the domain of ‘Dasein’ for Hegel is considerably numerically ‘larger’ than that of the ‘Idea’ insofar as many more entities ‘are there’ than are part and articulation of the Idea. While a lot of Dasein ‘is not Ideal’ for Hegel and is thus irrelevant from the perspective of the Idea, the ‘Idea’ cannot be conceptualised from the perspective of ‘Dasein’ as long as one mistakes ‘Dasein’ for a description of the Idea’s ultimate reality. From the perspective of the Idea, *mere* Dasein is thus an inferior, abstract determination of ‘what is’ and

⁴⁴ Enz §78: 124.

⁴⁵ For discussions of the Idea see e.g. ⁴⁵ Inwood 1992:129 and Houlgate, 2006: 117,118.

falls short of the concreteness and complexity of the Idea while the *concept's Dasein* is part of the Idea itself.

In either scenario, Hegel takes 'Dasein' and 'Idea' to be *objective determinations* that are and ought to be. To him, they are not entities that only exist in thinkers' minds nor can they be contrasted to a thought- or being-external standard. Rather, they are constitutive of reality (that is of being and thought) itself and imply and embody their own normative standard.⁴⁶

II. 1.1.8. Body and soul

In the addition to *Philosophy of Right's* §1, the relationship between concept and Dasein is illustrated by two metaphors. The first of these likens the concept to the soul, while the body is used as an image for the concept's 'Dasein': "The concept and its existence [*Existenz*] are two aspects [of the same thing], separate and united, like soul and body. The body is the same life as the soul, and yet the two can be said to lie outside one another. A soul without a body would not be a living thing, and vice versa. Thus the existence [*Dasein*] of the concept is its body, just as the latter obeys the soul which produced it."⁴⁷

Since the body is "the same life" as the soul, the truth of these two moments is their unity (or Idea): the living organism. Nevertheless, Hegel also argues that both aspects — like concept and Dasein — can be considered separately. The Idea or 'the living person' is the most fundamental condition for the existence of body *and* soul and the two are thus merely aspects of it. In the *Encyclopaedia of Philosophical Sciences*, Hegel uses a similar image to illustrate the relationship between concept, Idea and Dasein: "Wholes like the state and the church cease to exist in concreto when the unity of their concept and their reality is dissolved; the human being, the living thing, is dead when soul and body are parted in it; dead nature, the mechanical and the

⁴⁶ This puts Hegel at odds with theorists like e.g. (Gerald) Cohen who claims that a political norm is an abstract universal (e.g. equality) separate from a world of particular empirical facts. This makes Cohen's theory vulnerable to the charge of 'emptiness' or 'inapplicability'. In contrast, John Rawls and his followers (e.g. David Miller) ground their normative principles in particular judgements, principles and 'political culture'. This invites the question whether such norms can be 'universally valid' or 'necessary'.

⁴⁷ PR §1 addition: 25.

chemical world – that is, when “the dead” is taken to mean the inorganic world, for the expression would otherwise have no positive meaning at all – this dead nature, then, if it is separated into its concept and its reality, is nothing but the subjective abstraction of a thought form and a formless matter. [Geist] that were not Idea, not the unity of the concept with itself, not the concept that has the concept itself as its reality, would be dead [Geist], spiritless [Geist], a material object.”⁴⁸

Just like Hegel takes the Idea to be the unity and interpenetration of concept and Dasein, so his ‘living person’ is the dialectical relationship between the soul and its objectification, the body. He thus takes the living person as unity of body and soul to be prior to or to be a condition [*Vorraussetzung*] of the abstractions ‘soulless body’ and ‘bodiless soul’.

II. 1.1.9. The living person

Since it is but an aspect of the truth, so Hegel, the bodiless soul on its own lacks the ‘truth’ of the unity of the two moments. The same goes for the dead body. The one-sidedness of a dead body as *merely material* can only be grasped if it is thought to be a body that has been alive before. In comparison with a living body that has an end or *telos* and is part of the person’s self-determination or freedom, the dead body ‘is thus merely there’. It is ‘mere’ Dasein.

In the *Encyclopedia*, Hegel describes ‘life’ as a categorial variation of the Idea: “The *immediate* Idea is *life*. The Concept is realised as soul, in a *body*. The soul is the immediate self-relating *universality* of the body’s externality; it is equally the *particularising* of the body, so that the body expresses no distinctions in itself other than the determinations of the Concept”⁴⁹

At the stage of ‘life’, so Hegel, the body is the soul’s ‘objectivity’ — it is the external aspect of the internal, universal soul. This soul is equivalent to the concept — it is the internal aspect of the body and the constant ‘overreaching’ of the soul beyond its externality ‘drives’ the process that is the living organism. According to Hegel, the difference between internal soul and

⁴⁸ SL: 672.

⁴⁹ Enz §216: 291.

external body leads to the concept's returning into itself from the externality of the body, which in turn provokes yet another self-alienation.

For Hegel, the living person whose soul determines its body is thus constantly led back to its soul as a creative or self-determining moment — the body is determined by the decisions of the soul. Meanwhile, the soul also depends on the body in order to have something to determine. The abstract or bodiless soul 'is not there' but only has *existence* or *Dasein* in virtue of being inside a body, so the living person as *Idea* can only be as a *unity* of body and soul. This also means that the body only lives because of the soul and that the dead body does not self-determine; it is just determined.

II. 1.1.10. Life and right

Hegel thus suggests that a given society may fall short of the 'Idea' or 'life' in two ways: Firstly, like a soulless body, it can be merely passing 'Dasein': In this case, there are no truly working socio-political institutions or inter-subjective allegiance. For Hegel, this absence of the 'Idea' of right equates to mutually disinterested or hostile individuals: "But if a subject matter, say the state, did not at all conform to its Idea, that is to say, if it were not rather the Idea of the state; if its reality, which is the self-conscious individuals, did not correspond at all to the concept, its soul and body would have come apart; the soul would have taken refuge in the secluded regions of thought, the body been dispersed into singular individualities."⁵⁰

The Idea of 'right' is the condition for unity-manifesting socio-political life. The 'state' is the Idea of right's most concrete determination and irrespective of how primitive or low a form socio-political reality takes, as long as there is a minimum of social coherence and some respect for the rule of law (motivated in whatever way), the whole qualifies as some form of 'state': "But because the concept of the state is essential to the nature of these individualities, it is present in them as so mighty an impulse that they are driven to translate it into reality, be it only in the form of

⁵⁰ SL: 672/3.

external purposiveness, or to put up with it as it is, or else they must perish. The worst state, one whose reality least corresponds to the concept, in so far as it still has concrete existence, is yet Idea; the individuals still obey the power of a concept.”⁵¹

As long as there is anything *Ideal* or normative about socio-political reality, as long as there is any unity between concept and existence in the social world, there is right. No matter how imperfect a given, empirically existing state is, as long as it is able to sustain itself or to exist *as state*, it participates in the Idea of right *to some degree*. Secondly, like a bodiless soul, a ‘mere’ concept of right can be without actual manifestation. Like a constitution or laws without authority and effect, such a merely abstract concept of right does not exist but is abstract thought at best. As such, it might be advocated by, for example, scholars or revolutionaries but it is without power over reality.

Hegel’s metaphor supports the interpretation that ‘concept’, ‘Idea’ and ‘Dasein’ are determinations of being *and* thought insofar as it equates the ‘mere Dasein’ of right with the lack of *actual* socio-political coherence and the ‘Idea of right’ with its actual existence. At the same time, it illustrates the point that ‘is’ and ‘ought’ are united in the Idea — for Hegel, a society that is determined by the ‘Idea’ of right is a society that *actually* embodies socio-political coherence and thus contains normativity. In such a case, the ‘Ideal ought’ is found *within* the existing society rather than outside of it or in the sphere of abstract thought.

II. 1.1.11. Bud and tree

The second metaphor for the relationship between ‘concept’ and its ‘Dasein’ is that of a bud and a tree: “The buds have the tree within them and contain its entire strength, although they are not yet the tree itself. The tree corresponds entirely to the simple image of the bud.”⁵²

Like the abstract concept, the bud contains everything that is necessary to become a tree but it lacks the *existence* as tree. The conceptual identity of tree and bud is expressed when it is

⁵¹ SL: 673.

⁵² PR §1: 25.

argued that the tree corresponds to the “simple image of the bud”.⁵³ Since *essentially*, the tree is the bud, the change of existence that is effected by the bud’s development into a tree is not an *essential* change. The *existence* of the ‘tree’s’ essence will be ever more developed and in union with the bud’s force, it will become an ever more perfect manifestation of the Idea.

Although the resulting tree is substantially more complex than the bud, the simple bud contained the complex tree *in essence*. The complex tree cannot be anything that the simple bud did not contain already within it as a potential. The expression “simple image of the bud”⁵⁴ thus refers to the bud’s *potential* for turning into a fully grown tree.

Hegel’s claims in the *Encyclopaedia* support this interpretation: “What corresponds to the stage of the Concept in nature is organic life. For example, a plant develops from its germ: the germ already contains the whole plant within itself, but in an Ideal way, so that we must not envisage its development as if the various parts of the plant—root, stem, leaves, etc.—were already present in the germ *realiter*, though only in a very minute form.”⁵⁵

It is thus the concept’s *Dasein* that changes in the transition from bud to tree and not the concept itself. While the bud’s claim to being the complete or absolute tree is thus untrue, the bud is not entirely *false* insofar as it contains the truth of the concept that will turn it into a tree. Since the conceptual aspect of the tree’s truth is present in the bud, already, even the bud participates in this truth.

II. 1.1.12. The metaphors' relationship

It is not immediately clear how Hegel’s ‘bud and tree’-metaphor relates to the ‘body and soul’-metaphor. There did not seem to be a sense of historical development or potentiality in the ‘body and soul’-relationship. The soul is not a potential body nor is the body a potential soul. While body and soul are both needed to make sense of the Idea of ‘life’, a tree is not ‘in the bud’ in the sense that a soul is ‘in the body’. While soul and body exist simultaneously, a bud temporally precedes a tree.

⁵³ PR §1 addition: 25.

⁵⁴ PR §1 addition: 25.

⁵⁵ Enz §161 addition: 237/238.

It thus appears that Hegel's two metaphors illustrate two different aspects of the relationship between 'concept', 'Dasein' and 'Idea'. While the 'body and soul metaphor' explains the necessity to think the mere concept (soul) and the concept's Dasein (body) in unity in order to make sense of the 'living person' (Idea), the 'bud and tree-metaphor' demonstrates the developmental and dynamic character of a concept's Dasein over time.

However, Hegel's two metaphors also share something. While the soul animates the body and makes it behave and develop in a certain way over time, so the concept of 'life' animates the bud and turns it into a tree. Both metaphors thus illustrate the procedural nature of the Idea insofar as living is as much of a process as growing is: "Nothing lives, which is not in some sense Idea".⁵⁶ Like the soulless body does not live, and the bud that is not animated by the concept of 'life' would be reduced to organic matter, so the concept of 'life' is not properly actual as long as there is only a bud. Similarly, the soul without body is not there (in the sense of 'being part of the world') — it lacks Dasein. Hegel's claim that a mismatch between body and soul is rather undesirable, applies to the relationship between the concept and its Dasein in general:

"If the body does not correspond to the soul, it is a wretched thing indeed. The unity of existence [*Dasein*] and the concept, of body and soul, is the Idea. It is not just a harmony, but a complete interpenetration."⁵⁷ This suggests that like a sick, damaged or deformed body can be an inadequate expression of the soul that animates it, so Hegel, a concept can fail to give itself adequate actuality.

Hegel's metaphors can be read to illustrate his notion of a world-immanent normativity: The world-inherent normative standards are realised insofar as there is life, socio-political reality and organic growth. Although this realisation takes place with various degrees of success, it is expression of an immanent normativity. In spite of Hegel's elaboration on the relationship between the categories of 'Dasein', 'concept' and 'Idea', their relationship to the activity of philosophy remains unclear in §1 and is only hinted at in the paragraph's addition: "The Idea of right is

⁵⁶ PR § 1 addition: 26.

⁵⁷ PR §1 addition: 25/26.

freedom, and in order to be truly apprehended, it must be recognizable in its concept and in the concept's existence [*Dasein*].”⁵⁸ Hegel addresses this problem more extensively in §2.

II. 1.2. §2

II. 1.2.1. Circularity

In §2, Hegel elaborates on the relationship between the ‘Idea’ and philosophy. The latter is an attempt to grasp and describe the Idea’s origin in the development of the concept: “The science of right is a section of *philosophy*. Consequently, its task is to develop the Idea—the Idea being the rational factor in any object of study—out of the concept, or, what is the same thing, to look on at the proper immanent development of the thing itself.”⁵⁹

Since the Idea is the ultimate reality for Hegel, the challenge for philosophy consists in thinking and describing this reality. In this process, the standard or criterion that defines what truth is remains the Idea and the philosophical thinker has to orientate his thought along the lines that are defined by this object. The challenge for a philosophy of ‘right’ is thus to think and describe the Idea of right as it is, rather than how one takes it to be. The philosopher leaves his own particular perspective and subjectivity behind in the act of philosophical thinking.

According to Hegel, the philosophical account that results from such thinking describes the Idea of right’s structure. However, he also claims that an account of the specific aspect of reality that is the Idea of right has to assume the concept that is responsible for the Idea’s existence since it aims to describe only the specific Idea that results from a specific concept’s activity: “As a section [of philosophy], [the science of right] has a definite starting-point, i.e. the result and the truth of what has preceded, and it is what has preceded that constitutes the so-called ‘proof’ of the starting-point. Hence the concept of right, so far as its coming to be is concerned, falls outside the science of right; it is to be taken up here as given and its deduction is presupposed.”⁶⁰

⁵⁸ PR §1 addition: 26.

⁵⁹ PR §2: 18.

⁶⁰ PR §2: 18.

Hegel thus argues that while the concept of right is not justified in the sense of including an account of its genesis within the context of the *Philosophy of Right*, this justification is provided in those parts of the philosophical system that precede the discussion of right. In contrast to the focused account of right, Hegel's system in its entirety aims to describe the whole of knowledge: "The science [of free and true thought] is essentially a system, since what is concretely true is so only in its inward self-unfolding and in taking and holding itself together in unity, i.e., as totality. Only through the distinguishing, and determination of its distinctions, can what is concretely true be the necessity of these distinctions and the freedom of the whole."⁶¹

However, Hegel does not just expect philosophical justification to be systematic. He also demands it to be circular: "Each of the parts of philosophy is a philosophical whole, a circle that closes upon itself; but in each of them the philosophical Idea is in a particular determinacy or element. Every single circle also breaks through the restriction of its element as well, precisely because it is inwardly [the] totality, and it grounds a further sphere. The whole presents itself therefore as a circle of circles, each of which is a necessary moment, so that the system of its peculiar elements constitutes the whole Idea—which equally appears in each single one of them."⁶²

Like Hegel's logical 'Idea' connects to the *Logic's* first determination — 'sheer being'⁶³ — so Hegel suggests, the Idea of right connects to its first abstract description of the concept of the will. This also applies to the determinations of right itself. The Idea's final determination — for example, 'the state' — reconnects with the first determination — for example 'abstract right' — by means of the question "what moments does the final determination contain?". Similarly, the first moment is linked to the final moment by means of the question "into what does the first

⁶¹ Enz §14: 38, 39. "1. The object of philosophy, the Idea or the absolute, itself forms a system: 'The truth is concrete; it unfolds within itself, and gathers and holds itself together in unity' (Enc. I §14). To do justice to it, philosophy must mirror its structure. (For Hegel, a system is not, as its derivation suggests, 'put together' by the philosopher: he reveals interconnections intrinsic to it, and puts together only what has been separated by previous thinkers, history or culture.) Understanding the relationship between a specific part of the system (e.g. the section on right/objective [Geist]) and the system's totality thus amounts to understanding how a specific part of the system is justified. If one accepts that the *Philosophy of Right* is a part of a system then understanding its justification amounts to understanding how it fits into this system as a whole (and potentially whether the rest of the system is 'complete')." (Inwood 1992: 266)

⁶² Enz §15: 39. See also: Houlgate 2005: 50.

⁶³ SL: 59.

determination develop?”. Since it attempts to link its first with its final moment, and all the elements in between, Hegel’s philosophical account forms a circle.

However, Hegel argues that there is something about the nature of every sub-circle within the philosophical system that ‘points beyond itself’ towards the larger systematic context within which the circle is situated. While this applies to all the parts of the philosophical system, it is equally valid for the content of the *Philosophy of Right*: “Philosophy forms a circle. It has a beginning, a moment of immediacy (for it must begin somewhere), something unproved which is not a result. But the point from which philosophy begins is [also] immediately relative, since it must appear at another end-point as a result. Philosophy is a sequence which does not hang in the air; it is not something that begins immediately; on the contrary, it circles back into itself.”⁶⁴

To Hegel, the content of the *Philosophy of Right* is a small circle within the larger circle that is its specific systematic subsection — in this case, ‘Geist’ — and ultimately, within the whole system. Although Hegel takes ‘right’ to be the starting point of the small circle that forms the *Philosophy of Right*, there is something that he takes to logically precede it in the larger circle(s). Hegel’s ‘proof’ of ‘right’ consists in grasping the relationship between the small circle that is the account of right and the systematically prior elements: “[Right is] the result and the truth of what has preceded”.⁶⁵

For Hegel, the *Philosophy of Right* is one whole circle insofar as it starts with ‘the will’ as right’s most abstract determination and then traces its developments into the right of world spirit’s [*Weltgeist*].⁶⁶ The notion of *Weltgeist* reconnects with abstract willing in virtue of the question ‘What is *Weltgeist*’s right grounded in?’. Hegel argues that the need for another circle — for example within property’s sub-circle ‘taking possession’ — arises out of the concept’s development itself. If one thinks that there should be another circle, the claim must be systematically justified — for example taking possession has an immediate and a mediated form

⁶⁴ PR §2 addition: 18.

⁶⁵ PR: §2: 18.

⁶⁶ PR §341.

etc.. However, the question ‘What does circle/(sub-)concept x contain?’ might be answered ‘nothing but itself’ if there is no further systematically accountable differentiation.

With regard to Hegel’s system, what is thus the ‘proof’ of right? An answer to this question can be found in the architecture of the *Encyclopedia*, where Hegel discusses the *Philosophy of Right*’s topic in the section on ‘objective Geist’⁶⁷ that is preceded by “subjective Geist”.⁶⁸ The larger section of the *Philosophy of Geist*, of which ‘objective Geist’ is a part, is preceded by firstly, the *Science of Logic*⁶⁹ and secondly, the *Philosophy of Nature*.⁷⁰ While the *Logic* attempts to explore the development of abstract thought on its own, the *Philosophy of Nature* begins with a concept of nature that is the product of this development. Hegel’s *Philosophy of Nature* in turns results in the *Philosophy of Geist* and he thinks that the concept of ‘Geist’ is ‘proven’ by the inadequacy of ‘nature’. Finally, ‘right’ or ‘objective Geist’ is preceded and thus justified by the development of ‘subjective Geist’.⁷¹

By his own standards, Hegel’s ‘proof’ of right therefore consists in the description of the categorical development that leads from ‘pure being’ as first category of the *Logic* via its ‘Idea of being’, then to the ‘concept of nature’ to the ‘concept of Geist’. While Hegel describes Geist as differentiating itself into ‘subjective’ and ‘objective Geist’ —before finally becoming ‘absolute Geist’—, his account of ‘willing’ as origin of ‘right’ is situated between ‘subjective’ and ‘objective Geist’ and describes Geist’s transition from being an ‘internal’ determination into a determination that includes ‘externality’.⁷²

What this ‘proof’ precisely consists in and whether it is successful quite evidently goes beyond the scope of this discussion. However, it might be worth noting that while Hegel admits to ‘assuming’ a certain concept of right in the context of the *Philosophy of Right*, he also considers himself to have provided a proof of this concept elsewhere. These methodological considerations

⁶⁷ Enz §483ff: 220ff.

⁶⁸ Enz §387: 25.

⁶⁹ Enz §19: 45.

⁷⁰ Enz 13 §245: 13.

⁷¹ Enz §387: 24.

⁷² Enz §385: 20.

might prompt the question: ‘If the content of the *Philosophy of Right* is not a proof of the concept of right, what else is it?’

II. 1.2.2. The ‘What’ and ‘How’ of Right

Specialised branches of science — for example biology, physics, chemistry — assume the existence of the concept — for example life, the physical world, chemical reactions — in the light of which they frame their claims to knowledge. Similarly, Hegel's *Philosophy of Right* seems to assume the existence of the concept of right in order to be able to discuss anything at all. The rationale behind this appears to be the following: If one wants to explain the constitution of a certain country, one has to presuppose what a constitution is in order to be able to talk about it. When one says: The constitution is codified, promotes the separation of powers and defines institutional arrangements in a specific way, one assumes the audience’s acquaintance with the object of description. If the audience did not know what a constitution was, one would have to commence the account by explaining what a constitution is — for example a set of guidelines for the design of political institutions.

A different account would have to be given if one was asked: “What is a constitution?” The answer to this question would have to include ever more general categories under which the concept of a constitution could be subsumed. One might thus begin the explanation by saying: “A constitution is a set of rules for government. Government is the making and enforcing of rules, laws and regulations”. Such explanations immediately guide the thinker towards other categories such as ‘government’, ‘set’ or ‘rule’. They point towards something that is beyond the context in which the ‘how’ of their concept — in this case, ‘constitution’ — is discussed.

This seems relevant to Hegel’s image of ‘small circles’ that exist within the ‘large circle’ of the system and which point to something beyond their own domain or ‘themselves’. One might thus claim that the discussion of how ‘a constitution’ is, is a ‘small circle’. Meanwhile, the discussion of ‘what’ a constitution is and how it relates to other categories — such as ‘government’

or 'rules' — is a larger circle that logically precedes the discussion of the constitution's 'how'. The smaller circle — in this case, the description of the constitution — points to the larger circle(s) as soon as one poses the question "What does the smaller circle describe?".

According to Hegel, the task of philosophy is to give a systematic account of the Idea's architecture and to situate it within a larger, ultimately all-encompassing context that leaves as few questions for philosophical justification unanswered as possible. Since the Idea as object of philosophical enquiry remains the standard of thought, so Hegel, the system's structure has to resemble the Idea's structure. Also the circularity of the philosophical system is not just a feature of thought but also an expression of the Idea's structure.

The claims that the criterion for any philosophical account remains the objectively true 'Idea' and not the specific thinker's representations seems to pose a difficulty for Hegel insofar as all individual thinking takes place by means of representations. How can a subjective, individual representation 'turn into' or 'become' a thought of the objective and universally 'true' Idea?

II. 1.2.3. Representation

In the *Encyclopedia*, Hegel argues that a 'representation' is one of the forms in which the content of a consciousness — that is of an individual Geist that is opposed to an external world — is determined.⁷³ He argues that such content can also assume other forms, for example feelings, intuitions, images [*Bilder*], representations, ends [*Zwecke*], duties etc. Furthermore, so Hegel, while the content of consciousness can be purely felt, depicted, willed, conceptualised etc., it can also be willed, felt, depicted, conceptualised etc. *intermixed with thoughts*.⁷⁴ This mixture of thoughts and one or more forms of consciousness's content is the product of the thinker's deliberation [*Nachdenken*], reflection and reasoning.⁷⁵

The representation then relates to the other forms of consciousness's content insofar as the forming of a representation is the product of an act of reflection on a specific content of

⁷³ Enz § 3: 26.

⁷⁴ Enz §2: 25.

⁷⁵ Enz §3 remark: 26, 27.

consciousness and its form. Thus, as soon as the content's determinations in form of feeling, intuitions, desire, the will etc. are *known*, that means as soon as they are *thought about* and have thereby become objects of thought, they are representations.⁷⁶

Temporally speaking, so Hegel, feelings, intuitions, desires etc. thus have a tendency to precede representations and representations usually precede 'concepts'. While the concept in union with its objectivity — as Idea — is the ultimate object of philosophical enquiry and thus the highest content of consciousness, the thinking consciousness cannot commence with thinking it immediately. Rather, it must 'convert' itself to it: "[P]hilosophy can, of course, presuppose some familiarity with its ob-jects; in fact, it must presuppose this, as well as an interest in these ob-jects. The reason is that in the order of time consciousness produces representations of ob-jects before it produces concepts of them; and that the thinking [Geist] only advances to thinking cognition and comprehension by going through representation and by converting itself to it."⁷⁷

II. 1.2.4. Philosophy as reflection on representations

Philosophy, so Hegel, is the activity of thinking 'purely' about one's representations in the sense of letting thought rather than feelings guide one's mind. As a consequence of thinking, reflecting or reasoning about one's own representations without distortion by feelings, inclinations etc., the thinker replaces representations by thoughts, categories and ultimately, by concepts. When one thinks correctly about representations, Hegel argues, the representations assume, or are elevated to, the form of the concept.⁷⁸ In this case, thoughts about representations become 'thoughts' proper: they are in accordance with the concept. According to Hegel, philosophical thinking thus amounts to "putting concepts were representations are".⁷⁹

Hegel argues that this also marks the transition from purely subjective thinking to objectively valid thought. The properly 'thinking' individual participates in thought's and the

⁷⁶ Enz §3 remark: 26, 27.

⁷⁷ Enz §1: 24.

⁷⁸ Enz § 3 addition: 26,27. PR §2 remark: 18.

⁷⁹ Enz §3 remark: 26.

concept's universality. While the content of the concept *as concept* — as an active, objective, self-actualizing entity — cannot be 'thought' by the particular individual in the sense of 'being in the individual's mind', the thinker can structure what *is* in his mind — representations, thoughts and categories — to match the form of the concept. Since the concept's *content* has to remain the content *of the concept* and not of the representation, the representation *as representation* can have the concept's form as content if the individual thinks along with the concept: "But this concept as it is for itself in its truth not only may be different from our common idea of it, but in fact must be different from it in form and outline."⁸⁰

For Hegel, a representation's form is always 'untrue' to the concept: the representation does not contain the concept's content. When the concept's form has become the representation's content, the representation has been "raised"⁸¹ to the concept's form: "If, however, the common idea of it is not false in content also, the concept may be exhibited as contained in it and as essentially present in it. In other words, the common [representation] may be raised to the form of the concept."⁸²

Since the concept is the criterion for truth, so Hegel, the representation must follow its lead: "The truth is that in philosophical knowledge the *necessity* of a concept is the principal thing; and the process of its production as a result is its proof and deduction. Then, once its content has been shown in this way to be necessary on its own account, the second step is to look round for what corresponds to it in our ideas and language."⁸³ And... "But the [representation] is so far from being the standard or criterion of the concept (which is necessary and true on its own account) that it must rather derive its truth from the latter, adjust itself to it, and recognize its own nature by its aid."⁸⁴

In a sense, Hegel argues that philosophy 'reconciles' representation and concept:

"Within the broad realm of outer and inner thereness, a judicious consideration of the world already

⁸⁰ PR §2 remark: 19.

⁸¹ PR §2 remark: 19.

⁸² PR §2 remark: 19.

⁸³ PR §2 remark: 19.

⁸⁴ PR §2 remark: 19. 'common idea' replaced by 'representation'.

distinguishes that which is only appearance, transient and insignificant, from that which truly and in itself merits the name of actuality. Since philosophy is distinguished only in form from the other forms of becoming conscious of this same identical import, its accord with actuality and experience is necessary. Indeed, this accord can be viewed as an outward touchstone, at least, for the truth of a philosophy; just as it has to be seen as the supreme and ultimate purpose of science to bring about the reconciliation of the reason that is conscious of itself with the reason that is, or actuality, through the cognition of this accord.”⁸⁵

This account of thinking reinforces the interpretative claim that for Hegel, ‘Idea’, ‘concept’ and ‘Dasein’ are as constitutive of reality as they are descriptive ‘domains’ of it. In the sense that the term ‘representation’ depends on a difference between world and thinker, it is inadequate to the thinking of the concept that makes the difference between thinker and object disappear. As opposed to representations, Hegel’s ‘concept’ is thus also the presence of thought-determination *in the world*. Since a representation is always a subjective mental ‘image’ of an objective world, the category of representation contradicts the unity of thought and world in a way that ‘thinking’ does not.

II. 1.2.5. Philosophical vs. non-philosophical method

While Hegel argues that philosophical thought aims to systematically mirror the Idea’s structure in abstract form, he also describes various non-philosophical methods and discusses two of these in the remark to §2.

II. 1.2.5.1. Non-philosophical method I

The first of these methods begins with a general definition. Such a definition may be deduced from the etymological origins of the definition’s name or, more frequently, from popular feeling or representations.⁸⁶ A definition is “correct”, so Hegel, if it matches certain commonly held

⁸⁵ Enz §6: 29.

⁸⁶ PR §2 remark: 18.

representations: “According to the abstract, non-philosophical, method of the sciences, the first thing sought and demanded is a *definition*, or at any rate this demand is made for the sake of preserving the external form of scientific procedure. [...] The deduction of the definition [in the non-philosophical sciences], however, may take its lead from etymology, or proceed above all by abstracting from particular cases, so that it is based on human feelings and [representation] [*Vorstellung*]. The correctness of the definition is then made to lie in its correspondence with current [representations]. This method neglects what is all essential for science—i.e. in respect of content, the *necessity* of the thing in and for itself (right, in this instance), and, in respect of form, the nature of the concept.”⁸⁷

For Hegel, the definition-based method is insufficient for two reasons. These relate to the definition’s content and to its form. As is the case with representations, the definition’s form neglects the ‘nature of the concept’ as an active, universal entity that actualises itself and thereby constitutes reality. Consequently, the definition remains an abstract, subjective entity with a content that is as contingent as the opinions and subjective representations it is based on.

For example, one might define trees as ‘large plants with stems’. This amounts to claiming that all trees *must* be plants, large and possess stems. However, when asked *why* all trees have to be so, one can merely repeat the definition or claim that people think of them this way or that all trees we have found meet these criteria. All of these answers fail to establish necessity: people could think otherwise, our observations could have been different. To ‘prove’ what a tree is, I have to show that ‘being large’ and ‘having stems’ follows from of the general nature of the ‘plant’. If no systematic and concept-immanent reason for plants to be in a tree-like way can be found, the trees’ being is contingent. While it might be necessary that there are plants, there might be no necessary reason why some of these are trees.

This suggests that while representations can mirror the concept’s form of necessity, definitions cannot. In Hegel’s terms, their content cannot be the concept’s form since their own

⁸⁷ PR §2 remark: 18, 19. ‘idea’ replaced by ‘representation’.

form cannot be adapted to the concept's. Rather, definitions can merely establish that certain representations exist and happen to support the definition. Unlike a representation that corresponds to the form of the concept, so Hegel, a definition always fails to establish the necessity of its content.

Hegel argues that although the first non-philosophical method “at least [insists] on the form of the concept in its definition and the form of necessary knowledge in its demonstration”,⁸⁸ it falls short of achieving either. Nevertheless, he thinks that the definition-based method's doomed attempt to establish the necessary and universal validity of its content renders it more philosophical than a second non-philosophical method.

II. 1.2.5.2. Non-Philosophical Method II

According to this second method, Ideas are facts of consciousness [*Tatsachen des Bewußtseins*] and can be grasped [*aufgreifen*] immediately: “But while the above-mentioned abstract way of knowing with its formal definitions, syllogisms, proofs, and the like, is more or less a thing of the past, still it is a poor substitute which a different artifice has provided, namely to adopt and uphold Ideas in general (and in particular the Idea of right and its further specifications) as immediate ‘facts of consciousness’ and to make into the source of right our natural or our worked up feelings and the inspirations of our own hearts. This method may be the handiest of all, but it is also the most unphilosophical—not to mention here other aspects of such a view, which has a direct bearing on action and not simply on knowledge. While the old method, abstract as it is, does at least insist on the *form* of the concept in its definition and the *form* of necessary knowledge in its demonstration, the artifice of feeling and immediate awareness elevates into a guiding principle the subjectivity, contingency, and arbitrariness of knowing. What constitutes scientific procedure in philosophy is expounded in philosophical logic and is here presupposed.”⁸⁹

⁸⁸ PR §2 remark: 19.

⁸⁹ PR §2 remark: 19.

As opposed to the first method, Hegel argues that the second method gives up on trying to argue in favour of the universal validity or the necessity of a specific representation. It rather “claims” it. While the first non-philosophical method thus attempts to achieve necessity by proceeding from a general or universal definition but has to appeal to subjective grounds like representations and language to justify it, the second method appeals to such contingent and arbitrary grounds immediately. While the first method’s failure to establish the necessity of its content is not immediately obvious, this is at least the case with the second method.⁹⁰

In general, Hegel rejects the notion of immediate knowledge for several reasons. For example, he argues that apart from prior mediation, even sense-based knowledge is always accompanied or “bound up”⁹¹ with an implicit mediation of categories, thoughts etc. This renders purely immediate knowledge impossible: “[T]he antithesis between an independent immediacy of the content or of knowing, and, on the other side, an equally independent mediation that is irreconcilable with it, must be put aside, first of all, because it is a mere presupposition and an arbitrary assurance.”⁹²

According to Hegel, any appeal to immediate knowledge thus falls short of conceptualising the necessity, objectivity and universality that philosophy is concerned with. While some commentators are tempted to claim that Hegel’s commitment to philosophy as an articulation of the Idea, concept or actuality commits him to a conservatism that abolishes or underplays the importance of critique, Hegel is careful to distinguish his notion of philosophy from mere positivist reporting of what ‘happens to be the case’. Not only does he distinguish between the philosophical and two non-philosophical methods with regard to ‘right’ but he also contrasts philosophy with what he describes as the method of “[t]he positive science of *right*”.⁹³

⁹⁰ The *Encyclopedia Logic* gives a more detailed critique of immediate knowledge and its failure: See Enz §67: 115, 116.

⁹¹ Enz §68: 117.

⁹² Enz §78: 124.

⁹³ PR §2 remark: 18.

II. 1.2.6. Positive legal science, Roman law, slaves, property

As opposed to the two previously discussed methods and their attempt to appear scientific, so Hegel, the ‘positive science of right’ does not begin with a definition⁹⁴ and is not concerned with the universality or necessity of its subject matter: “The positive science of *right*, however, cannot be very intimately concerned with definitions since it aims primarily to state what is right and legal [*Rechtens*], i.e. what the *particular* legal provisions are, and for this reason the warning has been given: ‘in civil law, all definition is hazardous.’ Indeed, the more disconnected and inherently contradictory are the provisions giving determinate character to a right, the less are any definitions in its field possible, for definitions should be stated in universal terms, but these would immediately expose in all its nakedness what is contradictory—that is, in this instance, what is unjust. Thus in Roman law, for example, there could be no definition of ‘human being’, since ‘slave’ could not be brought under it—the very status of slave indeed violates the concept of the human being; it would appear just as hazardous to attempt a definition of ‘property’ and ‘proprietor’ in many cases.”⁹⁵

For Hegel, the positive science of right aims to record the particular determinations of what happens to be considered right in a given socio-historical context. Its object is not the concept or the Idea in its objective necessity but rather the particular and subjective interpretations of right. As a consequence of the particular character of the science of positive right’s subject matter, the universality of a general definition runs the risk of contradicting the particular institutions and practices that the science of positive right is concerned with.

For example, Hegel argues that due to the Roman institution of slavery, a universality-claiming definition of ‘human being’ would be impossible for Roman law given that certain rights and liberties are connected to such a notion. Although slaves are considered to be human beings by Roman law, the same law denies them these basic human rights and liberties. Slaves could not have been subsumed under the definition of ‘humanity’ unless they were granted the same status as all

⁹⁴ PR §2 remark: 18.

⁹⁵ PR §2 remark: 18.

other human beings and thereby would have ceased to be slaves. Alternatively, one could give a definition of ‘human being’ that defines all humans as slaves.

However, Hegel seems to think that the latter would entail an even greater contradiction since such a definition would deny human spirit’s ability to self-determine, an ability which is already present in children: While children might not be ‘completely’ self-determining and are ‘immature humans’, they are still human and self-determining ‘in principle’. Likewise, on a definition of horses being quadrupeds, a three-legged horse does not cease to be a horse just because it lost a leg. It might be an imperfect horse but is a horse, nevertheless.

Hegel argues that like the non-philosophical methods, also the positivist account of right fails to convey the Idea of right in its necessity. As opposed to the philosophical account, it falls short of obliterating the difference between individual thinker and the truth as the object and condition of thought. However, despite the differences between the methods, Hegel argues that the positivist account of right is not absolutely distinct from the philosophical approach. Rather, he takes the latter to rely on the former for content – it aims to elevate this content by means of reflection and thought to an account of truth. In order to better illustrate the relationship of difference and identity that this gives rise to, Hegel analyses the positive perspective onto right at greater length in §3.

II. 1.3. §3

II. 1.3.1. Positive right

As opposed to the non-philosophical methods and the positive science of right, the philosophical account of right gives a description of the Idea of right as the actual, necessary and concrete result of the concept’s development. Such a description mirrors *how* the concept of right immanently actualises itself into an Idea — it is an abstract description of the concrete Idea. Hegel argues that the philosopher describes the Idea *as Idea*, that is as an unconditioned universality and necessity.

On this view, philosophy does not simply record what *happens* to be. This would be an account of what ‘is there’ — what has Dasein — or what merely exists. Insofar as Hegel’s Idea is supposed to be the most developed category and thus the most developed unity of what ‘is’ and what ‘ought to be’, the Hegelian Idea’s description contains an element of critical normativity in the face of ‘existence’ or ‘Dasein’ since these are less developed categorial unities of ‘is’ and ‘ought’.

While Hegel’s philosophical account aims to describe the structure and the internal logical dependencies of the Idea from an atemporal or pre-temporal perspective, he also argues that there exists a further, alternative point of view onto the Idea and its manifestation. This perspective, so Hegel, considers how the Idea articulates itself in a specific spatial, temporal and cultural context. In contrast to the philosophical account, this description of the Idea of right as *positive* does not aim to illustrate the concept’s internal necessity. It rather illustrates the contingency within which the necessary Idea appears: “Right is *positive* in general (*a*) when it has the *form* of being valid in a particular state, and this legal authority is the guiding principle for the knowledge of right in this positive form, i.e. for the positive science of right. (*b*) Right in this positive form acquires a positive element in its *content* (*α*) through the particular national character of a people, its stage of historical development, and the whole complex of relations connected with the necessities of nature; (*β*) because a system of legal right must necessarily involve the application of the universal concept to particular, externally given, characteristics of objects and cases. This application lies outside speculative thought and the development of the concept, and is the subsumption by the understanding [of the particular under the universal]; (*γ*) through the final determinations requisite for actually making *decisions* [in court]”.⁹⁶

⁹⁶ PR §3: 20.

II. 1.3.2. Actuality, Dasein and Concept

Hegel thus suggests that the positivist perspective describes how the Idea of right posits itself in a specific contingent form that depends on a variety of Idea-external factors. The resulting *positivity* of the Idea of right contains the dimensions of contingency *and* necessity: while the Idea that posits itself is necessary, the *way* in which it posits itself is contingent: It must be the Idea of right that posits itself but it could have posited itself differently. In the *Science of Logic*, Hegel associates the determinations of ‘contingency’ and ‘necessity’ with the category of ‘actuality’:

“Actuality is the unity, become immediate, of essence and existence, or of what is inner and what is outer. The utterance of the actual is the actual itself, so that the actual remains still something-essential in this [utterance] and is only something essential so far as it is in immediate external existence”.⁹⁷

Although actuality is necessary, so Hegel, its necessity is not ‘complete’ or ‘pure’ since it still implies its opposite: arbitrariness or contingency. For Hegel, something is necessary because it is *not contingent*, the inner-outer split is still present *as negated*. With regards to right’s positivity, this means that the Idea’s necessary ‘core’ is ‘surrounded’ or manifest in the contingency and arbitrariness of its ‘existence’ or ‘appearance’. This entails that the positivist account of right depicts its necessity as embedded in the contingency of ‘existence’. It describes the Idea *in union with* or *embodied in* the contingencies of time, space and culture.

Insofar as these factors are external to the Idea, so Hegel, they need not be speculatively grasped, they can be *understood*: “[R]eason in actuality steps into the externality [*Äusserlichkeit*] of Dasein [which is the] wide sphere of Verstand [*understanding*]”.⁹⁸ This suggests that while positive science engages with contingent facts, philosophy has to find their inherent necessity. When the positive science of right presents us with contingent empirical facts about institutions and practices, philosophy has to go further and uncover the Idea *within* these facts. This raises the problem of how

⁹⁷ Enz §142: 213.

⁹⁸ PR §3 notes: 43 (Suhrkamp).

to distinguish between ‘merely’ positive facts and the necessary rationale that conditions them.⁹⁹ It might thus be contingent that there are 204 sovereign states in the world, while it is *not* contingent that there are states — that is, that right manifests itself. Likewise, it might be contingent that cars drive on the left in the UK but not that there are traffic laws.¹⁰⁰

This interpretation might seem at odds with Hegel’s overall project of providing a monistic idealist account in which everything is *within* reason: If there is contingency ‘beyond’ the reach of philosophical explanation, there is an ‘outside’ to reason. However, Hegel suggests that even this ‘outside’ or ‘contingency’ is conditioned by reason and necessity: Without the Idea’s necessity, there would be no contingency, since contingency is ‘what is not necessary’. Similarly, without Idea, there would be no ‘nature’, since nature is the ‘Idea in its otherness’. While contingency and nature seem to be entirely irrational, they are still conditioned by rationality itself: they are ‘in’ reason insofar as they could not be without it. Although ‘contingency’ and ‘nature’ are quite abstract forms of rationality, they are nevertheless part of it — they are contained within the more concrete and more obviously rational categories of ‘necessity’ and ‘Geist’. Likewise, the positive manifestation of right in form of contingent institutions and practices depends on the Idea as its necessary condition: the legal positivist can only record positive right because the Idea is posited as such.

II. 1.3.3. Idea and Ideal

While Hegel takes the actuality of right to be the most developed unity of ‘is’ and ‘ought’ at the stage of ‘essence’, he argues that the positive and contingent *appearance* of right lacks this kind of higher-order unity. Insofar as reality is *actual*, it is as it must and ought to be. However, since for Hegel, right’s positivity is equivalent to right’s appearance, it is not how it *must* be but how it happens to be. While there is actual content in right’s positive appearance — that, which appears,

⁹⁹ “Hegel’s Logic implies that contingency, like other categories, must be exemplified in the world. But he gives no satisfactory account of (a) where the line is to be drawn between the contingent and the non-contingent; (b) why it is to be drawn at that, rather than some other, point.” (Inwood 1992: 199).

¹⁰⁰ On contingency in Hegel see also Inwood 1992: 198, 199 and Houlgate 2005: 113.

e.g. the family, civil society etc. — this content manifests in the form of contingency, for example the family manifests itself as *such* a family.

From the perspective of appearance, we might ask: what is necessary about our societies and what could be otherwise? The demand that a given positive system of right should be *only* or *purely* reasonable amounts to demanding ‘pure’ actuality and for Hegel, such a demand fails to appreciate that actuality has to *appear* to be actual. What is necessary about a positively existing system of right, so Hegel, is thus always ‘clothed’ or ‘articulated’ in the contingency of specific provisions, arrangements and institutions.¹⁰¹ This entails that the perspective of positivity is incapable of appreciating right’s necessity or freedom *exclusively*. For Hegel’s positivist, the form of concept-external and contingent existence of right is as necessary as the essence itself.¹⁰²

For Hegel, no ‘existing’ social order is *just actual* — it has to contain contingent aspects.¹⁰³ However, while we cannot demand that there be no contingencies in ‘our’ reality of existence, we *can* ask whether a given contingency ought to be this or some other way. For example, while it is necessary to have a currency for the working of civil society, we can debate whether this currency has to be tied to the gold standard or not. This also means that certain positive practices and institutions are valid not because they are particularly reasonable but simply “because they are valid”.¹⁰⁴ According to Hegel, asking for further reasons to explain the existence or validity of these instances would be to ask for a reason that lies *outside* of these institutions and practices — such a reason cannot be given within their rational description. Insofar as merely existing aspects of positive right lack the *immanent* necessity of actuality, so Hegel, they do not contain reasons for their existence.

For example, insofar as the institution of the family is a necessary aspect of right, it ought to be protected and encouraged. The specific legal provisions that enable this are necessary

¹⁰¹ PR §3 notes: 43 (Suhrkamp).

¹⁰² PR §3 notes: 44 (Suhrkamp).

¹⁰³ cf. “As far as its general content is concerned, positive right may be either rational or, as is customarily the case, a blend of rational and of contingent, arbitrary provisions; some of these derive from violence and repression of from the ineptitude of the legislators, while some have been carried over from a more imperfect state of society into a more perfect, founded on a higher consciousness of freedom, the changes that have occurred having been decreed singly and according to the needs of the moment, regardless of the coherence of the whole.” (LNR§1 remark: 51).

¹⁰⁴ PR §3 notes: 43 (Suhrkamp).

insofar as they are a consequence of the articulation of right's actuality — of which the moment of the family is a part. However, the specific form of such laws and provisions is *contingent* insofar as they promote and protect the family in a context-sensitive way. It is thus contingent whether incentive A — for example public child support — or punishment B — legal costs of divorcing — promotes the institution of the family in a given society. However, it is not contingent that this institution exists, that it ought to be promoted and that there are laws and provisions to ensure this. In contrast, so Hegel, from the exclusively *positivist* perspective on right, one cannot draw a distinction between the necessary and contingent aspects because one confronts only existing and thus contingent legal provisions and practices.

While the demand for a purely reasonable, *just* actual system of right is thus misplaced from the positivist point of view, Hegel claims that even in any existing or positive state, reason should be the dominating force [*das Herrschende*].¹⁰⁵ This contrasts with for example Max Weber's claim that the state is always based on force: "A compulsory political association with a continuous organization will be called a "state" if, and insofar as, its administrative staff successfully claims the monopolization of the legitimate use of physical force in the enforcement of its authority".¹⁰⁶ Instead of being a product of 'force' and its naturalist connotations, Hegel's state is a product of what he calls Geist — socio-political reality ought to be as spiritually informed as possible.

This difference between the positivist and the philosophical perspective on right illustrates the anti-conventionalist strand in Hegel. His philosophical account of right is not concerned with the merely contingent 'appearance' or 'existence' of legal institutions and practices. Rather, the object of his enquiry is what he calls the necessary actuality of right and the Idea as its ultimate condition.

¹⁰⁵ PR §3 notes: 42, 43 (Suhrkamp).

¹⁰⁶ Weber 1964: 119. See also Inwood 2007: 520 n.10. cf. LNR: "*Positive right* [...] is in general that right which has validity in a particular state and must therefore be respected as an authority that is maintained by coercion and fear or by confidence and faith, but can also be upheld through rational insight." (LNR §1 remark: 51).

II. 1.3.4. Positive right's legal authority

Hegel argues that while the positivist perspective is limited to the contingency of right's appearance, the domain of relevant facts is defined by them "being valid in a particular state"¹⁰⁷ in the form of "legal authority [*gesetzliche Autorität*]"¹⁰⁸ While positive legal science establishes what laws *happen to have* authority, so Hegel, it does not ask *why* they would have it or whether they are justified in having it. While laws must be reasonable and understandable so Hegel, their legal authority does not depend on the citizens' understanding [*Einsicht*].¹⁰⁹ For example, anti-monopoly laws are not valid because people happen to understand them but because they are rational measures that perform a diversifying role in civil society. People must know the law that concerns them and law does not lose its validity because people do not know or understand it.

However, for Hegel contingent personal insight is not the only unsuitable 'ground' for positive right's authority: "If inclination, caprice, and the sentiments of the heart are set up in opposition to positive right and the laws, philosophy at least cannot recognize authorities of that sort.—That force and tyranny may be an element in positive right is accidental to the latter and has nothing to do with its nature."¹¹⁰

For example, while a given monarch might have opposed the introduction of the parliamentary system, such opposition is irrelevant for philosophy's concern with right — instead, one might consider the introduction of the parliamentary system to be justified because it constitutes a rational progress. Furthermore, while an authoritarian regime might resort to the use of force to ensure the authority of its legal system, there is nothing necessary about such measures. People could always respect rational legal provisions without being forced to do so. Apart from coercion and rational insight, so Hegel, citizens might embrace positive right on the basis of other motives. These include fear, prudence, conviction, trust or 'common sense' [*gesunder*

¹⁰⁷ PR §3: 19.

¹⁰⁸ PR §3: 19.

¹⁰⁹ PR §3 notes: 43 (Suhrkamp).

¹¹⁰ PR §3 remark: 20.

Menschenverstand].¹¹¹ According to Hegel, ‘common sense’ is particularly attractive since it conveys the notion of an infinite sphere where one can decide in one way or another — it articulates the dimension of contingency that is the mark of positive right’s existence. Common sense might thus remind us that it does not really matter by what kind of measure the institution of the family is supported or what form it takes as long as it is being supported. While it is indifferent whether one increases child-support or raises tax levels for singles, what really matters is *that* the institution of the family is preserved and furthered. Although Hegel takes ‘common sense’ to be inferior to ‘reason’ insofar as the former suggests that deciding for a decision’s sake is all there is to thinking and reason implies that one has to decide in the light of what the requirement of rationality is, he argues that one must appreciate common sense’s insight that making a decision is an indispensable part of thinking.

II. 1.3.5. The content of positive right

Hegel further argues that while legal authority is the *form* of positive right, its *content* is determined by the “particular national character of a people, its stage of historical development, and the whole complex of relations connected with the necessities of nature.”¹¹² Insofar as he considers these factors to be external to the concept of right and its actuality, they are of no direct philosophical concern to him. This reiterates Hegel’s earlier claim that thinking of right as something contingently *positive* prevents the thinker from establishing the *necessity* of its content. On this view, it is a category mistake to expect the science of positive right to illustrate the Idea and its necessity. The same holds for the expectation that philosophy ought to provide a legal code with all its contingencies: “The details to be expounded there are being mentioned here only to indicate the limits of the philosophical study of right and to obviate at once any possible supposition, let alone demand, that the outcome of its systematic development should be a code of positive law, i.e. a

¹¹¹ PR §3 notes: 43 (Suhrkamp).

¹¹² PR §3: 20. cf. “[A] positive sphere of right arises automatically as soon as right acquires validity and external actuality. On the one hand the particular existence or a people is marked by distinctive conditions that influence the determinations of right; on the other, the empirical cases and distinctions to which rational insight must be applied are not actually expressed in it even though they are contained in it.” (LNR §1 remark: 51-52).

code such as the one an actual state requires. *Natural* law, or right from the philosophical point of view, is distinct from *positive* right; but to pervert their difference into an opposition and a contradiction would be a gross misunderstanding. The relation between them is much more like that between Institutes and Pandects.”¹¹³

While for Hegel, the concept of right is the origin, essence or ‘nature’ of a rational legal code, such a code is the context-sensitive and contingent external embodiment of the concept’s requirements. However, although this embodiment *as embodiment* is contingent, it is still the articulation of what is necessary, viz. the concept of right. In virtue of this mutual dependency of necessity and arbitrariness, Hegel rejects the notion of an absolute antagonism between positive right and ‘natural’ right — for him, philosophy has to engage with positive law in order to grasp the concept that motivates it. The philosophical thinker thus has to be acquainted with positive right in order to form representations which allow him to turn these into thoughts and consequently to grasp the form of the concept. While philosophical thinking refuses to remain at the categorical stage of the positive science of right and its contingencies, so Hegel, it relies on it in order to grasp the concept and its Idea.

II. 1.3.6. Intellectual application of right

Although concept-external factors such as social-historical setting remain contingent from the concept’s perspective, they remain the medium through which the concept of right *has to* manifest itself and is conceptualised. Consequently, right’s specific positive manifestation also depends on the fact that “a system of legal right must necessarily involve the application of the universal concept to particular, externally given, characteristics of objects and cases. This application lies outside speculative thought and the development of the concept, and is the subsumption by the understanding [of the particular under the universal]”.¹¹⁴

¹¹³ PR §3 remark: 20.

¹¹⁴ PR §3: 20.

This suggests that those who make right-related decisions — for example the judges and legislators, but also moral agents and citizens in general — have to consider how to best realize the demands of the concept of right — for example moral requirements, the framing and protecting of the institutions of property, contract, family, morality, civil society etc. — in a specific socio-historical context. For Hegel, their decisions shape the positive reality of right. In a given society, theft might thus take the form of copyright violation. This can occur in form of the printing of copied material in collections or its reproduction in a different medium — for example digital rather than print.¹¹⁵ In order to recognize whether a certain occurrence — in this case, a certain kind of plagiarism — violates the institution of property, a judge or legislator has to understand what the occurrence can be determined as — in this case, a violation of the institution of property and thus as theft. Similarly, it takes a definite decision to declare something to be plagiarism. There might thus be a provision that if a certain amount of words or meaning is ‘copied’ without reference or notification, an event constitutes ‘plagiarism’. How *many* words or how *much* meaning exactly, is a contingent decision of the understanding.

However, such understanding is only possible if the relevant aspect of the concept is understood previously — for example, what the institution of property is and that it has to be protected. Hegel’s claim that such a determination requires an act of ‘understanding’ rather than of ‘speculative thinking’ ought to become more lucid in the light of Hegel’s description of what he takes to be the three forms of thinking.

¹¹⁵ PR §3 notes: 42 (Suhrkamp).

II. 1.3.7. Speculative and dialectical thought and Verstandesdenken

In the *Encyclopedia's* §80, Hegel states: “α) Thinking as *understanding* stops short at the fixed determinacy and its distinctness vis-à-vis other determinacies; such a restricted abstraction counts for the understanding as one that subsists on its own account, and [simply] is.”¹¹⁶

For Hegel, understanding thus amounts to the identifying of similarities and differences between different abstract objects of thought¹¹⁷ and he gives the example of numbers in mathematics, which are abstract entities that understanding clearly determines by assigning a specific size to them.¹¹⁸ Similar to numbers, a specific action — an act of plagiarism — can be understood as a clearly determined object of thought, say, as an of a violation of the institution of property.

In the context of the application of right, so Hegel, understanding is thus necessary for the legislators and judges in order to determine whether a given action or object contradicts the demands of the previously understood concept of right. For instance, a certain new financial instrument might undermine the working of the national economy by shrouding the origin of its estimated value and thereby making verification of its *actual* value impossible. In order to judge whether such an occurrence contradicts the demands of right — for example ensuring the existence of a functioning civil society, a judge has to understand the concept of right — telling him that civil society ought to be protected — and further, he has to understand what the instrument is and what it does — how it is determined.

However, for Hegel, the activity of the understanding does not exhaust all there is to thinking. He thus identifies another aspect of philosophical thought as ‘dialectical thinking’: “(β) The *dialectical* moment is the self-sublation of these finite determinations on their own part, and their passing into their opposites.”¹¹⁹ While understanding allows the making of decisions by

¹¹⁶ Enz §80: 125.

¹¹⁷ Enz §80 addition: 126.

¹¹⁸ Enz §80 addition: 126.

¹¹⁹ Enz §81: 128.

clearly delineating different abstract objects of thought, so Hegel, dialectical thinking shows that each determination can be negated and lead into its opposite. What constitutes an act of plagiarism under one determination is an act of original creation on another.

While Hegel takes dialectical thinking to be part of the path towards finding the most suitable determination in a given case, it is not the *end* of the legislator's and the judge's thinking when they consider how to apply the demands of the concept. If dialectical thinking were to dominate over understanding, it would prevent the legislators and judges from making decisions and render right's application impossible. For instance, they might never decide whether an act is an instance of plagiarism or creation and fail to make a final decision about right's application.

Hegel argues that as opposed to dialectical thinking, *speculative* thinking “apprehends the unity of the determinations in their opposition”.¹²⁰ In combination with understanding and dialectical thought, he takes it to be the distinctive mark of conceptual thought and thus of philosophy. For example, rather than merely determining what abstract right and morality *are*, speculative thought shows how their seeming opposition is overcome and how their content is preserved in the conception of ethical life. Or, it illustrates how the moment of particularity contradicts the moment of universality while both are united in the encompassing moment of singularity. For Hegel, speculative thinking thus guides the thinker towards the concept as the most concrete condition of given determinations.

Hegel's speculation is ‘positive’ insofar as it identifies what the rational — and thus the right — positively is, while dialectical thought just tells us what it is *not*, namely a one-sided determination. ‘Property’ is rational, the reproduction of material in different forms is *and* is not, depending on the circumstances. Similar to the understanding, Hegel's *reflection* separates the determinate contents that speculation unites and then opposes them. He argues that reflection is consequently incapable of grasping the concept's speculative unity as the condition of existing determinations. For Hegel, also reflection points beyond itself — like the contingent determinations

¹²⁰ Enz §82: 131.

of positive right imply the concept of right as reason for their existence. When understanding and reflection as modes of common sense and everyday thinking dominate thought, the concept's synthetic truth is lost in the contingency of determinations:

“But the *reflection* of the understanding seized hold of philosophy. We must know exactly what is meant by this saying which is otherwise often used as a slogan. It refers in general to an understanding that abstracts and therefore separates, that remains fixed in its separations. Turned against reason, this understanding behaves in the manner of *ordinary common sense*, giving credence to the latter's view that truth rests on sensuous reality, that thoughts are *only* thoughts, that is, that only sense perception gives filling and reality to them; that reason, in so far as it abides in and for itself, generates only mental figments. In this self-renunciation of reason, the concept of truth is lost, is restricted to the knowledge of mere subjective truth, of mere appearances, of only something to which the nature of the fact does not correspond; *knowledge* has lapsed into *opinion*.”¹²¹

Hegel suggests that if thinking remains with the ‘obvious’ determinations of the understanding and reflection and does not proceed into the speculative realm of the concept, reason and truth are reduced to how they appear, namely as fixed determinations. For him, understanding and reflection point ‘beyond’ themselves toward the synthetic truth of the speculative concept. Nevertheless, like dialectical thinking, Hegel also takes speculative thinking to be unnecessary for the *application* of right's demands. Instead, he sees it as required for grasping what the concept or the *Idea* of right is — it is concerned with the nature of the Idea rather than with its application. While speculative thought — amongst other things — discloses the structure of the concept or rationality, so Hegel, those who create and enact laws rely on understanding [*Verstandesdenken*] in order to decide whether a given particular legal arrangement is or would be compatible with the demands of such a concept.

¹²¹ SL: 25.

Speculative thought thus reveals that and why the Idea contains certain requirements and the understanding suffices to see *how* it imposes these. For example, while speculatively grasping the concept of right reveals that there must be a punishment for law-breaking, the understanding decides that there is a difference between assault and murder and how this difference is determined. One might thus decide that if the assaulted dies one year and one day after the assault, it was murder, or one might determine that time-span differently. In either case, those who apply a concept might have grasped it speculatively or they might have merely understood it and they will have to understand how it relates to the reality they are confronted with in order to apply it.

II. 1.3.8. Positive right's final determinations

For Hegel, it is thus primarily the *understanding* that enables agents, law-makers and - interpreters to come to decisions about objects and actions and makes the application of the concept of right to particular instances possible. However, Hegel argues that the content of positive right is also shaped “through the final determinations requisite for actually making *decisions* [in court]”.¹²² His notes on §3 suggest that those kind of determinations define the *quality* and *quantity* of the legal decisions, institutional design and policy.¹²³

For example, courts of law have to make decisions regarding the application of criminal law. Once an action is understood to be an offence and to contradict the demands of right, they have to determine the quality of the punishment, for example whether to fine, imprison or kill the accused. They also have to decide on the quantity of the punishment, for example how large the fine should be, how long the prison sentence, what kind of death the accused is to expect et cetera. Other such determinations might be the date on which the accused or the quarrelling parties are to appear in court, how they are to get there — for example in case of a disability etc..¹²⁴ Furthermore, a legislator might have to determine how to formulate and enforce a specific anti-monopoly policy

¹²² PR §3: 20..

¹²³ PR §3 notes: 42 (Suhrkamp).

¹²⁴ PR §3 notes: 42 (Suhrkamp).

and thus, what law to pass in reaction to changes in the economy, what kind of punishment to inflict upon those who counteract the new law, whether to break down a monopolising company or whether its products have to be redesigned, taken off the market, sold differently etc. All these decisions affect how right is ‘positivised’ — depending on how the legislators and judges decide, the content of positive right will change.

II. 1.3.9. Body of law: Historical and philosophical discussion

Since the philosophical science of right attempts to describe right in its most developed form and the positive science of right describes how right happens to manifest itself, both of these methods share right as their object of study. Furthermore, for Hegel, the individual thinker accesses the philosophical account’s concept and Idea via his engagement with positive forms of right. This means that for Hegel, philosophical thought has to be positivistically informed if it is to grasp what is rational and truly normative in an ahistorical sense: “As for the historical element in positive right, mentioned above in §3, Montesquieu proclaimed the true historical view, the genuinely philosophical position, namely that legislation both in general and in its particular provisions is to be treated not as something isolated and abstract but rather as a dependent moment of a whole, interconnected with all the other features which make up the character of a nation and an epoch. It is in being so connected that the various laws acquire their true meaning and therewith their justification.”¹²⁵

And yet, such reasonable engagement with an existing body of laws is not to be confused with the historico-positive perspective that considers “particular determinations of right as they appear and develop in time”:¹²⁶ “To consider particular determinations of right as they appear and develop in time is a *purely historical* task. Like acquaintance with what can be logically deduced from a comparison of these determinations with previously existing principles of right, this task is appreciated and rewarded in its own sphere and has no relation whatever to the philosophical

¹²⁵ PR §3 remark: 20.

¹²⁶ PR §3 remark: 20-21.

study of the subject—unless of course the derivation of particular aspects of right from historical events is confused with their derivation from the concept, and the historical explanation and justification is stretched to become a justification that is *valid in and for itself* [*an und für sich*]. This difference, which is very important and should be firmly adhered to, is also very obvious. A particular determination of right may be shown to be wholly grounded in and consistent with the circumstances and with existing institutions of right, and yet it may be wrong and irrational in and for itself, like a number of provisions in Roman private law which followed quite logically from such institutions as Roman matrimony and Roman paternal power.”¹²⁷

Instead of reflecting on the historically positive forms that right has taken in the course of history and grasping the concept as common rational core or essence of these manifestations, for Hegel the historical approach to right merely records the various ways in which the concept has manifested itself. It lacks the philosophical approach’s critical ability and falls short of reaching the categorical stage of ‘actuality’ and the ‘Idea’. Insofar as it is not concerned with *inherent* rationality, the historical approach is indifferent to the rational *justification* of its object of study — it yields historical results that are but the “external circumstances”¹²⁸ of the concept.

For Hegel, instead of engaging with the rational content of positive right, the erring historical analysis looks ‘temporally backwards’ and considers institutions to be ‘justified’ as long as they can be seen to follow from the previous institutions. For example, from a historical perspective, the present laws might falsely be considered as ‘justified’ although the past conditions that led to the laws’ formulation do no longer obtain. The philosophical interpretation, on the other hand, demands that laws be reasonable in the light of the pre-temporal structure of the concept: “But even if particular determinations of right are both right and reasonable, still it is one thing to prove that they have that character—which cannot be truly done except by means of the concept—and quite another to describe their appearance in history or the circumstances, contingencies, needs, and events which brought about their enactment. That kind of exposition and (pragmatic)

¹²⁷ PR §3 remark: 21-22.

¹²⁸ PR §3 notes: 43 (Suhrkamp).

knowledge, based on proximate or remote historical causes, is frequently called ‘explanation’ [Erklären] or preferably ‘comprehension’ [Begreifen], by those who think that to expound history in this way is the only thing, or rather the essential thing, the only important thing, to be done in order to comprehend law or an institution of right; whereas what is really essential, the concept of the thing, they have not discussed at all. From the same point of view, reference is commonly made also to the Roman or the German ‘concepts’ of right, i.e. concepts of right as they might be defined in this or that legal code, whereas what is meant are not concepts but only general determinations of right, propositions of the understanding, maxims, positive laws, and the like.”¹²⁹

This suggests that a legal determination can be grounded in and be consistent with the prevailing circumstances and existing legal institutions while it simultaneously contradicts the concept of right and is irrational.¹³⁰ For Hegel, Roman civil law is a case in point: it irrationally declares children to be the property of the parents without contradicting past and then present laws. Although this might be *understandable* from a historical point of view, it is unacceptable from the perspective of the concept of right and its notion of individual freedom since the notion of ‘property’ reduces the children to the status of determined, right-less objects, thereby contradicting their inherent claim to subjectivity. Unlike mere objects or animals, so Hegel, children have rights *beyond* what the parents happen to decide with regards to them.¹³¹

This analysis suggests that Hegel’s philosophical method is not conservative or merely conventionalist. Hegel would attribute such an attitude to a mistaken historical approach and argue that while the misguided historian confuses historical contingencies with rational justification, the philosopher only accepts those elements of historical and present reality that are proven to be part of the concept’s articulation.

¹²⁹ PR §3 remark: 21.

¹³⁰ PR §3 remark: 21.

¹³¹ A similar case are animals. Although they are not ‘objects’ by name, their legal status in many countries is that of a mere object with the restriction that animal owners have a positive duty of care and neglect of their basic needs is outlawed. Hegel suggests that having ‘rights’ — and thus not being a mere object — is a necessary consequence of being a spiritual being. While children are not mature, they are nevertheless spiritual, whereas animals are merely natural. While the former do not qualify as objects, the latter do.

Against Hegel's philosophical approach, an advocate of a purely historical understanding might claim that the philosopher's reasonable engagement with existing law fails to appreciate the importance of the knowledge of history and of the good reasons of understanding [gute Verstandesgründe].¹³² While this might be correct, it is so in a tautological sense. Since in German, 'not understanding' means 'standing on different ground', one might claim that the ground one stands on when one gives a historical account is not the ground of reason. Reductionist proponents of the historical approach to legal interpretation can thus be accused of failing to acknowledge that there is a reasonable point of view [*Standpunkt*] from which the *conceptual necessity* of right is intellectually accessible. To accuse the philosopher of not giving a historical analysis of right is to state the obvious: the philosophical approach to right differs from the historical one.

Thus, according to Hegel, even in cases where laws do not contradict the demands of reason, showing laws to be reasonable is very different from describing "the circumstances, contingencies, needs, and events which brought about their enactment".¹³³ Such an enumeration [*Aufzeigen*] and pragmatic cognition [*Erkennen*] from more or less present causes is often falsely called explanation [*Erklärung*] or even grasping [*Begreifen*].¹³⁴

This means that for Hegel, historical reasons differ from rational reasons. For example, one might ask for the historical reason of a given institution or practice, for example why the electors of the palatinate are the patrons of tinkers. A historical explanation might answer that customarily, the electors had the right to issue patents and commanded the knights and the cavalry. Trumpet players and drummers were also part of these units. As the drums were made of copper, those who made drums also made cauldrons, namely the tinkers.¹³⁵ One of the consequences of the tinkers' involvement with the cavalry and knightly orders was that the electors were their patrons. However, such an explanation does not explain whether it is 'rational' or 'necessary' to have the

¹³² PR §3 notes: 44 (Suhrkamp).

¹³³ PR §3 remark: 21.

¹³⁴ PR §3 remark: 21.

¹³⁵ PR §3 notes: 44 (Suhrkamp).

electors as patrons of the tinkers. This might be impossible to establish since the connection between tinkers and electors is *merely* contingent.

According to Hegel, historical explanations thus never provide the *reasonable* reason [*Vernunftgrund*] for the existence of a certain practice or institution. By focusing on concept-external reasons, the historical approach only explains its *existence* and *circumstances*. While there is an indefinite amount of historical or concept-external detail to be known about any object under consideration, this material is largely superfluous for the *rational* understanding of the thing in question. Hegel accordingly warns that the reasonable thought of a learned person might be constricted rather than enriched by such wealth of material.¹³⁶

II. 1.3.10. Confusing the historical and the philosophical approach

In the light of the perceived difference between the historico-positivist and the philosophical methods, Hegel bemoans that the notions of ‘Roman’ or ‘Germanic concepts of right’ or of ‘legal concepts’ in this or that code of law are inappropriate given that all one really does is describe general determinations [*allgemeine Rechtsbestimmungen*] of right, propositions of understanding [*Verstandessätze*], grounds [*Grundsätze*], existing laws et cetera. Rather than explicating the necessary content of true concepts, such descriptions of general determinations provide merely general definitions. Explaining a legal institution with reference to circumstances, consequences or presupposition [*Voraussetzungen*] equates to putting “the relative [...] in place of the absolute and the external appearance in place of the true nature of the thing.”¹³⁷

For example, a description of the legal practices of historically ‘given’ Etruscan peoples might provide an informative representation of what these peoples happened to think was right. However, so Hegel, it will not result in a philosophically adequate description of the concept of right. Ironically, such a confusion of methods can lead historical justification to unwittingly do the opposite of what it intends to achieve. While a historical explanation might establish what kind of

¹³⁶ PR §3 notes: 44 (Suhrkamp).

¹³⁷ PR §3 remark: 22.

circumstances led to the creation of a certain institution in the past, the absence of these circumstances in the present renders the institution redundant: By trying to ‘justify’ the importance of monasteries for learning in medieval England, the historical approach unwittingly declares them redundant for the present: schools, colleges and universities have taken their role.

II. 1.3.11. Concept and time

Hegel’s differentiation between of the historical and the philosophical perspective on right takes place against the backdrop of a dependency of the thinking individual on historical circumstances. Thus, if the philosopher *as historical person* attempts to grasp the concept as atemporal or infinite, he relies on historically informed representations and on an articulation of the concept of right’s that takes place *in time and space*. In a seemingly paradoxical manner, Hegel’s timeless concept’s articulation has to take place *in time* and a temporally situated thinker has to grasp it *as timeless*.

However, Hegel stresses that the mere fact that the historically situated thinker’s access to the concept is *in time* does not mean that the concept itself *depends* on time. Since the concept does not depend on the thinker but rather on itself, the thinker’s dependence on historical context is irrelevant to the concept. Accordingly, philosophical or conceptual thought is the attempt to overcome one’s own historical situation and thereby one’s own contingency and subjectivity and to think along with the atemporal — or ontologically speaking — pre-temporal concept. Insofar as the concept is the ultimate condition of reality — and conditions the existence of time and space — it conditions the possibility of history.

Consequently, the challenge for the philosophical thinker is to focus on those determinations that are ‘of the concept’ and not *just* historical. The thinker might err and take certain historically contingent institutions to form part of the concept of right. In this case, the account of right has to be revised. Given such a notion of truthfulness, one might argue against Hegel’s reference to monarchy, limited voting rights, an unelected second chamber and corporations that these are *merely historical* descriptions rather than part of the necessary concept.

However, while Hegel's account was to some degree anachronistic and progressive in his given socio-historical context and was arguably based on the political institutions of Britain and France rather than Germany's own, the burden of proof rests with the contemporary theorist who argues that contemporary institutions embody right more adequately than Hegel's account can describe — or even that Hegel's description went into too much detail.

For example, one might argue that while a single person as head of state ought to represent the body politic's individuality, this person does not have to be a monarch but can equally be a prime minister, a president or a chancellor. One might also argue that while some kind of representative assembly is needed to articulate the will of the people, this assembly need not be dual in structure or if so, also the second chamber could be elected — albeit in a way that makes its members less subject to party and voters' particular interests.

Or one might claim that universal suffrage is indispensable for reasons of individual right and liberty and that a potentially resulting social fragmentation ought to be counteracted by an institutional design that strikes a balance between the right of the single vote to count and the requirements of stable governance — be it for example by 'first past the post' or 'proportional representation'. An argument about which of these specific institutional arrangements is preferable need not be part of the rational account of right but might rather be left for historically situated institutional designers to decide.

Similarly, while one might agree that the family ought to be the site of overarching, undifferentiated unity, its members need not necessarily be of different genders or even blood-related. It can also be argued that new forms of corporate organisation that try and incorporate the individual employee's empowerment at the workplace and pre-emptively address his claims for more reward or rights have begun to make the institutions of 'corporation' or 'workers unions' obsolete. While the conceptual dimension of 'being an individual part of a greater whole' — be it a corporation or a family — is still relevant, its institutional articulation would then not match Hegel's description, anymore. However, in order to avoid the charge of giving a merely historical

account of contingent institutional change, the alternative institutional description has to be made in a conceptually adequate way — that means that if Hegel’s method is correct, a philosophical alternative has to illustrate its content’s necessity in the manner of its presentation *as conceptual*, as corresponding to the architecture of the concept.

II. 1.4. §4

After the methodological debates of §§1-3, Hegel begins the philosophical analysis of right in §4: “The basis of right is, in general, the realm of spirit [*das Geistige*]; its precise place and point of origin is the *will*. The will is *free*, so that freedom is both its substance and its goal, while the system of right is the realm of freedom made actual, the world of spirit [*Geist*] brought forth out of itself as a second nature.”¹³⁸

To Hegel, ‘Geist’, ‘will’, ‘freedom’ and ‘substance’ are all specific categories that stand in a mutually conditioning relationship. Whilst they relate to and support each other, Hegel takes ‘Geist’ to be the most central and comprehensive one and it can be best grasped by considering its systematic context. In the *Encyclopedia*, Hegel discusses ‘right’ under the heading of ‘objective Geist’.¹³⁹ Since the ‘Idea of right’ is ‘Geist’ in an objective —that is external — form, one has to understand Hegel’s notion of ‘Geist’ to understand what he means by ‘right’.

II. 1.4.1. Geist

In the *Encyclopedia*’s §377 Hegel describes ‘Geist’ as “man’s genuine reality”.¹⁴⁰ To Hegel, knowledge of this reality does not amount to knowledge of the particular traits of the individual, nor does he take it to refer to the knowledge of humans and their affairs [*Menschenkenntnis*] in the sense of being concerned with the particularities of other human beings: “The meaning of this

¹³⁸ PR §4: 26. cf. the juxtaposition of thought and Geist in LNR: “[Right’s] source — constituting its divine, eternal origin — is thought, which grasps the will in its free self-determination” (LNR §1: 51). And: “The sphere of right is not the soil of nature — certainly not of external nature, but also not of subjective human nature, insofar as human will, determined by human nature, is in the sphere of natural needs and instincts. On the contrary, the sphere of right is the spiritual sphere, the *sphere of freedom* [...]” (LNR §2: 52).

¹³⁹ Enz §488ff: 220ff.

¹⁴⁰ Enz §377: 3.

absolute command [‘know thyself’] [...] is not only *self-knowledge* in respect of the *particular* capacities, character, propensities, and foibles of the individual. The knowledge it commands is knowledge of man’s genuine reality, as well as of genuine reality in and for itself—of the very *essence* as [Geist].”¹⁴¹

II. 1.4.1.1. Nature and Geist

For Hegel, ‘Geist’ is a more concrete determination than ‘nature’ and Geist ‘contains’ nature as one of its moments: “[Geist] is the *truth* of nature, and is thus *absolutely first* with respect to it. In this truth nature has vanished, and [Geist] has emerged as the Idea that has reached its being-for-itself.”¹⁴² Since Geist is a more concrete category than nature, it is also the condition of the possibility of nature’s existence. Consequently, at the stage of Geist, the category of nature and its claim to being the *absolutely* valid description of reality is overcome. Insofar as right is part of Geist, it is ontologically prior to nature — whilst right might appear to be a “second nature”,¹⁴³ for Hegel, it is nature’s ‘first’.

This means that nature can only be thought and only *is* because there is Geist. Since being and thought are united for Hegel, ‘to be thought’ means ‘to be’: Nature is ‘thought’ and it *is* thanks to Geist. In this context, it is important to remember that for Hegel, thinking is not just the activity of finite individuals but most fundamentally, it is the activity of a singular, truly universal Geist. Historically speaking, so Hegel, even when there was no human thought but nature already existed, nature was already part and product of Geist: it was unconscious Geist. With the historical emergence of human thought, Geist became aware of itself and ceased to be ‘just’ nature.

¹⁴¹ Enz §377: 3.

¹⁴² Enz §381: 9.

¹⁴³ PR §4: 26.

II. 1.4.1.2. Nature, Geist, Idea

Since ‘Geist’ conditions and contains ‘nature’ for Hegel, he argues that nature’s dependency, externality and determinateness have their origin in Geist’s independence, inwardness and self-determination.¹⁴⁴ For him, Geist’s self-determination brings forth nature as much as it brings forth itself. While nature and Geist appear as absolutely distinct, they are both united by their participation in the Idea: “External nature, too, like [Geist], is rational, divine, a presentation of the Idea. But in nature the Idea appears in the element of asunderness, is external not only to [Geist] but also to itself, precisely because it is external to the inwardness that is in and for itself and which constitutes the essence of [Geist].”¹⁴⁵

Similarly, Hegel claims that nature is “the Idea in its otherness”¹⁴⁶ and Geist is “the Idea that has returned from its otherness into itself”.¹⁴⁷ This entails that Geist, as opposed to nature, contains the dimension of ‘for-itself’: “[Geist] has emerged as the Idea that has reached its being-for-itself”.¹⁴⁸ ‘Geist’ is the Idea that ‘has itself as object’, it constitutes “the most concrete, most developed form achieved by the Idea in its self-actualisation”.¹⁴⁹

While Hegel argues that Geist and nature are both modifications of the Idea, he takes Geist not only to be ‘more fundamental’ than nature but claims that it ‘mimics’ nature by manifesting itself in form of “reality”.¹⁵⁰ By means of willing, so Hegel, Geist assumes an outward or ‘objective’ dimension that is different to the way in which Geist is initially as inward, subjective Geist.¹⁵¹ In the transition to objectivity, Geist takes — or rather ‘gives’ itself — the form of a determined, external world of right.¹⁵² As such an objective, external entity, ‘Geist’ is like nature, however, unlike nature, Geist is determined by itself and not by something else.

¹⁴⁴ Enz §388: 43 (Suhrkamp).

¹⁴⁵ Enz §381 addition: 10.

¹⁴⁶ Enz §18 remark: 64 (Suhrkamp).

¹⁴⁷ Enz §18 remark: 64 (Suhrkamp).

¹⁴⁸ Enz §381: 9.

¹⁴⁹ Enz §377 addition: 3.

¹⁵⁰ Enz §385: 32 (Suhrkamp), see also Enz §384: 29, 30 (Suhrkamp)

¹⁵¹ Enz §385: 32 (Suhrkamp).

¹⁵² Enz §385: 32 (Suhrkamp).

In his analysis of the transition from nature into Geist, Hegel argues that the final determination of nature is the death of the living animal.¹⁵³ In contrast to the finite and mortal individual being, Hegel describes Geist as the wholly independent universal that contains the dimension of ‘for itself’.¹⁵⁴ This entails that the individual spiritual [*geistig*] being is immortal insofar as it is thinking and thus adequate to the universal. However, insofar as it is not Geist *as such* but only a particular instance of it, the individual is also inadequate to Geist’s universality — it is mortal: “Thought, which is this universal [the concept] that is for itself, is the *immortal*; the mortal consists in the fact that the Idea, the universal, is not adequate to itself.”¹⁵⁵

Hegel argues that the spiritual being’s thought-based participation in universal Geist’s immortality allows it to reflect, refer and negate itself in a way that the merely natural being cannot: “The individual animal that is ‘for itself’ has a sense or felt awareness of its own individual unity. The universal or species that is ‘for itself’ is similarly aware of itself. It is explicitly aware of itself as something *universal*. Such a ‘universal that is for itself’, Hegel maintains, is *thought* or [*Geist*], rather than mere feeling. Since the death of the individual animal points logically to a universal that is wholly independent and ‘for itself’, it thus logically points to [*Geist*] in this sense, such a death makes [*Geist*] logically, but not empirically, *necessary*.”¹⁵⁶

For Hegel, ‘we’ as particular manifestations of Geist are both — natural *and* spiritual [*geistig*]. However, insofar as nature is but a modification of Geist — Geist as its other —, also ‘we’ as finite beings are wholly spiritual, although we’re not entirely in the *form* of universal Geist’s self-adequate form. In virtue of this inadequacy, we are finite and mortal.

¹⁵³ Enz §375: 535 (Suhrkamp). See also Houlgate 2005: 171, 172.

¹⁵⁴ Enz §375: 535 (Suhrkamp).

¹⁵⁵ Enz §376 addition: 538. (Suhrkamp, own translation) [Original: “Das Denken, als dies für sich selbst seiende Allgemeine, ist das *Unsterbliche*; das Sterbliche ist, daß die Idee, das Allgemeine sich nicht angemessen ist.”]

¹⁵⁶ Houlgate 2005: 172.

II. 1.4.1.3. Geist and particular individuals

Hegel accordingly argues that while *in truth*, Geist is the condition for nature's existence, this might not be how it is *to 'us'* as finite, spiritual beings: "*For us* [Geist] has *nature* as its *presupposition*".¹⁵⁷ From an individual's historical or natural scientific point of view — for example that of Darwinism — Geist might appear as the consequence of hundreds of millennia of random natural change. However, as is the case with the positive forms of right, Hegel's philosophy is not interested in a *historical* perspective that assumes certain notions like time, space, geography etc. and then draws conclusions about the relationship between Geist and nature from these assumptions.¹⁵⁸ Rather, Hegel's philosophical thought aims to uncover the pre-temporal, pre-spatial structure that functions as the condition of the possibility of reality —including time, space etc..¹⁵⁹

Hegel's claim that Geist takes precedence over nature might seem counterintuitive because one usually conceives of 'Geist' as a 'faculty' or property of thinking *individuals*. However, while individual spiritedness is a *part* of Geist for Hegel, it neither exhausts Geist nor does it constitute its most basic dimension. For Hegel, 'Geist' is not the Geist of one or more individual thinking subjects. Rather, it can be described as that, which manifests itself in the form of such individual 'Geister'. This entails that for Hegel, a thinking individual is only 'spirited' or 'geistig' because it is the particular manifestation of universal Geist or the Idea: "Since it is *abstract* the Idea is again existent only in the *immediate* will, it is the side of reason's *reality*, the *individual* will as knowledge of that determination of itself which constitutes its content and purpose, and of which the will is only the formal activity. The Idea thus appears only in the will that is a finite will, but which is the *activity* of developing the Idea".¹⁶⁰

From the perspective of individual, finite subjects, so Hegel, the Idea seems abstract. However, *in truth*, rational individual action that follows the rational requirements of the Idea and

¹⁵⁷ Enz §381: 9.

¹⁵⁸ Enz §246: 14 (Suhrkamp).

¹⁵⁹ See e.g. Enz §§19-26.

¹⁶⁰ Enz §482: 214.

has it as its content and purpose is itself part of the Idea — albeit its formal side. This means that the Idea is truly concrete and that the immediate willing of finite subjects is merely formal.

Similarly to the way in which Hegel thinks that the general concept's particularity is but a moment of the concept's singularity,¹⁶¹ so Hegel takes the particular Geist to be but an aspect of the universal and singular concept of Geist. This singular and universal Geist is manifest in 'particular spirits' and is always implied when one thinks of particular thinking individuals. In consequence, the singular and universal concept of Geist is not simply constituted by the thoughts and actions of particular individuals. Rather, thinking individuals 'discover' the singular and universal Geist to be what they partake in.¹⁶²

While Hegel argues that thought 'uses' historical agents that are part of it, so he takes being in general to form a unity with thought. This identity of being and thought also informs the identity of universal Geist and its manifestation in particular, spiritual agents — both are aspects of the same totality. The dependence of particular spiritual individuals on the universal and singular Geist that Hegel argues for might seem as counterintuitive as the notion that Geist is prior to nature. After all, 'we' as conscious, thinking individuals take 'ourselves' to be *basic* and necessary for all thinking and acting. For 'us', there can only be thought and action because 'we' as particular individuals are there in the first place. However, Hegel argues that while this might seem obvious to the understanding and reflection, 'we' as *speculative* thinkers realise that there is a further, more comprehensive entity that is always already implied within our existence, thought and action. This entity is the singular and universal Geist. However, it is only by means of 'thought' and 'speculation' rather than 'understanding', 'intuition' or 'representation' alone that the individual thinker grasps 'Geist' as the basis and ground of his own being.

¹⁶¹ Enz §163: 239.

¹⁶² For a general discussion of the relationship between particularity, universality and individualist, see e.g. Enz §160ff.

II. 1.4.1.4. Geist as system

In the *Encyclopedia*, Hegel analyses Geist into three moments. Firstly, he argues that ‘subjective Geist’ comprises the anthropological, consciousness-related and psychological dimension of thought.¹⁶³ He takes all of these to describe the internal or subjective aspect of Geist and of the human subjects within which it is manifest. Secondly, he argues that ‘objective Geist’ is the realm of ‘right’. Here, so Hegel, Geist has given itself external actuality and, like nature, appears as a determined reality. It is in turn comprised of ‘abstract right’, ‘morality’ and ‘ethical life’ — subdivided into ‘family’, ‘civil society’ and ‘the state’ — and contains the objective manifestation of thought — namely thought that is translated into an objective reality by means of rational action. Thirdly, Hegel argues that ‘absolute Geist’ is the dimension of art, religion and philosophy.¹⁶⁴ Here, the difference between the internal, subjective aspect of Geist and its external, objective manifestation has disappeared: Geist regards itself *how it truly is*, as a unity of its subjective and objective aspects.¹⁶⁵

II. 1.4.2. The will

Despite of the central importance of the category ‘Geist’ for right, Hegel also claims that right's “precise place and point of origin is the will”.¹⁶⁶ While human willing is something that can only be understood in virtue of the category of Geist — only spirited entities can will, ‘Geist’ manifests itself in form of thinking individuals —, so Hegel, the rational system of right can only be grasped as the product of spirited *willing*.

Within Hegel's philosophical system, ‘willing’ is located at the transition between ‘subjective’ and ‘objective’ Geist. It marks the place where Geist externalises itself and assumes an objective or outwardly oriented form. Hegel's sub-section on the ‘science of psychology’ in the

¹⁶³ Enz §385: 20.

¹⁶⁴ Enz §385: 20.

¹⁶⁵ Enz §556: 259.

¹⁶⁶ PR §4: 26.

section of ‘subjective Geist’ elaborates on the conceptual connection between Geist and willing. It describes willing as one of the forms of intelligence with the others being ‘feeling’, ‘intuition’, ‘representation’ and ‘thinking’.¹⁶⁷ Insofar as ‘willing’ is part of subjective Geist, it is one of the forms of mental activity that, like thought, contains a subject-*internal* dimension. While ‘thinking’ is part of ‘theoretical Geist’ and ‘willing’ belongs to ‘practical Geist’, both are part of ‘subjective Geist’ in virtue of the formality of their material: “Both the theoretical and the practical [Geist] are still in the sphere of the *subjective* [Geist] in general. They are to be distinguished as active and passive. Subjective Geist is productive: but its productions are formal. *Inwards*, the theoretical Geist’s production is only its ideal world and the attainment of abstract self-determination within itself. Practical [Geist] deals, it is true, only with self-determinations, with its own material, but a material that is likewise still formal, and thus with a restricted content, for which it gains the form of universality.”¹⁶⁸

For Hegel, the other forms of intelligence are merely ‘subjective’ insofar as in them, Geist takes an ‘internal’ form. This means that it does not yet contain the dimension of *externality* or objectivity in the sense of ‘having actuality’. However, this picture changes with willing. Although Hegel thinks that willing — like intuiting and representing — is itself part of Geist, it is also the site where Geist ceases to be merely internal and assumes the form of an apparently Geist-external reality.

This change in Geist’s form from ‘subjective’ to ‘objective’ allows Hegel to distinguish between Geist’s internal and external dimensions. However, although Hegel’s objective Geist takes the form of a seemingly Geist-external world, it is nevertheless a form of Geist and as such, it is Geist-internal. Consequently, the act of willing effects a conceptual difference *within* Geist: what formerly appeared as merely *internal* is now *also external* — the ‘external world’ is shaped by ‘internal motives’. However, insofar as ‘willing’ is discussed in the context of subjective Geist, it remains a Geist-internal phenomenon that originates *within* a thinking subject and results in the

¹⁶⁷ Enz §§440-468: 165-205.

¹⁶⁸ Enz §444: 171.

creation of a subject-external, spiritually (in-)formed reality.¹⁶⁹ Thinking as subject-internal and willing as bridging the perceived gap between the subject's in- and outside both share that they are situated *within* Geist.

Nevertheless, Hegel argues that willing cannot be absolutely separated from the 'objective' or external dimension of Geist. That means that willing and action do not only result in the shaping of an external reality, they take place *within* such a reality, already. All willing is thus automatically externally 'manifest' — action is always 'in the world'. Willing is thus both, 'subjective' and Geist-internal *and* 'objective' and seemingly Geist-external.

While it might *seem* that the willing individual subject confronts a Geist-external, partly naturally determined world, all thinking and willing, including the realisation of ends that appear to be motivated by and end in a world that is Geist-external, takes place *within* the overarching category of Geist that encompasses nature as well as the subject-external world. Since the category of 'nature' is sublated and the particular subject is shown to be conditioned by Geist as a singular universal, willing is not a conceptual bridge between 'subjective Geist' and Geist-external, natural world but rather marks a transition from one form of Geist to another.

II. 1.4.3. Thought and will

Hegel considers both willing and thinking to be dimensions of Geist and thus thinks it is wrong to conceive of human beings as thinking on the one hand and as willing on the other. Instead, while willing is a particular form of thinking, thinking can also be thought of as a particular form of willing. Thus, for Hegel, willing *is* thinking that translates itself into Dasein, while thinking *is* willing — it is an activity — that remains 'internal' or 'subjectively spiritual' [*geistig*]: "[Geist] is thinking in general, and the human being is distinguished from the animal in virtue of thinking. But one must not imagine that the human being is, on the one hand, thought and, on the other, will, and that he keeps thought in one pocket and will in another [...] [T]he will is rather a particular way of

¹⁶⁹ See e.g. Enz §385.

thinking, thinking translating itself into existence, thinking as the urge to give itself existence. This distinction between thought and will may be described as follows. In thinking an object, I make it into thought and deprive it of its sensuous aspect; I make it into something which is immediately and essentially mine. Since it is only in thought that I am with myself [*bei mir*], I do not penetrate an object until I understand it; it then ceases to stand over against me and I have taken from it the character of its own which it had in opposition to me. [...] To generalize means to think. The I is thought and so the universal. When I say 'I', I *eo ipso* abandon all my particular characteristics, my disposition, natural endowment, knowledge, and age. The I is quite empty, a mere point, simple, yet active in this simplicity. [B]y my theoretical attitude to [the world] I overcome its opposition to me and make its content my own. I am at home in the world when I know it, still more so when I have understood it. [...] The practical attitude, on the other hand, begins in thinking, in the I itself, and it appears first as though opposed to thinking because it immediately sets up a division. Insofar as I am practical or active, i.e. insofar as I act, I determine myself, and to determine myself simply means to posit a difference. But these differences which I posit are still mine all the same; the determinations are mine and the aims to which I am driven belong to me. If I now let these determinations and differences out, i.e. if I posit them in the so-called external world, they nonetheless still remain mine. They are what I have done, what I have made; they bear the trace of my [Geist]. Such is the distinction between the theoretical attitude and the practical, but now the relation between them must be described. The theoretical is essentially contained in the practical; [...] we cannot have a will without intelligence. On the contrary, the will contains the theoretical in itself. The will determines itself and this determination is in the first place something inward, because what I will I hold before my mind as an idea; it is the object of my thought. An animal acts on instinct, is driven by an inner impulse and so it too is practical, but it has no will, since it does not bring before its mind the object of its desire. A human being, however, can just as little be theoretical or think without a will, because in thinking he is of necessity being active. The content

of something thought has the form of being; but this being is something mediated, something established through our activity. Thus these distinct attitudes cannot be divorced”.¹⁷⁰

Hegel thus argues that thinking about a sensually or intuitively given object amounts to turning it into a thought or a representation. The thinker takes away the object’s sensuality, appropriates it and ‘makes it general’. When I perceive or sensually engage with a chair, I take it to be different from me. I see it as an object that is not part of my subjectivity. However, when I *think* a chair, I form a representation of it, which is part of *my Geist* and thus part of me. The conception that I form of ‘chair’ is *my* conception. By so thinking the particular chair, I decide to do away with the sensually perceived particularity that is independent of me.

Although the representation of chair is more general than the merely particular, objective, actual chair in front of me, so Hegel, it is still *my* representation of ‘chair’. The claims a) that ‘the ‘I’ is thinking and the general’ and b) ‘the ‘I’ appropriates or gets to know the world by thinking it’ mean that the very *activity* of thinking the world is the ‘I’. This activity of thinking objects has no particular ‘substance’ or ‘content’ itself. Rather, it gets its particular content from the world that is perceived as objective and external to the subject. Without such content, subjectivity is empty and simple in its ‘pure generality’. By thinking an object and thereby appropriating it, the ‘I’ dissolves the difference that initially existed between subject and object, between itself and the object of its thinking.

In contrast to the mere thinking of objects, Hegel argues, willing *begins* with the abstract ‘I’ rather than resulting in it. Since it creates divisions and *establishes* content rather than dissolving or appropriating it, willing is the same as determining oneself — one determines oneself to do x — insofar as determining amounts to creating a difference: by deciding to do one thing, I decide against all the alternatives, I delineate and realise *one* specific course of action by negating all others.

¹⁷⁰ PR §4 addition: 26, 27.

However, so Hegel maintains, although willing translates subjective thoughts from within the subject into the objective world and thus ‘unleashes them’, these thoughts and ends remain those of the willing subject. All actions and their ends are also ‘mine’, insofar as they belong to *my* ‘I’. To that extent, they are still part of the ‘content-less’ generality that the ‘I’ represents. The willing of determinate ends and objects takes place against the background of the complete abstraction that is represented in form of the ‘I’ and its abstract thinking.¹⁷¹

Although theory — thinking — and practice — willing — appear to be separate, they are also conceptually united: both are functions of the ‘I’ and stand in a specific relationship to its universality. The process of ‘freeing’ is only possible due to the ‘I’'s nature of ‘pure indeterminacy’ that enables the willing subject to abstract from all determinate content. Both thinking and willing contain the ‘I’'s universality, the latter is the “substance”¹⁷² of the former. Consequently, only thinking subjects can will. Although the understanding [*Verstandesdenken*] draws a difference between thought and will, speculative thought emphasises their common origin and shared spiritual characteristics.

The interpretation that both willing and thinking are Geist-internal phenomena seems to support the reading that also the product of willing — the objective world, or ‘second nature’ — is a part of the same universal and singular entity — Geist — that functions as the condition of the possibility of thinking. For Hegel, both thinking and willing take place *within* Geist since there is no strictly non-mental, Geist-external and purely objective world or an absolutely ‘different’ nature to which the thinking and willing subject could relate to.¹⁷³

¹⁷¹ On the ‘I’, see e.g. Houlgate 2006: 90.

¹⁷² Enz §468: 205.

¹⁷³ See e.g. Houlgate 2005: 180 and Inwood 1992: 110.

II. 1.4.4. The freedom of the will

This entails that both willing *and* thinking are articulations of freedom since it structurally defines Geist — for Hegel the general logical structure of ‘freedom’ — and thus of ‘Geist’ — is self-determination. In §23 of the *Encyclopedia*, Hegel locates freedom within the universal ‘I’: “[I]n this thinking-over the genuine nature [of the ob-ject] comes to light, and that this thinking is *my* activity, this true nature is also the *product of my* [Geist], [of me] as thinking subject. It is mine according to my simple universality as [universality] of the ‘I’ *being simply at home with itself*, or it is the product of my *freedom*.”¹⁷⁴

Like thinking, so willing is a form of self-determination and an articulation of the ‘I’'s freedom. Accordingly, the will is free and ‘freedom is its substance and its goal’: “The freedom of the will is best explained by a reference to physical nature. For freedom is just as fundamental a character of the will as weight is of bodies. If we say: matter is ‘heavy’, we might mean that this predicate is only contingent; but it is nothing of the kind, for nothing in matter is without weight. Matter is rather weight itself. Heaviness constitutes the body and is the body. The same is the case with freedom and the will, since that which is free is the will. Will without freedom is an empty word, while freedom is actual only as will, as subject.”¹⁷⁵

However, while freedom constitutes the essence of all thought and being, it is only *actual* as subject and will. This suggests that the translation from internal subjectivity into external objectivity marks the will as a specific form of Geist's self-determination. While on a general level, all determinations of being are expressions of freedom,¹⁷⁶ the will is a focal point for this structure insofar as it marks the transition of the *internal* self-determination of subjective Geist into an external world of determinacy. In willing, so Hegel, Geist —and thus freedom — manifests itself as necessary, external *actuality* and as a spiritual ‘second nature’. Consequently, while the product of

¹⁷⁴ Enz §23: 55.

¹⁷⁵ PR §4 addition: 26.

¹⁷⁶ In this general sense, also nature is freedom: It is ‘freedom as its other’ or ‘freedom as un-freedom’.

freedom's self-determination *before* objective Geist was merely 'self-determining' and 'subjective', it is now 'determined' and objective.¹⁷⁷

II. 1.4.5. The will's freedom

With regards to the philosophical *justification* of the freedom of the will, Hegel argues that it cannot be 'proven' on the basis of presupposing a representation of the will: "In considering the freedom of the will, we may recall the old method of cognition. The procedure was to presuppose the idea [*Vorstellung*] of the will and to attempt to establish a definition of the will by deriving it from that idea; then the so-called 'proof' of the will's freedom was extracted, in the manner of the old empirical psychology, from the various feelings and phenomena of ordinary consciousness, such as remorse, guilt, and the like, by maintaining that they were to be explained only in the light of a will that was free."¹⁷⁸

It seems that Hegel rejects this way of justifying the existence of the will's freedom because he thinks that 1) it starts from something 'given' or 'assumed' and thus rests on subjective and arbitrary foundations and 2) it grounds the existence of the free will in subjective consciousness. Any appeal to such an argument is an appeal to a subject's consciousness — and at best a feature of all consciousnesses by extrapolation — and thus fails to establish the objective or universal validity that philosophy strives for. Insofar as it is always 'just' an individual that feels it has a free will or that is *apparently* free, the sceptic can simply declare the subject's feeling a *mere* feeling or illusion. Similarly, the appearance of its free will might be a *mere appearance* and fail to describe or mirror reality. In both cases, the grounds of the argument are 'merely subjective' and insufficient for establishing the objective truth of the will's freedom.

In contrast, so Hegel, the *philosophical* justification of the will's freedom has to take the form of positioning the account of the will within a philosophical system that commences in the

¹⁷⁷ While freedom is the will's *primary* quality, it is not its only one. The will has other features, e.g. the reliance of singularity, the translation from inner Geist into outer Geist etc.. While these are constitutive of willing, as well, they presuppose freedom.

¹⁷⁸ PR §4 remark: 27.

presuppositionless identity of being and thought and reconstructs the whole of reality as a unified and internally differentiated totality. This totality contains a description of the will and its freedom at a specific location within the system: “*That* the will is free and *what* the will and freedom are, can be deduced (as has already been pointed out in § 2) only in the context of the whole [of philosophy]. The fundamental premisses of this deduction are that [Geist] to start with is *intelligence*, that the phases through which it passes in its development from feeling, through representational thinking [*Vorstellen*], to thinking proper are the road along which it produces itself as will, and that will, as practical [Geist] in general, is the truth of intelligence, the stage next above it.”¹⁷⁹

As is the case with right, Hegel’s ‘proof’ of the will’s freedom consists in placing it in the appropriate systematic location. In the case of the will, this means situating it within the context of subjective Geist and its various forms of intelligence — feeling, intuition, representational thinking etc.— which form but a part of a larger, totality-describing philosophical account.

II. 1.4.6. Facts of consciousness

Hegel not only disagrees with the attempt to ‘prove’ the will on the basis of subjective experience. He also rejects the notion of the will’s freedom as a given fact of consciousness: “But it is more convenient of course to arrive at the same point by taking the short cut of supposing that freedom is given as a ‘fact of consciousness’ and that we must simply believe in it!”¹⁸⁰

The problem with such a ‘justification’ seems to be similar to the issue Hegel takes with claims about immediate knowledge. As a ‘fact of consciousness’, the will’s freedom is always *just* a merely asserted fact about *consciousness*, which in turn, is itself merely asserted by a consciousness. This not only limits its claims about truth to claims about consciousness — which fall short of the higher-order truth of ‘Geist’ and are therefore merely its ‘appearance’ — it also remains a claim that is made by an individual consciousness. As such, the claim lacks the universal

¹⁷⁹ PR §4 remark: 28.

¹⁸⁰ PR §4 remark: 28.

and objective validity that can only result from it being an articulation of universal and objective Geist itself. Furthermore, Hegel suggests that one can argue that to ‘believe’ in something is the same as giving up on trying to *know* it — and thus to demand its justification. The notion of ‘belief’ can be rejected as inadequate to the philosophical enterprise as it aspires to *knowledge* and rejects everything that is not established as such.

Hegel adds that although it is not a proof, one can take recourse to one’s own self-consciousness in order to more easily form a representation of the will and its freedom. Certain aspects of the will, such as the ability to abstract away from any content and to determine oneself by placing any content within one’s consciousness are thus available to individual introspection: “The moments in the concept of the will which are dealt with in this and the following paragraphs of this Introduction result from the premisses to which I have just referred, but in addition anyone may find help towards forming an idea of them by calling on his own self-consciousness. In the first place, anyone can discover in himself the ability to abstract from everything whatever, and in the same way to determine himself, to posit any content in himself by his own effort; and similarly the other specific characteristics of the will are exemplified for him in his own consciousness.”¹⁸¹

II. 1.5. Chapter Conclusion

In the introduction’s first four paragraphs, Hegel identifies his philosophical project as a description of the universal and necessary truth of all socio-political institutions and practices. This is the ‘Idea’ of right. As opposed to mere subjective ‘representations’, which Hegel takes to be present in individual minds, the Idea is ‘objective’ and constitutive of the world as such. Hegel’s philosophy attempts to systematically describe the Idea’s concrete reality and demands of the individual thinker to rid himself of the particularities of his thinking in order to grasp the Idea’s universality.

For Hegel, philosophy’s concern with the Idea and actuality does not entail that one cannot criticise or that thinking lacks a normative dimension. Since the object of philosophy is the

¹⁸¹ PR §4 remark: 28.

Idea as unity of concept and its self-given actuality, it focuses on what is true about the world rather than what ‘appears’, ‘exists’ or is ‘merely there’. In the process of philosophical enquiry, so Hegel, the thinker learns to differentiate between the several categorical determinations of reality, rids himself of his own particular distortions and uncovers what is supremely rational.

As opposed to positivist accounts that describe how right manifests itself in a given tempo-spatial and cultural context, or historical accounts that merely record what happens to be legal at a given time and place, the philosophical description of the Idea of right provides a systematic account of what *must be* right independently of historical, geographical or cultural contexts.

For Hegel, this Idea of right is like a ‘second nature’ because it has objective determinateness. However, while nature is determined by something ‘other’, ‘right’ is a part of the self-determining, singular and universal ‘Geist’. This entails that right’s institutions and practices are neither explicable in terms of natural determination nor in terms of the activity of particular individual subjects alone. Nevertheless, since they are the result of ‘willing’, which is marked by self-determination, they are part and expression of ‘freedom’. The structure of freedom is accordingly the concern of chapter 2.

II. 2. Chapter 2

After discussing his general method and its object in §§ 1-4 and identifying the will and freedom as the proper subject of his enquiry, Hegel gives a conceptual analysis of the concept of the will in §§5, 6, 7, 8 and 9. He there argues that the will is defined by singularity, (§7) which is the unity of the moments of particularity (§§ 6,8,9) and universality (§5). Both of these can be ‘understood’ on their own, that is they can be thought as distinct determinations.

While the will’s first moment is equivalent to indeterminacy, the second moment is determinacy and finitude. Because the two moments limit each other, both are finite and can only be *understood* in opposition. However, Hegel also maintains that the truth and origin of these two moments is their unity: the concrete and singular concept. Insofar as singularity is equivalent to subjectivity, self-determination and to the concept in general, it is freedom.

Inconveniently, the concept of the will’s ‘singularity’ is not determined and therefore cannot be ‘understood’. Rather, it has to be grasped *speculatively*. Furthermore, the self-determination of the singular concept of the will assumes two different forms. The first of these is its ‘appearance’. This is the activity of individual, self-conscious subjects that have ends in mind or that have realised such ends in a subject-external world. The second form of the concept of the will is the internal particularisation of the concept that is in-and-for-itself. Here, the purpose of willing is the willing subject itself and there exists no absolute difference between the will’s content and its form.

II. 2.1. §5

In §5, Hegel argues that as long as Geist is subjective or inward only, it lacks outer existence. This changes with willing because here, Geist creates an *existing* world out of itself by means of willing: “As will, the [Geist] is aware of itself as reaching a conclusion within itself and fulfilling itself from out of itself. This fulfilled *being-for-itself* or *singularity* constitutes the side of existence or *reality*

for the *Idea* of [Geist]; as will, the [Geist] steps into actuality”.¹⁸² As is the case with all concepts, so Hegel, also the concept of the will consists of three moments, which are defined as universality, particularity and singularity.¹⁸³

II. 2.1.1. Indeterminacy as universality

In §5, Hegel describes the first moment of the concept of the will, universality: “The will contains (α) the element of *pure indeterminacy* or that pure reflection of the I into itself which involves the dissolution of every restriction and every content either immediately presented by nature, by needs, desires, and impulses, or given and determined by any means whatever. This is the unrestricted infinity of *absolute abstraction* or *universality*, the pure *thought* of oneself.”¹⁸⁴

This is equivalent to the purely self-referential structure of the ‘for-itself’: “The most familiar example of being-for-itself is the ‘I’. [...] When we say ‘I’, that is the expression of the infinite self-relation that is at the same time negative. It may be said that a man distinguishes himself from the animals, and so from nature generally, because he knows himself as ‘I’; what this says, at the same time, is that natural things never attain to free being-for-itself, but, restricted to being-there [Dasein], are always just being-for-another.”¹⁸⁵

According to Hegel, the dimension of subjectivity that the ‘I’ stands for is negatively differentiated from any content. It is the opposite of ‘determination’ and by referring to itself only, it negates all externally given determination — for example by means of a given content. The notion that nature is the “Idea in its otherness”¹⁸⁶ suggests that it is in virtue of the dimension of ‘for-itself’ that the Idea is able to return to itself. In contrast, all natural, non-spiritual entities lack the self-referentiality that the ‘I’ stands for. While ‘nature’ is merely ‘determinate’ content, the

¹⁸² Enz §469: 206. (‘mind’ replaced by ‘spirit’)

¹⁸³ Singularity is the unity of universality and particularity and does not add a new determination but rather combines the two previous ones.

¹⁸⁴ PR §5: 28.

¹⁸⁵ Enz §96 addition: 153.

¹⁸⁶ Enz §247: 24.

will's 'for itself' is 'pure' *without* such content — on its own, the activity of the 'I' is empty or merely theoretical willing.

II. 2.1.2. Universality in will and general concept

For Hegel, universality or 'indeterminacy' is also the first moment of the triadic structure of the general concept: "This universal concept that we now have to consider contains the three moments of universality, particularity, and singularity. [...] It is at first *pure concept*, or the determination of *universality*."¹⁸⁷

Like all concepts, also Hegel's 'the concept of will' is marked by *singularity* rather than by particularity or universality alone. Similar to the way in which the singular concept of Geist appears in form of particular spirited subjects, also 'the concept of the will' is manifest in particular *willing* subjects. Since the concept's universal singularity is *concrete* and therefore *contains* particularity, the particular willing subjects are but an aspect of the concept's singularity and rely on it as a condition for their existence.

Parallel to the concept of the will's first moment of pure abstraction or self-identity, Hegel's general concept has a 'pure' determination: "The pure concept is the absolutely infinite, unconditioned and free. [...] Thus the concept is absolute self-identity by being first just this, the negation of negation or the infinite unity of negativity with itself. This pure self-reference of the concept, which is such by positing itself through the negativity, is the universality of the concept."¹⁸⁸ Like the unconditioned concept, so Hegel, the willing subject or 'I' is initially without content and has only itself as an object to relate to. This renders its self-reference — and thus its willing — infinite in the circular sense.

¹⁸⁷ SL: 529.

¹⁸⁸ SL: 530.

II. 2.1.3. Infinity

If one takes it on its own and does not contrast it to the second moment of ‘determinacy’, so Hegel, the circular and ‘limitless infinity’ of the ‘for-itself’ or the self-referring ‘I’ is not the kind of “bad infinity”¹⁸⁹ that is defined by difference from finitude and that fails to accommodate finitude *within*. Hegel’s description of such ‘negative infinity’ can be found in the *Encyclopedia*’s analysis of ‘something’ and ‘other’: “Something becomes an other, but the other is itself something, so it likewise becomes an other, and so on *ad infinitum*”.¹⁹⁰ “This *infinity is spurious or negative infinity*, since it is nothing but the negation of the finite, but the finite arises again in the same way so that it is no more sublated than not. In other words, this infinity expresses only the requirement that the finite *ought* to be sublated.”¹⁹¹

Although the ‘I’’s universality’s infinity is limitless as long as it is not contrasted to determination, it loses this infinity as soon as the second moment of determinacy is introduced. Once the universal and undetermined ‘I’ wills a determinate content, subject and content relate to each other like ‘something’ and ‘other’ and thus limit each other.¹⁹² This entails that the content of determinate willing is never sublated but at most replaced by another content. The subject does not have itself as content as long as it wills anything determinate and so the difference between itself and its content remains.¹⁹³ However, Hegel also argues that in the first moment of willing, there is no willed determinacy, yet. The only available object for the willing subject is itself. Since there is only the universal ‘I’ as object and subject and its self-reference, its infinity is unconditioned.¹⁹⁴

II. 2.1.4. Understanding and negativity

Once the moment of determinacy is introduced into the will’s structure, so Hegel, the ‘I’’s universality can be negatively defined as ‘in-determinacy’. Although it is ‘freedom’ in the sense of

¹⁸⁹ PR: §185 remark: 183.

¹⁹⁰ Enz §93: 149.

¹⁹¹ Enz §94: 149.

¹⁹² See E.g. SL: 90 ff.

¹⁹³ See E.g. SL: 90 ff.

¹⁹⁴ While the relationship between determination, finitude, bad and true infinity is elaborated on in the *Science of Logic* (e.g. SL: 90ff., Houlgate 2006: 231) at more length than is done justice to here, this issue will be addressed more elaborately once the notion of ‘true infinity’ has been introduced by the *Philosophy of Right*’s text.

‘self-determination’, the pure universality is then ‘negative’ insofar as it negates all determinacy. In his remark to §5, Hegel discusses the ‘I’'s ability to abstract away from all content therefore as ‘negative freedom’: “In § 5, it is only one side of the will which is described, namely this absolute possibility of *abstraction* from every determination in which I may find myself or which I may have set up in myself, my flight from every content as from a restriction. When the will’s self-determination consists in this alone, or when representational thinking regards this side by itself as freedom and clings fast to it, then we have *negative* freedom, or freedom as the understanding conceives it.”¹⁹⁵

Hegel thus suggests that the ‘I’'s ‘negativity’ is dependent on the positive, that is externally given or ‘posited’, content. Without content, there is no ‘otherness’ and the universality is a self-determination to itself. This is the ‘freedom of the understanding’ since it is self-determination as pure self-identity without the element of ‘difference’ or ‘otherness’ within. It differs from ‘speculative freedom’ or ‘concrete self-identity’, which *contains* the element of otherness or determinacy within an overarching unity.

However, Hegel argues that such a difference-accommodating unity is not available to the understanding because it insists on the difference between willing subject (‘I’) and willed content as mutually limiting. Since the understanding cannot think subject and object in a unity, the only ‘true’ freedom for the understanding is the freedom of the purely self-referential subject. This ‘negative’ freedom is a merely abstract, contentless self-identity.

In the *Encyclopedia*’s §115, Hegel elaborates on the understanding’s abstract notion of freedom: “Essence shines *within itself* or is pure reflection. In this way it is only relation to self [...]: *identity with itself*. [...] Formal identity or identity-of-the-understanding is this identity, insofar as one holds onto it firmly and *abstracts* from distinction. Or rather, *abstraction* is the positing of this formal identity, the transformation of something that is inwardly concrete into this form of simplicity — whether it be the case that a part of the manifold that is present in the concrete

¹⁹⁵ PR §5 remark: 29.

is *left out* (by means of what is called *analysis*) and that only *one* of these [elements] is selected, or that, by leaving out their diversity, the manifold determinacies are *drawn together* into One.”¹⁹⁶

For Hegel, the understanding’s negative freedom is merely abstract and fails to accommodate the Idea’s dimension of particularity in the speculative unity that is only available to conceptual thinking: “Now since, more precisely, the Idea is, quite generally, the *concrete spiritual* unity, whilst the understanding consists in the interpretation of the Concept’s determinations only in their *abstraction*, that is to say, in their one-sidedness and finitude, the spiritual unity is in this way made into an abstract, spiritless identity.”¹⁹⁷

For Hegel, this undifferentiated, abstract self-identity of the willing subject’s first moment or pure self-reference is the ‘freedom of the void’ since it lacks particular content. In contrast, the concept’s singularity — that is the concrete unity of universality and particularity — is not available to mere understanding since it accommodates particularity within universality — it can only be grasped by difference-accommodating speculative thinking.

II. 2.1.5. Theoretical freedom

This entails that neither speculative thinking nor willing are exhausted by abstract, difference-less identity. Instead, they accommodate a positive as well as a negative moment. Insofar as indeterminate willing fails to accommodate determinacy and does not ‘externalise’ or ‘objectify’ Geist, it resembles thinking. The ‘I’’s contentless self-reference is ambiguously situated between thinking and willing and recalls their ‘difference within identity’: “Those who regard thinking as one particular, distinctive faculty, separate from the will as another distinctive faculty, and who even proceed to contend that thinking is prejudicial to the will, especially the good will, reveal at the very outset their complete ignorance of the nature of the will”.¹⁹⁸

¹⁹⁶ Enc §115: 179, 180.

¹⁹⁷ Enz Preface: 7.

¹⁹⁸ PR §5 remark: 28, 29. Cf. Cf.”Universality is readily confused with emptiness, because it is a freedom from all that is particular. And so a universal activity may easily be taken for passivity, because it is not the self-assertion of the subject of it against anything else. In this sense, it is sometimes said that true science consists in silencing our own ideas that nature alone may speak. Nature, however, can speak only to an intelligence, and as an intelligence speaks in it. The

This means that for Hegel, there is no ‘naturally’ good will in the sense of ‘good’ as independent from thinking. Instead, all ‘goodness’ in willing is the result of thought or universality that manifests itself in the form of action. In the light of universality’s importance for thinking *and* willing, it might be worth revisiting Hegel’s analysis of these notions in the *Encyclopedia*.

II. 2.1.6. The moments of thinking

In §465 of the *Encyclopedia*, Hegel describes thinking as one of the three moments of theoretical Geist. As opposed to intuition and representation, where there is an externally given content, thinking is intelligence as “*for itself intrinsically* cognitive; *intrinsically the universal*; its product, the *thought*, is the thing [*Sache*]”.¹⁹⁹ The product of thinking, the thought, is the thing itself as “simple identity of the subjective and objective.”²⁰⁰ This contrasts to the *immediate* unity of subject and object that Hegel identifies with ‘intuition’. It also differs from the separation of these two that takes place with ‘representation’ since at the level of thought, the unity of subject and object is mediated.²⁰¹

For Hegel, the *thinking* individual is intuitively aware of the fact that the subjective and the objective are a unity. It is furthermore able to distinguish between them in virtue of its representational capacity. This means that thinking is the unity of intuition’s unity and representation’s separation. In virtue of the act of thinking, Hegel argues, the overarching unity of subject and object acquires the dimension of ‘for-itself’ and becomes in *and* for itself. Consequently, thinking is the negation of the representation’s negation of intuition.²⁰² The thinking intelligence has appropriated the determinacy of its object and has made it *its own* when it thinks.²⁰³

aim of the negative discipline of science is to free the subjective intelligence from all that separates it from the object; but if by this process thought were really made passive and empty, along with the partiality and one-sidedness of consciousness, consciousness itself would disappear. The process of the liberation of thought from itself, therefore, is not the mere negation of thought—which would necessarily be the negation of the object of thought also; it is the negation of thought and being alike *as separate from each other*, and the revelation of their implicit unity.” (Caird 2002: 120).

¹⁹⁹ Enz §465: 202.

²⁰⁰ Enz §465: 202.

²⁰¹ Enz §465 addition: 284.

²⁰² Enz §465 addition: 284.

²⁰³ Enz §468: 287.

‘Thought’ is determined in a certain way because the object of thought is so determined and the difference between thought and object has disappeared. This means that the content of thinking is being itself and “[t]hinking, as the free concept, is now also free in the *content*.”²⁰⁴

Consequently, the *content* of thinking comes to think of itself as being determined by the same entity that defines the *form* of thought. This entity is thought or being itself. The thinking intelligence thus becomes aware of thought’s self-determination as form *and* content and of its role in relation to it. The thinking individual — insofar as it is part of thought’s self-determination — comes to appreciate itself as *passively thinking along with* and as *actively determining* whatever manifests itself in the form of thought or being.

Hegel argues that even the kind of thinking that loses itself in its content ultimately becomes aware of the fact that it is an *activity* — the determinations of the content are its own and its own determinations are those of the content. Thinking grasps itself as playing an active part in being’s self-determination.²⁰⁵ “When intelligence is aware of itself as what determines the content, which is not only determined as being but is also intelligence’s own content, it is *will*.”²⁰⁶

Since it is a form of thought, so Hegel, willing ‘includes’ and ‘presupposes’ thought. However, willing is a more concrete form of thinking just as thinking is a more abstract form of willing. Insofar as thinking is contained in willing, Hegel calls it the “substance”²⁰⁷ of willing. Since the institutions of right are the product of willing, they are also the products of thought: “*True freedom is ethical life, where the will has for its purposes a universal content, not subjective, i.e. self-centred content; but such content is only possible in thinking and through thinking; it is nothing less than absurd to want to exclude thinking from ethics, religion, lawfulness, etc.*”²⁰⁸

The socio-political institutions that result from and condition rational willing thus rely on thinking and willing as a further development or modification of thinking. The two differ insofar

²⁰⁴ Enz §468: 205.

²⁰⁵ Enz §468 addition: 287.

²⁰⁶ Enz §468: 205.

²⁰⁷ Enz §468 addition: 205.

²⁰⁸ Enz §469 remark: 206.

as *thinking* amounts to “positing [*Setzen*]”²⁰⁹ universality while the *will* posits *itself* as the universal.²¹⁰ In the act of willing, the willing *subject* (‘I’) is universalised rather than the *object*, as is the case with thinking.

For Hegel, what matters most in the process of thinking is the universal thought in the sense that the particularity of the thinking subject is unimportant and can even get in the way of the proper thinking of the universal thought. Similarly, in the act of willing, the particular end is secondary in the face of the universal ‘I’ that is the origin of activity. *What* is willed is only of derivative interest — the universal, self-determining subject is of primary importance.

II. 2.1.7. Total abstraction: Political and religious implications

Whilst thinking and willing differ in their relationship to universality, so Hegel, both have to accommodate a positive dimension in order to qualify as thinking or willing *proper*. However, this positive element is absent if one equates willing with the first moment of pure, self-referential universality alone. In his remark to §5, Hegel thus describes the consequences of taking the will’s moment of empty universality as *absolute*:

“This is the freedom of the void which rises to a passion and takes shape in the world; while still remaining theoretical, it takes shape in religion as the Hindu fanaticism of pure contemplation, but when it turns to actual practice, it takes shape in religion and politics alike as the fanaticism of destruction [...], as the elimination of individuals who are objects of suspicion to a given social order, and as the annihilation of any organization which tries to rise anew from the ruins. Only in destroying something does this negative will possess the feeling of itself as existent. Of course it imagines that it is willing some positive state of affairs, such as universal equality or universal religious life, but in fact it does not will that this shall be positively actualized, and for this reason: such actuality leads at once to some sort of order, to a particularization of organizations and individuals alike, while it is precisely out of the annihilation of particularity and objective

²⁰⁹ PR §5 notes: 50 (Suhrkamp).

²¹⁰ PR §5 notes: 50 (Suhrkamp).

determination that the self-consciousness of this negative freedom proceeds. Consequently, whatever negative freedom means to will can never be anything in itself but an abstract idea, and giving effect to this idea can only be the fury of destruction.”²¹¹

The individual agent that fails to determine himself to a particular content thus only wills the emptiness of his own universal subjectivity. This emptiness contradicts the particular determinations of the world and in an attempt to ‘make the world like itself’, the subject does away with the particularity it encounters.

Without positivity or content, so Hegel suggests, willing remains internally void and effects only destruction and negation *externally*. He accordingly associates such content-less ‘freedom’ with withdrawal and death: “In this element of the will is rooted my ability to free myself from everything, abandon every aim, abstract from everything. The human being alone can sacrifice everything, his life included; he can commit suicide. [...] The human being is the pure thought of himself, and only in thinking is he this power to give himself universality, i.e. to extinguish all particularity, all determinacy. This negative freedom, or freedom as the understanding conceives it, is one-sided; but what is one-sided always contains an essential determination and therefore is not to be discarded. But the understanding is defective in exalting a one-sided determination to be the sole and the supreme one.”²¹²

II. 2.2. §6

After §5’s discussion of universality as the concept of the will’s first moment, Hegel introduces particularity as the will’s second moment in §6: “At the same time, the I is also the transition from undifferentiated indeterminacy to the *differentiation*, *determination*, and *positing* of a determinacy as a content and object. Now further, this content may either be given by nature or engendered by the concept of [Geist]. Through this positing of itself as something determinate, the I steps into *determinate existence* [*Dasein*] in general. This is the absolute moment of the *finitude* or

²¹¹ PR §5 remark: 29.

²¹² PR §5 addition: 29, 30.

particularization of the I.”²¹³ While Hegel takes the universal ‘I’ to be able to abstract away from all determinate content in virtue of its universality, he also claims that the properly willing subject always wants some positive and particular content, as well. The subject achieves this by determining itself. This entails that all proper willing is the willing of some determinate content rather than the willing of no-‘thing’.

The will’s particularity is thus complementary to its universality. It articulates itself in the self-determining activity of particular individuals as well as in the activity of the universal and singular concept whose particularisation is the origin of the particular individuals’ activity. Be it the ‘I’ of the particular individual or of the singular concept of the will as such, by determining itself to will a certain content, Hegel’s willing ‘I’ posits itself as ‘something *determinate*’ and thereby steps into Dasein. While the indeterminate, purely self-referential ‘I’ was not existent or ‘was not there’ as a willing entity, so Hegel, the self-determination of the ‘I’’s second moment makes this existence or ‘being there’ possible. Consequently, the second moment’s particular determinacy not only delineates a certain content or end, it also limits the moment of universality.

II. 2.2.1. The absolute moment of finitude

Since it introduces limitation and therefore finitude into the structure of the will, so Hegel, the moment of particularity is ‘the absolute moment of *finitude*’. Insofar as the will’s first moment only consists in the infinite self-relation of the universal ‘I’, there is no limitation or finitude in willing before determination is introduced. With the introduction of particularity, the universal ‘I’ finds itself opposed to something else — determinateness. Vice versa, determinateness is now limited by universality as its opposing moment.

This entails that the willing subject steps out of its unconditioned, self-referential circularity of empty self-willing when it determines itself to endorse a certain content. Its initially infinite ‘I’ limits itself by endorsing a certain determination that is ‘other’ to its initial ‘nature’ of

²¹³ PR §6: 30.

indeterminacy. The content limits the subject and the subject limits the content and in virtue of their mutual limitation, the first and second moment both have finitude. The content of ‘my’ willing — whatever ‘I’ want, for example ‘eating an apple’ — is different from my capacity to negate all content and to rest with myself. Wanting *something* is the same as ‘not wanting nothing’ and wanting nothing is ‘not wanting something’ — the mutual limitation between the concept of the will’s universality and its particularity allows us to *understand* what the respective moments are.

However, Hegel continues to argue that the limitation that results from determination also brings with it the desire to transgress the imposed limitation²¹⁴ and the willing, self-determined subject is not exhausted by its act of self-determination. As soon as the subject determines itself, it defines itself against other possible determinations. These are the determined negation of the ‘I’. By assuming a certain being-there or Dasein, the willing ‘I’ negates all other determinations and these alternative determinations provide a background of negativity that contrasts with the self-determined ‘I’. In the act of self-determination, so Hegel, the ‘I’ points to a multitude of determinations beyond itself — it points beyond its self-imposed limitation and finitude and such a questioning of self-imposed limitation is inevitable for any finite being. Hegel maintains that this negation of the ‘I’’s indeterminacy and the corresponding negation of all alternative possibilities entails the *decay* of the finite, willing ‘I’. The inevitable ‘price’ that the finite being has to pay for being determined is the negation of its own infinity and its result — the death of the finite being.²¹⁵

II. 2.2.2. Particularity in general

While the second moment of the concept of the will’s self-determination brings finitude and limitation with it, so Hegel, it also makes its ‘being-there’ possible and it shares this dimension with the general concept: “The Concept as such contains the moment of [...] *particularity*, or of the determinacy in which the Universal remains serenely equal to itself”.²¹⁶ The same thought is expressed in the *Science of Logic*: “*Determinateness* as such belongs to being and the qualitative; as

²¹⁴ SL ‘finitude’ in Houlgate 2006: 231.

²¹⁵ See e.g. Enz §375. For a discussion of limitation see e.g. Houlgate 2006: 371.

²¹⁶ Enz §163: 239.

the determinateness of the concept, it is *particularity*. It is not a *limit*, as if it were related to an *other* beyond it, but is rather, as just shown, the universal's own immanent moment; in particularity, therefore, the universal is not in an other but simply and solely with itself."²¹⁷ From the perspective of the singular *concept* of the will, the pure 'I' and a particular determination are only moments. They are both of the same overarching entity and there is accordingly no absolute 'difference' between the abstract 'I' and its determinacy. The concept of the will is neither *exhausted* by the willing of something determinate nor by the abstract universality of indeterminacy: it is their unity.

II. 2.2.3. Abstraction and determination

In the remark to §6, Hegel argues that insofar as universality and particularity are moments of the same entity and limit each other, they stand in a relationship of mutual negation: "This second moment—determination—is negativity and cancellation [*Aufheben*] like the first, i.e. it cancels the abstract negativity of the first."²¹⁸ Determination or particularity is thus 'not universality'. By determining itself to something particular, the willing subject denies the absoluteness of its own abstract self-referentiality. It determines itself to being *something* and therefore *not* into 'willing nothing'. By means of determination, the act of willing assumed a quality: it is the willing of a something that is not the willing of something else.²¹⁹

For Hegel, a determinate act is thus determined in two senses: a) it is what it is by itself — for example eating an apple *as such* b) it is determined by how it differs from other acts — for example not eating an orange, not assassinating one's mother-in-law.²²⁰ "[T]he determinacy of something with respect to its other has now taken on two forms: one that is governed by itself and one that is governed by the other things to which it relates. The thing is distinctive and determinate

²¹⁷ SL: 534.

²¹⁸ PR §6 remark: 30.

²¹⁹ For the difference between determination and determinacy see e.g. Houlgate 2006: 351, Houlgate 2006: 348, Houlgate 2006: 351, 352.

²²⁰ While nourishing oneself by eating an apple can also be 'theft' if the apple is not mine, such more complex determinations ('theft' implies 'property') are not yet of concern at the present stage.

either way, but in the latter case it is constituted as a determinate something by what is other than it.”²²¹

While the abstract negativity of the first moment is thereby negated, the resulting particularity is not merely *external* to the purely self-referential subject: “Since in general the particular is contained in the universal, it follows that this second moment is already contained in the first and is simply an explicit positing of what the first already is in itself [*an sich*].”²²² This entails that the moment of particularity or determination is something that is made explicit about the first moment, or rather, it is what the first moment makes explicit about itself. In other words, the moment of determinacy is a form of indeterminacy and vice versa. By positing itself as determined, the moment of indeterminacy merely displays another moment of itself and by positing itself as indeterminate, the moment of indeterminacy displays another side of *itself*.

According to Hegel, the relationship between the two moments is thus not one-directional. In the light of the second moment, the meaning of the first moment can be re-evaluated: “The first moment—namely as it is for itself— is not true infinity or concrete universality, not the concept, but only something determinate, one-sided; i.e., being abstraction from all determinacy, it is itself not without determinacy; and to be something abstract and one-sided constitutes its determinacy, its defectiveness, and its finitude.”²²³

Although the act of self-reference that takes place within the first moment appears to be limitless *in its own right* — that is it does not include any element of otherness that would distinguish it as *finite* infinity — the second moment reveals that the first moment’s infinity is *finite*. If one presupposes determinacy, so Hegel, universality is just ‘not-determinacy’. As determination remains ‘other’ to the moment of indeterminacy, the finitude of the former remains external to the infinity of the latter and thereby renders this infinity finite. Since the first moment’s universality does not *incorporate* the finitude of determination, it is in turn limited by this finitude.

²²¹ See Houlgate 2006: 351, 352.

²²² PR §6 remark: 30.

²²³ PR §6 remark: 30.

This goes further than saying that the determination to will something is merely the negation of willing nothing. Rather, the willing of something *is already contained* in the willing of nothing or the self-willing of the 'I'. According to Hegel, he who wills nothing, nevertheless wills an object or a content, only that this content is nothing. The 'nothing' in 'willing nothing' is not 'free' of determination since its negation of determination is itself a determination. Since 'nothing' cannot exist without negating *something*, it depends on this something to exist. In order to properly understand what it means to will nothing, so Hegel, one has to understand what it means to will something. The pure 'I's willing of nothing is thus still an act of determination — only that it is the determination to nothing.²²⁴

The two moments of the willing subjectivity are not independent but rather mutually related. One is the negation and limitation of the other. While the first element relies on the understanding of what it is to will something, the willing of something depends on the understanding of what it is to will nothing. The first can only be understood as a negation of the second and the second can only be understood as a negation of the first.

The failure to acknowledge this mutual dependency, so Hegel, can lead the thinker to take one of the moments in isolation and to posit it as absolute. In this case, the thinker abstracts the other moment away and 'reduces' the concept of the will to one of its aspects. For example, one might mistakenly think that all there truly is to willing is the emptiness of universal self-determination or that the truth about willing is to be determined to will one thing and nothing else. On their own, both elements are abstract, one-sided, lacking, finite and untrue. Similarly, thinking them as absolutely separate falls short of truth insofar as it fails to appreciate their immanently motivated dependence.

Although the moments are grasped as limiting and dialectically conditioning each other, Hegel argues that their *unity* or overarching *identity* is not yet conceptualised. He maintains that this

²²⁴ For example abstaining in an election is nevertheless a choice: the choice not to choose. Similarly, not knowing what to expect is 'expecting the unexpected'.

is only possible once the speculative step of thinking the moments' difference *within* identity is made and the new category of *singularity* is identified as the truth of the concept and the will.

II. 2.2.4. Kant and Fichte

In the remark to §6, Hegel anticipates the notion of singularity and contrasts his own treatment of particularity and universality with that of Kant and Fichte. He argues that while both of these accommodate the concept of the will's moments of infinity — universality, indeterminacy — and finitude — determinateness, particularity — in their respective philosophies, they fall short of giving a convincing account of the moments' mutual dependency. While Hegel does not elaborate on his disagreement with Kant in the remark, one might infer that he rejects the positing as absolute of the difference between a willing subjectivity that is infinite, self-determining, formal and universal on the one hand and its particular, determined and finite ends on the other.

According to Hegel, Kant differentiates *absolutely* between universal and free — self-given — willing and 'given', particular ends. Consequently, Kant's universality-articulating criterion for moral action, the Categorical Imperative, does not apply to *any* end. For Hegel's Kant, to will morally is to will what is universal — but this also means to not will anything that is particular. However, all available determined ends — including moral ones — *are* particular. While universality-oriented willing is self-determining and therefore infinite, the willed particular content is finite since it is determined. According to Hegel's interpretation of Kant, the finite and the infinite remain mutually exclusive and the infinite remains 'finite' since it is determined as 'not finite'.

However, in the *Philosophy of Right's* remark to §6, Hegel elaborates on Fichte instead of Kant and finds him guilty of a binary opposition of finite and infinite that he seems to implicitly accuse Kant of: "The determination and differentiation of the two moments which have been mentioned is to be found in the philosophies of Fichte, Kant, and others; only, in Fichte—to confine ourselves to his exposition—the I, as that which is without limitation, is taken (in the first

proposition of his *Science of Knowledge*) purely and simply as something *positive* and so as the universality and identity of the understanding. The result is that this abstract I by itself is supposed to be the truth, and therefore the restriction—the *negative* in general, whether as a given external limitation or as an activity of the I itself—appears (in the second proposition) merely as an addition. To apprehend the negativity immanent in the universal or selfidentical, as in the I, was the next step which speculative philosophy had to take—a step of whose necessity they have no inkling who hold to the dualism of infinite and finite and do not even grasp it in that immanence and abstraction in which Fichte did.”²²⁵

Hegel thus accuses Fichte of taking the moment of infinity, i.e. universality and indeterminacy, — the universal ‘I’ — to be a ‘given’. For Hegel’s Fichte, universality is merely ‘posited’ or ‘positive’. This, so Hegel, renders it independent from ‘negativity’ — the moment of finitude is universality’s *external* or added negation. For Hegel, Fichte’s the positivity of Fichte’s ‘I’ is the ‘identity of the *understanding*’ — examples of this abstract identity include: “Everything is identical with itself, $A=A$ ”²²⁶ because it is positively determined by ‘not being negative’ or ‘not being different’ and, unlike a speculative thought, it does not contain any otherness or negativity *within* it.

However, for Hegel even this ‘first’ positive universality *contains an immanent negativity* since it is ‘not particularity’ or ‘not its own negation’. Since Fichte fails to conceptualise this immanent negativity, he is open to the charge of simply ‘assuming’ or presupposing the positive universal ‘I’. The abstract universality of Fichte’s ‘I’ is found in Hegel’s moment of the infinite ‘for-itself’ that implies the moment of ‘in-itself’ and thereby its own negation. In virtue of this immanent negativity, Hegel’s ‘I’ is not merely posited, assumed or presupposed — while the ‘I’ presupposes its own negativity, the ‘I’’s negativity presupposes the ‘I’. Since both ‘I’ and negativity presuppose each other, neither is *merely* presupposed. Neither ‘I’ nor its negation is logically ‘prior’ — both are simultaneous, immediate *and* mediated.

²²⁵ PR §6 remark: 30, 31.

²²⁶ Enz §115: 180.

According to Hegel, this mutual dependency and concomitance can only be captured by speculative thinking and not by the understanding because speculation grasps both moments in a conceptual identity *while at the same time* allowing them to retain a difference *within* this identity. In contrast, the understanding's logic of 'either-or' demands that the moments be kept separate. One might wonder whether it is of crucial importance if the limitation of Fichte's 'I' is brought forth by the 'I' itself or whether it is independent of it. In the former case, it seems that there would be no radical opposition between the 'I' and its negation since if the 'I' brought forth the negation, the negation could only have been *within* the 'I' in the first place. Nevertheless, even if the negativity is brought forth by Fichte's 'I', Hegel takes Fichte to say that the 'I' does not *depend* on this negativity for its own existence in the way Hegel's universality depends on particularity.

Rather, so Hegel, Fichte's negativity one-sidedly depends on the 'I', which is prior to the negativity. In virtue of this dependency relationship, Hegel thinks that Fichte is open to the charge of assuming the I, that is of taking it for granted. In contrast, Hegel takes both moments — universality i.e. infinity *and* particularity, i.e. finitude — as negation *and* as having positive content. He argues that both moments are (not) what they are (not) in virtue of the other moment that is their negation and which in turn they negate. Hegel thinks that Fichte's failure to grasp negativity as something immanent to the 'I' prevents him from conceptualising the organic or 'grown together' unity of universality and particularity, which is what Hegel calls singularity. For Hegel, this failure forces Fichte to think the 'I' abstractly rather than concretely and Hegel sets out to address this alleged shortcoming with his speculative account of singularity.

II. 2.2.5. To will is to limit — finitude

In the addition to §6, the argument about the two moments' mutual dependency is further illustrated: "This second moment appears as the moment opposed to the first; it is to be grasped in its general character; it belongs to freedom, although it does not constitute the whole of freedom. Here the I leaves undifferentiated indeterminacy and proceeds to differentiate itself, to posit a

content or object and so to give itself determinacy. My willing is not pure willing but the willing of *something*. A will which, like that expounded in § 5, wills only the abstract universal, wills nothing and is therefore no will at all. The particular volition is a restriction, since the will, in order to be a will, must restrict itself in some way or other. The fact that the will wills something is restriction, negation. Thus particularization is what as a rule is called finitude.”²²⁷

For Hegel, the particularisation of the ‘I’ is *finitude* because without it, the universal ‘I’ would be unconditioned, abstract infinity. Once particularity is introduced, so Hegel, the first moment’s indeterminacy is just as limited as finitude itself. Furthermore, once determinacy is grasped, it becomes evident that there is no such thing as an infinite, universal ‘I’ *independently* of particularisation. This means that for Hegel, the thought of finite infinity already *implies* finitude and the latter is not ‘added’ to the former but is immanent to it. Particularity is thus an inevitable feature of willing just as the universal infinity of the ‘I’ is. Neither of the two moments can exist in isolation.

Hegel further argues that just like the understanding, so also ‘reflective thought’ tends to prioritise the abstract universal over the particular. This also applies to Fichte insofar as he prioritises the abstract ‘I’ over its negation. According to Hegel, Fichte’s philosophy is ‘reflective’ rather than ‘speculative’ since it fails to think the moments of universality and particularity *together* and instead posits one moment (the ‘I’), reflects on it, finds it incomplete and then develops a second moment out of the first (negation). In contrast, Hegel tries to develop two moments out of each other *at the same time*, arguing in two directions at once. In this act of speculation, there is no absolute first and the abstractly infinite universality of the ‘I’ is itself mediated by its negation.

II. 2.2.6. The oscillation of the understanding

Hegel’s notes to §6 suggest that he considers the intellectual oscillation between the will’s infinity and its finitude to be a passage from one limitation to the other. For him, this dialectical to and fro

²²⁷ PR §6 addition: 31.

is a matter of ‘understanding’²²⁸ since the determinateness of the two moments is never sublated or united in an encompassing unity — it remains absolute. For him, the understanding takes universality, negates it and is led to particularity. It then negates particularity and is led back to universality and so forth. In contrast, speculative thought thinks both moments as aspects of a single category.

II. 2.2.7. To will nothing is as limited as willing something

Such a notion contradicts what Hegel calls the “commonly held thought”²²⁹ that willing something is the same as giving up one’s freedom. According to Hegel, this claim implicitly identifies freedom with the empty self-reference of the universal ‘I’. In consequence, every particular end negates this freedom. Against this view, Hegel argues that recommending a person not to want anything particular — to keep his will unlimited — is to debase him as willing subject. Irrespective of what one wants: money, a house, one’s happiness, the welfare of the state or mankind, there always has to be a particular object of willing.²³⁰ Otherwise, the individual’s freedom is unsubstantiated, direction- and meaningless. Whoever is told not to will anything in particular could rightfully reply that the pure abstraction from any particular content is itself limited.²³¹ The all-negating absolutely liberal Brahman is as limited and unfree as the obstinate person who single-spiritedly pursues a determinate content without ever putting it into question.

II. 2.3. §7

II. 2.3.1. Singularity/Individuality

Hegel thus argues that neither infinity — universality — nor finitude — particularity — alone constitutes the whole truth about willing. While both of these moments condition and limit each other, they are merely abstract and one-sided on their own. The true, concrete or ‘whole’ concept of

²²⁸ PR §6 notes: 54 (Suhrkamp).

²²⁹ PR §6 notes: 54 (Suhrkamp).

²³⁰ PR §6 notes: 53 (Suhrkamp).

²³¹ PR §6 notes: 54 (Suhrkamp).

the will is the unity of these two moments: ‘individuality’ (or ‘singularity’).²³² “The will is the unity of both these moments. It is particularity reflected into itself and so brought back to universality, i.e. it is *individuality*. It is the *self*-determination of the I, which means that at one and the same time the I posits itself as its own negative, i.e. as restricted and determinate, and yet remains with itself, i.e. in its self-identity and universality. It determines itself and yet at the same time binds itself together with itself.”²³³

While the initial universality of the self-willing ‘I’ was seemingly lost in the second moment of particularity, Hegel claims that speculation reveals that this particularity is merely the negation of universality *while* universality is the negation of particularity. This re-introduces universality into the thinking of particularity. The thought that results from this is the speculatively grasped *unity* of particularity *with* universality. For Hegel, this is what has always already been there and from which we abstract when we think universality or particularity in isolation.

Singularity is thus the ‘return’ of the universal ‘I’ insofar as particularity is the self-positing self-negation from which it returns. Hegel argues that this does not mean that universality is ‘prior’ to particularity — the ‘I’ and its negation are posited simultaneously. By negating the second moment, the first moment overcomes the limitation that the second imposed on it and ‘determinacy’ becomes ‘embedded’ in an overarching ‘indeterminacy’. Consequently, Hegel thinks he is not open to the same charge as Fichte regarding a ‘priority’ of the universal ‘I’. For him, universality is not ‘assumed’ or ‘*pre*-supposed’ but it is a coeval ‘dimension’ of singularity.

Although universality ‘turns into’ ‘particularity’ and then ‘individuality’ by means of self-negation, Hegel claims that it is preserved in this process: the particular determination can

²³² The terms are used synonymously for ‘*Einzelheit*’. While some sources prefer ‘individuality’ (e.g. Houlgate in PR), other opt for ‘singularity’ (e.g. Geraets et al. in *Enz Logic*) Hegel’s warning that ‘*Einzelheit*’ is not to be confused with the ‘immediate singularity’ of mathematics ‘*Eins*’ (‘One’) might be read to suggest a certain linguistic affinity for ‘singular’ (like ‘single’ — ‘one-like’).

²³³ PR §7: 31. cf. “Consequently the Concept is the *universal*, which on the one hand negates itself by its own activity into particularization and determinacy, but on the other hand once again cancels this particularity which is the negative of the universal. For the universal does not meet in the *particular* with something absolutely *other*; the particulars are only particular aspects of the universal itself, and therefore the universal restores in the particular its unity with itself as universal. In this returning into itself the Concept is infinite negativity; not a negation of something other than itself, but self-determination in which it remains purely and simply a self-relating affirmative unity. Thus it is true *individuality* as universality closing only with itself in its particularizations.” (Aesth: 109).

always be negated in the light of universality. Likewise, singularity (of individuality) is universal insofar as it is the universal concept's individuality.²³⁴ Although the concept of the will is singular, it is *also* universal — it is what is manifest in *all* particular willing subjects and their actions.

II. 2.3.2. Could have willed otherwise

Initially, the unity of Hegel's singularity consists in the act of embracing a determinacy that differs from the undetermined 'I' while *simultaneously* remaining with itself as pure self-referentiality:

"The I determines itself in so far as it is the relating of negativity to itself. As this self-relation, it is equally indifferent to this determinacy; it knows it as something which is its own, something which is only ideal [*ideell*], a mere *possibility* by which it is not constrained and in which it is confined only because it has put itself in it."²³⁵

This means that the determinacy that the singular 'I' adopts is always provisional — it could always have determined itself differently. This possibility resides in the 'I's *indeterminacy* which remains present in every act of self-determination. Likewise, in the initial stage, determinacy never entirely disappears in the case of *indeterminacy*. While the self-referential, undetermined 'I' is negativity insofar as it negates all determinacy, the determined 'I' is negativity insofar as it negates the negation of determinacy. In the act of self-determination, the negativity of the 'pure' or all-content-negating 'I' negates itself — and thereby its own negativity — it embraces a positive content. Since any determined content is only accepted against the backdrop of the negativity of the all-content-negating 'I', *any* content could have been negated.

For Hegel, The 'I' is 'with itself' as undetermined universality *while at the same time* it is with the determination that is 'other' to its abstract identity. The negativity of the 'I' — that is the abstraction from and the negation of all determinacy — refers to itself *while* it refers to its other. Consequently, Hegel's 'I' is always able to negate any determinacy since all determinacy is a

²³⁴ See e.g. Inwood 1992: 304.

²³⁵ PR §7: 31, 32.

product of the 'I's own activity and the 'I' remains 'distant' from the determined content. It can always return into its abstract self-identity and choose a different determination.²³⁶

II. 2.3.3. Gravity and weight

Hegel further claims that singularity's combination of determinacy and non-determinacy is the sufficient and necessary description of free willing: "This is the freedom of the will and it constitutes the concept or substantiality of the will, its weight, so to speak, just as weight constitutes the substantiality of a body".²³⁷ For Hegel, freedom *is* singularity, and this is also the structure of 'subjectivity' or of 'the concept' in general. The defining moment of the 'concept of the will' thus lies at the heart of the abstract 'concept' and, therefore at the core of *all* concepts. Insofar as Hegel's entire philosophical system is a description of different concepts and their determinations, this 'freedom' informs the whole of his philosophy.

One example for this is Hegel's discussion of the category of 'matter' in the *Encyclopedia*. He there argues that 'gravity' is necessarily related to the category of 'matter', which in turn is the conceptual unity of 'repulsion' and 'attraction'.²³⁸ Like indeterminacy and determinacy unite to form the will's singularity, so the unity of repulsion and attraction forms matter: "Matter is inextricably both and the negative unity of these moments [of repulsion and attraction], it is singularity, but initially, it differs from the immediate separation [*Außeinander*] of matter and is therefore itself not posited as material, it is ideal singularity, central point, — gravity."²³⁹

For Hegel, 'gravity' is the initial form of matter and as such it is the singularity of repulsion and attraction *as ideal* or 'subjective' singularity. While matter attracts *and* repels, gravity

²³⁶ cf. "Owing to this infinity in itself the Concept is already implicitly a totality. For in the being of its other it is still a unity with itself and therefore is the freedom for which all negation is only self-determination and not an alien restriction imposed by something else." (Aesth: 109).

²³⁷ PR §7: 32. Although substantiality has other features apart from weight, e.g. size and resistance, Hegel seems to think that these are 'secondary' or 'derivative' in a way weight is not. cf. "Just as gravity is the substance of matter, so also it can be said that freedom is the substance of [Spirit]." (LPWH: 47).

²³⁸ Enz §262: 61 (Suhrkamp).

²³⁹ Enz §262: 61 (Suhrkamp). Own translation. Original: "Die Materie ist untrennbar beides und negative Einheit dieser Momente, Einzelheit, aber als gegen das *unmittelbare* Auseinander der Materie noch *unterschieden* und darum selbst noch *nicht* als *materiell* gesetzt, *ideelle* Einzelheit, *Mittelpunkt*, — *die Schwere*."

implies repulsion — things have to be different in order to be able to gravitate towards each other. At the same time, Hegel takes gravity to imply attraction: things are attracted and thus gravitate towards each other. This is similar to the initially merely subjective freedom of Geist as internal — as subjective Geist. Here, Geist does not yet have an ‘objective’ dimension and is merely *internal* freedom. Only the *unity* of gravity — subjective — and matter — objective — is real: it turns out to be the condition for the activity of repulsion and attraction: “By the way, only heavy matter [*schwere Materie*] [matter that has weight] is the totality and the real with which attraction and repulsion can take place; it contains the ideal moments of the concept, of singularity or subjectivity.”²⁴⁰

On this view, heavy matter is subjective and internal — it is gravity — *and* it is objective and external — it is matter. Like singularity, it unites these two moments within an overarching unity. Similarly, only the unity of the objective institutions that embody the will — objective Geist, right, willing — and *internal freedom* — subjective Geist, thinking — make free self-determination possible. Absolute freedom as the unity of internal and external freedom is like heavy matter: it contains and conditions freedom — singularity, subjectivity — in all its facets.

Insofar as gravity is subjective matter and matter is objective gravity, so Hegel, both are conceptually united: “Essentially, matter is therefore primarily weighty itself, it is not an external property that can be separated from it. Gravity is the substantiality of matter, which itself is the striving towards the — however (this is the other essential determination) external — central point [*Mittelpunkt*].”²⁴¹ This means that gravity is as necessary for grasping what matter is, as matter is necessary for grasping what gravity is: “Gravity is so to speak the avowal of the inanity of the being-out-of-itself of matter in its being-for-itself, in its dependence, in its contradiction. One could also say that gravity is the being-in-itself of matter, in the sense that insofar as it is not yet central

²⁴⁰ Enz §262 remark: 61. Own translation. Original: “Übrigens ist erst die schwere Materie die Totalität und das Reelle, an dem Attraktion und Repulsion stattfinden kann; sie hat die ideellen Momente des Begriffs, der Einzelheit oder Subjektivität”.

²⁴¹ Enz §262 remark: 62. Own translation. Original: “Die Materie ist daher erstens wesentlich selbst *schwer*; es ist die nicht eine äußerliche, von ihr auch trennbare Eigenschaft. Die Schwere macht die Substantialität der Materie aus, diese selbst ist das Streben nach dem — aber (dies ist die andere wesentliche Bestimmung) *außer ihr* fallenden — *Mittelpunkt*.”

point, the subjectivity is in itself, it is still undetermined, undeveloped, enwrapped, the form is not yet material”.²⁴²

Hegel argues that while gravity is ‘immaterial matter’, matter is ‘embodied gravity’ and while matter still contains the element of mutual externality — like objective freedom/Geist —, gravity is united but immaterial — like subjective freedom/Geist. Despite their insufficiencies, both are needed by the respective other: Matter *must* be heavy and subject to gravity, gravity must be embodied in matter. Likewise, the will *must* be free and freedom must be as will: self-determination and singularity are definitive of both.²⁴³

II. 2.3.4. Singularity and concreteness

Although it does not constitute a philosophical proof but rather serves as ‘illustration’, there is evidence for the correctness of the description of willing as ‘singularity and freedom’ in consciousness: “Every self-consciousness knows itself (i) as universal, as the possibility of abstracting from everything determinate, and (ii) as particular, with a determinate object, content, and aim.”²⁴⁴

According to Hegel, ‘we’ as self-conscious agents can observe our own minds — ‘consciousnesses’ — determining themselves against a backdrop of a possible negation of all content. While we can perceive determination as well as indeterminacy in our mental life, on their own these moments fall short of singularity’s concreteness: “Still, both these moments are only abstractions; what is concrete and true (and everything true is concrete) is the universality which has the particular as its opposite, but the particular which by its reflection into itself has been equalized with the universal. This unity is individuality, not individuality in its immediacy as a unit,

²⁴² Enz §262 remark: 62. Own translation. Original: “Die Schwere ist sozusagen das Bekenntnis der Nichtigkeit des Außersichseins der Materie in ihrem Fürsichsein, ihrer Unselbstständigkeit, ihres Widerspruchs. Man kann auch sagen, die Schwere ist das *Insichsein* der Materie, in diesem Sinne, daß, eben sofern sie noch nicht Mittelpunkt, Subjektivität an ihr selbst ist, sie noch unbestimmt, unentwickelt, unaufgeschlossen ist, die Form noch nicht materiell ist.”

²⁴³ While there are circumstances in which matter without gravity is conceivable — e.g. in a spaceship —, these circumstances do not tell us anything *intrinsic* about matter. They might establish that ‘under certain circumstances, matter is not effected by its gravity — however, the gravity remains *intrinsic* to matter, even if the external circumstances render it ineffective. See e.g. Houlgate 2005: 135.

²⁴⁴ PR §7 remark: 32.

our first idea of individuality, but individuality in accordance with its concept; indeed, individuality in this sense is precisely the concept itself.”²⁴⁵

Similarly, in the *Encyclopedia*, Hegel describes ‘singularity’ as the defining moment of the concept’s *activity*: “The singular is the same as the actual, except that it has issued from the Concept, and hence it is *posited* as something-universal, or as negative identity with itself. [...] [T]he singularity of the Concept is strictly *what is effective*.”²⁴⁶ And on the necessary unity of universality and particularity: “The Concept is what is altogether *concrete*, because negative unity with itself as being-determined-in-and-for-itself (which is what singularity is) constitutes its own relation to itself, or universality. From this point of view, the moments of the Concept cannot be separated; the determinations of reflection are *supposed* to be grasped and to be valid each on its own, separately from the one opposed to it; but since in the Concept their *identity is posited*, each of its moments can only be grasped immediately on the basis of and together with the others.”²⁴⁷ ...and... “The Concept as such contains the moment of universality, as free equality with itself in its determinacy; it contains the moment of particularity, or of the determinacy in which the Universal remains serenely equal to itself; and it contains the moment of singularity, as the inward reflection of the determinacies of universality and particularity. This singular negative unity with itself is what is in and for itself determined, and at the same time identical with itself or universal.”²⁴⁸

Hegel insists that this speculative sense of ‘singularity’ is different from singularity “in its immediacy as a unit”.²⁴⁹ “Singularity, however, is not to be taken in the sense of merely immediate singularity — as when we speak of single things, or human beings, etc.; this determinacy of singularity is found only where we have the Judgment.”²⁵⁰ This suggests that for Hegel, immediate singularity differs from ‘singularity as such’ insofar as the former is the product of the latter’s self-division by means of judgement. The singular subject brings forth immediate

²⁴⁵ PR §7 remark: 32.

²⁴⁶ Enz §163 remark: 240.

²⁴⁷ Enz §164: 214.

²⁴⁸ Enz §163: 239.

²⁴⁹ PR §7 remark: 32.

²⁵⁰ Enz §163: 239, 240.

singularity in the act of dividing itself: the concept of nature ‘judges’ or ‘divides’ itself into a number of or a single plant.²⁵¹ The concept of Geist judges itself into a plurality of single, finite spiritual beings. The concept of the will manifests itself in form of a single, particular willing subject.²⁵²

While the concept’s universality informs both particular and individual as condition of their existence, for Hegel they sustain the universality of the concept by providing the means of differentiation that it requires to be concrete. With regards to the will, this means that while particular actions are needed for there to be willing in the first place, these actions are the result of the self-division of the concept’s singularity. This also means that the concept’s individuality combines the universality of indeterminacy with the particularity of the specific determination: every act is the negation of empty indeterminacy in favour of a particular act that can be differentiated from other particular acts in virtue of the singularity that commits to *this* particularity — or determination — rather than to another.

II. 2.3.5. Singularity, speculation and understanding

However, Hegel argues that while the one-ness of immediate singularity can be simply understood — it is a determined, clearly defined unit — the thinking of the concept’s singularity requires an act of *speculation*. To think singularity, one has to think the difference *and* identity of indeterminacy and determination *simultaneously*. This is at odds with the understanding’s insistence that both moments are absolutely different and the way in which it abstracts away from their overarching identity:

“The first two moments—(i) that the will can abstract from everything, and (ii) that it is also determined in some specific way either by itself or by something else—are readily admitted and grasped because, taken independently, they lack truth and are moments of the understanding.

²⁵¹ ‘Ur-teilen’ can be taken to relate to ‘separating’ [*teilen*] and ‘Ur’ — original, primordial. ‘Urteilen’ can be interpreted to mean ‘dividing of an original unity’. This singular unity is the concept, immediately singular entities (e.g. ‘one’ plant) are the result of this division.

²⁵² See e.g. Winfield 2006: 57, 58.

But the third moment, which is true and speculative (and everything true must be thought speculatively if it is to be comprehended) is the one into which the understanding declines to advance, for it is precisely the concept which it persists in calling the inconceivable. It is the task of logic as purely speculative philosophy to prove and explain further this innermost secret of speculation, of infinity as negativity relating itself to itself, this ultimate spring of all activity, life, and consciousness.”²⁵³

Hegel thus argues that taken on their own, the first two moments are *understandable* but untrue and one-sided. Since the understanding is concerned with fixed determinations and their negation, it is only able to relate to the will’s first two moments *as finite determinations*. The first moment of complete indeterminacy can thus be understood as the absence of determination — which itself is a determination — and the second moment of determination can be understood as a determination.

The third moment, however, is ambivalent from the point of view of understanding. It refuses to remain within the fixed boundaries of a one-sided determination. It is neither determinacy nor indeterminacy. It is also not just the dialectical movement from determinacy to indeterminacy and back and forth ad infinitum. Rather, it is both of these *at the same time* — the negative unity of the two moments thought in the form of a single dynamic. For Hegel, to think singularity in a *speculative* way thus means to comprehend the moments as positive *and* negative whilst grasping their duality in a single thought of mutual dependency. For Hegel, this objective *and simultaneously subjective* structure is *true infinity* because it circularly refers to itself *whilst* accommodating difference. As such, it is not limited by difference or otherness.²⁵⁴

²⁵³ PR §7 remark: 32.

²⁵⁴ Gadamer associates true infinity with the sublation of consciousness into Geist: “The dichotomization of reality into universal and particular, idea and appearance, the law and its instances, needs just as much to be eliminated as does the division of consciousness into consciousness on the one side and its object on the other. What is then thought of in the new way is termed the “inner difference” or “infinite” by Hegel. Specifically, insofar as that which differentiates itself within itself is not limited from the outside by the boundary of something else from which it differentiates itself, it is infinite in itself.” (Gadamer 1976: 57).

II. 2.3.6. Will as action

Hegel thus argues that like the world that it embodies and animates, the will's singularity is active, alive and dynamic and it opposes any notion of a 'positive' or 'assumed' presupposition. Ignoring this can lead to the misconception that the concept of the will is a "subject or substratum"²⁵⁵ that exists *prior* to the *act*: "Here attention can only be drawn to the fact that when people say '*the will* is universal, *the will* determines itself', the words they use to describe the will presuppose it to be a subject or substratum from the start. But the will is not something complete and universal prior to its determining itself and prior to its superseding and idealizing this determination. The will is not a will until it is this self-mediating activity, this return into itself."²⁵⁶

For example the claim 'he wills it but does not do it' falsely suggests that there is a difference between willing and doing. For Hegel, to will the end of the world is the same as bringing it about. Even if I will and do nothing, I am still willing and doing 'something', viz. nothing. I cannot do anything, for example light a candle, without determining myself to it and thus willing it. Likewise, to will something means to do it: even if I just will the act of imagining a burning candle, I am still doing something: 'imagining a burning candle'.

II. 2.3.7. The concrete will

In the addition to §7, Hegel elaborates on the will's singularity: "What is properly called the will includes in itself both the preceding moments. The I as such is in the first place pure activity, the universal which is with itself [*bei sich*]. But this universal determines itself and to that extent is no longer with itself but posits itself as an other and ceases to be the universal. Now the third moment is that, in its restriction, in this other, the will is with itself; in determining itself it still remains with itself and does not cease to keep hold of the universal. This moment, then, is the concrete concept of

²⁵⁵ PR §7 remark: 32.

²⁵⁶ PR §7 remark: 32.

freedom, while the two previous moments have been found to be through and through abstract and one-sided.”²⁵⁷

Insofar as the ‘I’ is abstract universality and pure identity, ‘determination’ introduces the element of ‘otherness’ or ‘difference’ into the logical structure of the ‘I’. However, for Hegel, only the kind of overarching identity that *contains* identity *and* difference within itself is ‘concrete’. *Concrete* freedom is accordingly the overarching identity of identity (‘I’) and difference (‘determination’). Since the isolated moments are ‘abstract and one-sided’ on their own, Hegel’s concrete freedom is the dynamic unity of singularity rather than the juxtaposition and mutual limitation of the moments.

II. 2.3.8. Love, friendship and the loss of self

For Hegel, this structure of singularity’s concrete freedom can also be found in worldly instances of love or friendship. Just like the willing subject that remains different from the content in spite of its commitment, so one friend remains with himself in his relationship with another. Although a friend limits himself in the pursuit of his own goals in favour of the friend, he is nevertheless with himself because he finds himself in this difference. The friend is ‘more like himself’ in this restriction for the friend’s sake than if he was alone: “Freedom in this sense, however, we already possess in the form of feeling—in friendship and love, for instance. Here we are not inherently one-sided; we restrict ourselves gladly in relating ourselves to another, but in this restriction know ourselves as ourselves.”²⁵⁸

This parallels the general structure of the concept’s universality: “The universal is therefore free power; it is itself while reaching out to its other and embracing it, but without doing violence to it; on the contrary, it is at rest in its other as in its own. Just as it has been called free power, it could also be called free love and boundless blessedness, for it relates to that which is

²⁵⁷ PR §7 addition: 32, 33.

²⁵⁸ PR §7 addition: 33. cf. “In love another is object, each is an ego, an unyielding atom on its own account, and in this absolute independence the object of my love is my other self, and one self is the other self.” (LNR §9 remark: 58).

distinct from it as to itself; in it, it has returned to itself.”²⁵⁹ ...and informs the structure of ‘freedom’ that results from the inadequacy of actuality’s ‘necessity’: “The *thinking* of necessity, on the contrary, is rather the dissolution of this hardness [of the passage from necessity to freedom]; because it is its going-together with *itself* in the other—the *liberation*, which is not the flight of abstraction, and not the having of itself in that other actuality (with which the actual is bound together through the might of necessity) as something-other, but the having of its very own being and positing in it. As *existing for-itself*, this liberation is called “*I*,” as developed into its totality, it is *free* [*Geist*], as felling, it is *love*, as enjoyment, *beatitude*.”²⁶⁰

Just like the universal and singular concept ‘has itself’ in its self-initiated particular manifestation without losing itself, so the friend is only in a friendly relationship because he chooses to do so — the limitation for the friend’s sake is undertaken with knowledge of the voluntary nature of the self-imposed limitation. The self-limitation and thus the friendship could as well *not be* since the indeterminacy of the self is never lost. However, self-awareness is only possible because we relate to the other *as other*: “In this determinacy a human being should not feel determined; on the contrary, by treating the other as other he first arrives at the feeling of his own selfhood. Thus freedom lies neither in indeterminacy nor in determinacy; it is both of these at once.”²⁶¹

Just as universality is only what it is in the light of particular determinacy, for Hegel, so ‘we’ are only who we are in the light of the difference that others represent to us. ‘We’ need the particular, determinacy and relationships with others in order to ‘be who we are’. However, Hegel warns that the failure to return to oneself from the other or from determinacy to universality is as much of a threat to freedom as is the unwillingness to determine oneself at all: “The will which restricts itself simply to a *this* is the will of the stubborn individual who supposes that he is not free unless he has *this will*. But the will is not tied to something restricted; it must go beyond the restriction, since the nature of the will is other than this one-sidedness and constraint. Freedom is to

²⁵⁹ SL: 532.

²⁶⁰ Enz §159 remark: 234.

²⁶¹ PR §7 addition: 33.

will something determinate, yet in this determinacy to be with oneself and to revert once more to the universal.’²⁶²

For Hegel, one is not free but rather dependent and determined if one loses oneself completely in the object of worship, the friend or the beloved one. This does not mean that every specific friendship or every love has to absolutely end but that it has to be constantly re-affirmed and not be grounded in mere habit or stubbornness. Relationships are properly ‘alive’ as long as the involved parties are with themselves and with the other in a continuous process of confirmation and re-establishment of their difference within an encompassing identity. While the structure of singularity for Hegel *is* self-determination, freedom, the concept and also the will, its moment of determination can be conceptualised in two different ways. These relate to the architecture of Geist and are the subject of §§8 and 9.

II. 2.4. §8

II. 2.4.1. Forms of willing

Hegel thus returns to the concern of §6 in §8: determination. He argues that there are two ways in which the will’s determination can take place. These are the will’s ‘forms’ and they differ in virtue of the way they conceptualise the subject-object relationship. According to the first form, the subject of willing and its object — the content of willing — are two separate ‘entities’ and are absolutely distinct. This means that the willing subject translates its subjective ends by interacting with an external world. Here, ‘determination’ is the translation of subjective ends into an objective reality.

According to the second form, the subject, the willed end and the ‘external’ world are all grasped as aspects of the same entity. The subject determines itself *to itself* and thereby effects a change within itself. While such a change might appear as a change in a subject-external world, it is truly a change *within* the subject/object-unity and for Hegel, this is *true* self-determination since it

²⁶² PR §7 addition: 33.

incorporates particularity within universality. §8 is dedicated to the first of these two options: “The more detailed process of particularization (see § 6) constitutes the difference between the forms of the will: (a) If the will’s determinate character lies in the formal opposition of its subjectivity to the objectivity of external immediate existence, then this is the *formal* will as self-consciousness which *finds* an external world *confronting* it. As individuality returning in its determinacy into itself, this will is the process of *translating the subjective purpose* into *objectivity* through the mediation of its own activity and some external means.”²⁶³

In this scenario, the willing subjectivity and willed objectivity are absolutely distinct: subjectivity is the willing individual agent, objectivity is an external world that is radically different from the willing subject and the end of willing to which the subject commits itself. Universality is here associated with the willing self-consciousness and particularity is associated with the external world. This means that the willing subject has not accommodated the moment of particularity *within* but that particularity remains *external* to it. This account of the will is ‘formal’ rather than concrete because it fails to achieve the unity of subject and object, determining and determined, universal and particular.

In contrast, Hegel’s *concrete* willing does not absolutely differentiate between willing subject and a subject-external particularity. It conceives of particularity as something that is *internal* to the universal subject. According to Hegel’s concrete account of willing, particularity is thus *sublated* in universality and the resulting singularity encompasses both world and willing subject.

II. 2.4.2. Will as self-consciousness

Hegel claims that the mutual externality of willing subject and world is characteristic of the category of ‘self-consciousness’ in general and has its more elaborate analysis in the *Encyclopedia*. ‘Self-consciousness’ is contrasted with mere ‘consciousness’ and the latter fails to have itself as object proper since it is unable to differentiate between itself as subject and itself as object.

²⁶³ PR §8: 33.

According to Hegel, it needs an object that has an element of ‘otherness’ to it in order to recognise itself and this awareness of the object’s otherness accompanies all self-conscious willing: “The truth of consciousness is *self-consciousness* and the latter is the ground of the former, so that in existence all consciousness of another object is self-consciousness; I am aware of the object as mine (it is my representation), thus in it, I am aware of me.”²⁶⁴ ...and... “*Individual self-consciousness* [...] is immediate, simply identical with itself, and at the same time, in contradiction with this, related to an external object. Thus determined, self-consciousness is the certainty of itself as the being in face of which the object has the determination of something only seemingly independent, but is in fact a nullity.”²⁶⁵

This entails that individual self-consciousness needs an object that differs from itself in order to be self-conscious in the first place. In the case of the first form of self-determining willing, this ‘otherness’ is supplied by the objectivity of self-consciousness’s representation or ‘end’ and by the external world. Consequently, the self-conscious subject relates to its ends and to the world and in this relation, it becomes aware of itself *as a willing subject*.

II. 2.4.3. Geist as subject

Hegel’s self-consciousness-based description of willing might seem quite common-sensical.

However, according to Hegel, it constitutes only the *appearance* of willing and is thus not how willing *truly* is: “In [Geist] as it is in and for itself [*wie er an und für sich ist*], in which its determinacy is true and simply its *own*, the relation of consciousness constitutes only the *appearance* of the will, which is not considered *separately* [*für sich*] any further here.”²⁶⁶

²⁶⁴ Enz §424: 152.

²⁶⁵ Enz §425: 154. While ‘individual’ self-consciousness is a primitive form of self-consciousness that leads to ‘desiring self-consciousness’, it shares with all forms of self-consciousness that it is absolutely distinct from its object.

²⁶⁶ PR §8: 33. Consciousness-based willing is willing as ‘appearance’ as opposed to a *truly* and obviously rational willing. Self-consciousness based willing as *absolute* is always contradictory and deficient: it needs an external standard to qualify as rational (In Kant’s case: the Categorical Imperative). According to Hegel, self-consciousness based willing is *not* absolute. It lacks the dimension of for-itself and is merely in-itself. Hegel distinguishes it from willing in-and-for-itself, where subject and object are universal rationality. This contrasts to Kant’s usage of the term who would call self-consciousness-based but rational willing ‘wollen an sich’. From Hegel’s perspective, Kant’s account lacks the dimension of ‘for itself’: Kant’s willing is always ‘in-itself’ or ‘for us’, whereas Hegel’s rational willing is the rational will (will-in-itself, for us) that wills itself (it is *also* ‘for-itself’).

This parallels Hegel's claim in the *Encyclopedia*'s section of 'subjective Geist' according to which 'consciousness' is only the *appearance* of 'Geist': "The [Geist] as I is essence; but since reality, in the sphere of essence, is posited as an immediate being and at the same time as Ideal, [*Geist*] as consciousness is only the appearance of [*Geist*]." ²⁶⁷ Hegel links 'consciousness' and 'Geist' with the category of 'reason' [*Vernunft*]. When the 'self-conscious' subject is certain that its thoughts correspond to 'outer' reality and is correct in thinking so, so Hegel, it becomes reason. Once this reason becomes aware that it is the true unity of thought and world, it becomes 'Geist': "Self-consciousness is thus the certainty that its determinations are objective, are determinations of the essence of things, just as much as they are its own thoughts. Hence it is reason, which, since it is this identity, is not only the absolute substance but the truth as awareness. For truth here has, as its peculiar determinacy, as its immanent form, the pure concept existing for itself, the certainty of itself as infinite universality. This truth that is aware is the [Geist]." ²⁶⁸

Geist for Hegel is thus the self-aware unity of world and thought. Since it has sublated self-consciousness, 'Geist' is more concrete than 'self-consciousness'. Similarly, 'appearance' is sublated in the 'Geist that is in-and-for-itself' — Hegel's notion of 'Geist' is the unity of 'external world', 'self-consciousness' and 'mental object'. Nevertheless, from the more abstract perspective of the willing 'self-consciousness', so Hegel, the actualisation of subjectively held ends is an attempt to overcome the subject-object divide that is properly sublated in the category of 'Geist'.

²⁶⁷ Enz §414: 144. (italics added)

²⁶⁸ Enz §439: 164. cf. "[Geist] is consciousness, but it is also the object of consciousness — for its is in the nature of [Geist] to have itself as its object. The [Geist], then, is capable of thought, and its thought is that of a being which itself exists, and which thinks that it exists and how it exists. It possesses knowledge: but knowledge is consciousness of a rational object. Besides, the [Geist] only has consciousness insofar as it is conscious of itself; in other words, I only know an object in so far as I know myself and my own determination through it, for whatever I am is also an object of my consciousness, and I am not just this, that or the other, but only what I **know** myself to be. I know my object, and I know myself; the two are inseparable. Thus the [Geist] forms a definite conception of itself and of its essential nature. It can only have a spiritual content; and its sole content and interest are spiritual. This, then, is how the [Geist] acquires a content: it does not find its content outside itself, but makes itself its own object and its own content. Knowledge is its form and function, but its content is the spiritual itself. Thus the [Geist] is by nature self-sufficient or free." (LPWH: 47). This differs from the existential concept of reason insofar as the latter affirms *and* denies the instrumental validity of reason for attaining knowledge: "Reason is an obstacle to right thinking but existential thought calls for a re-evaluation of reason rather than a discarding of it. How relative being realizes its rootedness in Absolute Being is a question to be answered by the total person. Man who hopes his reason alone will suffice while the rest of his personality and faculties are left out or inactivated will fail. Reason or thought are not the bridge between two distant shores of man and his world, but are faculties closely integrated into the whole man and into that in which he stands, Being. Therefore, neither reason alone nor the total lack of it will do. Insights and apprehensions come to the whole man or the non-dual man by way of reason, aesthetics, altered states of consciousness, physical sexuality, or suffering." (Michael Greene, Adjunct Professor of Philosophy, Mineral Area College, personal communication, 05.10.2011)

This ultimately futile struggle of self-consciousness against the separation from its own ends and the world resembles Hegel's account of 'teleology'.

II. 2.4.4. Teleology

In the *Encyclopaedia*, Hegel argues that teleological accounts are inadequate for describing the truth as 'Idea'. His analysis of the category of teleology's notion of 'purpose' is located within the *Encyclopedia's* section of the 'concept' just before the 'Idea' — to think the 'concept' in terms of 'purpose', so Hegel, is the last step before grasping the 'Idea', which is the truth as negative unity of subject and object.

In contrast to the unity of the Idea, Hegel sees the subject of teleology as opposing an objectivity that is seemingly distinct from it. Similar to the self-conscious willing subject, Hegel's subject of teleology thus aims to overcome the difference between itself and objectivity by means of action. Like the subject of self-conscious willing, the subject of teleology "is determined as subjective [...] and so at first it merely stands opposed to objectivity."²⁶⁹

Since subject and object limit each other in teleology, so Hegel, purposeful action is not *infinite* in the sense of singularity's self-reference. Instead, it is finite²⁷⁰ because the subject is limited by the objective world and the objective world is limited by the subject. For Hegel, this renders the teleological subject's self-determination merely *formal*²⁷¹ rather than *concrete* since it absolutely differentiates between universality — subject — and particularity — object — instead of sublating the difference in a higher-order category.

To understand the object and subject as different from each other — as the notion of purpose suggests — amounts to reducing the object to a mere means for the realisation of the subject's plan for Hegel. Here, the purpose lies outside of the object and is *given* to it by the subject.²⁷² According to Hegel, the 'formality' of teleology and self-conscious willing is thus rooted

²⁶⁹ Enz §204: 279.

²⁷⁰ Enz §204: 281.

²⁷¹ Enz §204: 281.

²⁷² Enz §205 addition: 282.

in the impossibility of properly overcoming the subject-object divide by means of realising or ‘objectifying’ subjective goals.

II. 2.4.5. The insufficiency of the realised purpose

However, Hegel also argues that despite the absolute opposition between subject and object at the stage of self-consciousness, the subject-object divide seems to be overcome in the *realised* purpose. Here, the subjective purpose has manifested itself in objective form and the two seem to be one. Yet, according to Hegel, also this categorial form remains deficient:

“[T]his unity [of subject and object in form of the realised purpose] is essentially determined in such a way that the subjective and the objective are only neutralised and sublated in their one-sidedness, while the objective is subordinated and brought into conformity with the purpose, which is the free Concept and hence the might over it.”²⁷³ Although subject and object are seemingly united, they remain distinct since the form that the object assumed is not given by the object itself: “[E]ven the accomplished purpose is still something inwardly broken, just as much as the middle term and the initial purpose were. Only a form that is externally posited in the pre-given material is established thereby; and because of the restricted content of the purpose, this form is likewise a contingent determination. Hence, the purpose that is attained is merely an object, which is once more a means or a material for other purposes, and so on ad infinitum.”²⁷⁴

The proper unity of subject and object is thus not established since the form that the object assumes in accordance with the subjectively imposed purpose remains *external* to the object. As long as the purpose is external to things, they do not bear “their determination within themselves”²⁷⁵ and “in its realisation, the material used as means is only externally subsumed under [the purpose] and adapted to it”.²⁷⁶ Hegel argues that this kind of thinking “does not suffice for

²⁷³ Enz §210: 285.

²⁷⁴ Enz §211: 285.

²⁷⁵ Enz §205 addition: 282.

²⁷⁶ Enz §212 addition: 286.

genuine insight into the nature of things”²⁷⁷ since the ‘purpose’ ought to be grasped as *part* of the object, as its immanent principle. True insight reveals that “objectivity is, as it were, only a wrapping under which the Concept lies hidden”²⁷⁸ and the world’s purpose is always already achieved.²⁷⁹

II. 2.4.6. The cunning of reason

Hegel thus suggests that while the world’s purpose is *within* the world, the attainment of the ‘true’ purpose cannot be seen or experienced.²⁸⁰ Instead, the Idea brings forth the constant illusion that the good needs individual action and further willing to accomplish itself.²⁸¹ By pursuing their own ends, rational agents pursue the Idea’s immanent purpose without being aware of it: “Reason is as *cunning* as it is *mighty*. Its cunning generally consists in the mediating activity, which, while it lets objects act upon one another according to their own nature, and wear each other out, executes only *its* purpose without itself mingling in the process. In this sense we can say that, with regard to the world and its process, divine Providence behaves with absolute cunning. God lets men, who have their particular passions and interests, do as they please, and what results is the accomplishment of *his* intentions, which are something other than those whom he employs were directly concerned about.”²⁸²

The aim to overcome the *apparent* division between subjectivity and objectivity is this what drives individual self-conscious agents into action. However, while pursuing their own subjective ends, these agents unwittingly pursue the Idea’s ends and their action is part of the Idea’s development. Since the Idea’s ‘purpose’ lies within itself, it is its own, always already achieved end. For Hegel, the stage of the will’s ‘appearance’ is thus categorially similar to self-conscious, teleological action. While the true subject of action is the ‘concept and the end is its own

²⁷⁷ Enz §205 addition: 282.

²⁷⁸ Enz §212 addition: 286.

²⁷⁹ See e.g. Enz §212 addition.

²⁸⁰ Enz §212 addition: 286.

²⁸¹ Enz §212 addition: 286.

²⁸² Enz §209: 284.

objectivity, the Idea posits itself as ‘divided’ — it appears — in order to make its own development possible. The difference or ‘otherness’ that exists between acting subject, its ends and the external world is ‘error’ insofar as it is not true to the Idea’s unity. Nevertheless, Hegel argues that this ‘error’ is necessary for the Idea’s development: “Otherness or error, as sublated, is itself a necessary moment of the truth, which can only be in that it makes itself into its own result”.²⁸³

Hegel’s rational agent that has insight into the Idea’s true nature is thus reconciled with the error and finitude of his actions because he grasps them as means that make the emergence of truth possible. Although the finite subject and its objective ends and the external world can never be properly united by means of self-conscious actions, in truth, they always already *are* united. On this view, finite, self-conscious action is merely the *appearance* of an underlying unity that is always already there. This suggests that for Hegel, there can be a connection between ‘appearance’ and ‘truth’ — appearance can still be ‘the appearance of the truth’. The lack of a radical difference between ‘appearance’ and ‘truth’ might seem odd in the light of other philosophies such as Kant’s or Plato’s. Instead of ‘appearance’, the category of ‘shine’ or ‘illusory being’ articulates this difference.

II. 2.4.7. Appearance and Schein

Hegel’s category of ‘appearance’ [*Erscheinung*] thus differs from his category of ‘seeming’ or ‘illusory being’ [*Scheinen*] insofar as he takes appearance to be “developed seeming”.²⁸⁴ While ‘seeming’ is the first form of essence and the proximate truth of ‘being’, for Hegel it is not something independent from essence but is rather the simplicity of the essence that is in-itself.²⁸⁵ When something *seems* to be the case, so Hegel, it is not — it is an illusion rather than reality. For example, a mirage is an oasis that only *seems to be*.

On the other and, when something *appears*, so Hegel, it does participate in truth insofar as it is the truth that appears — A book is published and thus appears or a car *appears* in front of me.

²⁸³ Enz §212 addition: 286.

²⁸⁴ Enz §131: 261.

²⁸⁵ Enz §131 additon: 199.

For Hegel, ‘Schein’ is thus an earlier or ‘inferior’ category to appearance since it lacks appearance’s dimension of being the outwardness of truth. When something seems to be, it simply seems. When something appears, there is an ‘inside’ — the ‘something’, essence or truth — that appears on the ‘outside’. While the totality of all that seems is essence, this category remains *internal* and is not thought to be outwardly articulated. Hegel continues to argue that from the internal stage of seeming, essence develops into the externality of ‘existence’.²⁸⁶ For Hegel, essence as ‘existence’, has its ground in something else. Existence is thus always the existence of something. This something is *within* existence — it is its ‘ground’. If one combines the thoughts of ‘ground’ and ‘existence’ into ‘there is something that exists’, then ‘existence’ becomes ‘appearance’.²⁸⁷ Like ‘existence’, also ‘appearance’ is an “indeterminate manifold of existing things, whose being is mediation pure and simple, so that they do not rest upon themselves, but are valid only as moments”.²⁸⁸

Accordingly, Hegel’s willing *appears* as a plurality of self-determining individual self-consciousnesses that pursue ends in an external world without there being a necessary connection between them and their ends. For Hegel, to remain at the conceptual stage of the will’s ‘appearance’ means to fall short of grasping what is *necessary* about willing, and ultimately, what the true freedom of willing consists in — the concept’s self-determination *to itself*. At the stage of the will’s ‘appearance’, so Hegel, ‘we’ as self-conscious subjects appear to be all there is to willing — the ‘ground’ of our willing remains beyond ‘us’. If we take ‘ourselves’ and our activity as absolute, ‘we’ thus fail to appreciate that there is a rational structure that is the ground of ‘our’ willfulness. Insofar as the subject of willing — “us” — and the willed ends are not grasped as an immanent manifestations of the concept of the will, the ‘appearance’ of the will falls short of the ‘Idea’.

²⁸⁶ Enz §131 addition: 262. ‘Existenz’, not just ‘Dasein’.

²⁸⁷ Enz §131 addition: 200.

²⁸⁸ Enz §131 addition: 200.

II. 2.4.8. From appearance to concept

Hegel argues that like ‘appearance’, so ‘purpose’ and ‘teleology’ fail to describe the unity of subject and object that defines the Idea. The ‘cunning of reason’ consists in the Idea’s *appearance* as a subject-object-divide and the self-consciousness-based model of willing fails to describe the unity of subject and object that marks ‘Idea’ and ‘Geist’ in their true form — self-consciousness-based willing is how willing ‘*appears*’. In the *Science of Logic* and in the *Encyclopedia*, Hegel analyses the category of ‘appearance’ in more detail. Similar to ‘existence’, ‘appearance’ is a modification of ‘essence’: “Essence must *appear*. [...] Essence [...] is not *behind* or *beyond* appearance, but since the essence is what exists, existence is appearance.”²⁸⁹ This entails that everything that *exists* can be thought of in terms of appearance: “Existence, posited in its contradiction, is appearance.”²⁹⁰

Hegel thus suggests that it is the inadequacy of existence that it has its ground outside of itself. In contrast, the category of appearance *combines* the categories of existence and ground and implies that there is something that appears — there is a ‘ground’ for ‘appearance’, a reason for being — and that this something differs from its appearance. Appearance is thus the outer aspect of an inner ground. Like existence, so Hegel, appearance fails to grasp the unity of essence — the ‘inner’ — and its existence — the ‘outer’ — and consequently falls short of the immediate unity that characterises ‘actuality’:²⁹¹ “Actuality is the unity, become immediate, of essence and existence, or of what is inner and what is outer.”²⁹²

However, so Hegel, despite its relatively high degree of concreteness, also ‘actuality’ remains divided. For him, it is still the unity of *two distinct moments* rather than a unity *proper*. According to Hegel, both ‘appearance’ and ‘actuality’ thus fall short of *conceptual* thought — that is of thinking the concept — and while ‘actuality’ is more adequate than ‘appearance’, it is still marked by ‘necessity’ rather than ‘freedom’. For Hegel, this changes in the transition from actuality — substance — to the concept — freedom: “[The] truth of *necessity* is thereby *freedom*, and the

²⁸⁹ Enz §131: 199.

²⁹⁰ Enz §131 addition: 199.

²⁹¹ Enz §142 addition: 213.

²⁹² Enz §142: 213.

truth of substance is the *Concept*, i.e., the independence, that is the repulsion of itself from itself into distinct independent [terms], [but] which, as this repulsion, is identical with itself and which is this movement of exchange *with itself* alone that remains at home *with itself*. [...] The *Concept*, therefore, is the *truth of being and essence*, since the shining of reflection within itself is, at the same time, independent immediacy, and this *being* of [a] diverse actuality is immediately just a shining *within itself*.”²⁹³

Hegel’s *conceptual* thought thus aims to overcome the dichotomies that arise out of the categories of ‘being’, ‘essence’, ‘appearance’, ‘existence’ and ‘actuality’. Applied to Hegel’s concept of ‘willing’, these categorical developments mean that while the concept of the will *exists* or *appears* as the activity of one or more individual self-consciousnesses that oppose an external world, its *actuality* consists in the activity of individuals that pursue *necessary* ends and are therefore *identified* with their ends. However, since even ‘actuality’ and ‘necessity’ still differentiate between acting subject and pursued objective ends, so Hegel, they do not describe willing as a properly identical, united, *free* or singular act. This is only achieved in the activity of Geist as a singular, self-determining subject that finds its purpose within itself and realises its own nature in the course of self-determination.²⁹⁴

II. 2.4.9. The role of appearance

Hegel argues that since ‘Geist’ determines itself *to itself* rather than to something else, “its determinacy is true and simply its *own*”.²⁹⁵ This means that there is no absolute difference between its subjectivity and the objectivity that results from its action. The will ‘in truth’ rather than ‘in appearance’ is the activity of a universal subject — Geist — that determines itself and thereby effects an immanent change *to itself*. What *appears* to be changes *in the world*, brought about by self-conscious willing subject, are truly changes *in Geist* effected *by* Geist.

²⁹³ Enz, §158: 232 — Enz §159: 233.

²⁹⁴ This ultimate unity is the Idea of the will: Right. Its analysis is the subject of chapter 5.

²⁹⁵ PR §8: 33.

Does this mean that willing, self-conscious individuals play no role for Hegel's notion of willing at all? It rather seems that if individual willing is not the *basis* or ground of willing — since that is the self-determining activity of concrete Geist — there is another role for it to play. In the *Science of Logic*, Hegel argues that the Idea can 'appear', just like Dasein can be mere Dasein or the Dasein of the concept. In the case of the Idea's appearance, what appears is not the *mere* appearance of willing — in the sense of 'individual willing appears to be willing but is, in fact, not' — but *rational* individual willing is how the Idea of willing appears — like an argument appears in form of a journal article or a person appears on a doorstep. Although this 'appearance' is not thought of in the categorical form of the 'Idea', it is still part of it, only in form of 'objectivity', since the Idea is the dynamic or negative unity of subject and object.

For Hegel, the rational appearance of the truth thus still participates in truth insofar as it is 'the truth's appearance'. While it might not be how the truth is *truly* — how it is 'in and for itself' — it is nevertheless how the truth articulates or presents itself 'to us'. While the rational activity of willful consciousness is how willing is 'in itself' or "for us"²⁹⁶ this does not mean that it has nothing to do with the truth at all. Rather, rational willful activity is a specific *form* of the same *content*, namely objective Geist.

This entails that in whatever way the rational, self-conscious individual falls short of universal Geist, it is still an aspect thereof. The difference between Geist as universal, self-willing norm and the self-conscious willing individual is thus not 'absolute' for Hegel, but rather a relationship of 'difference within identity'. While self-conscious willing is not the 'foundation' or 'ground' of the will in its truth, it is, metaphorically speaking, still part, consequence or expression of it — it participates in the Idea's negative unity.²⁹⁷ This entails that wherever Hegel talks about the freedom of the rational self-conscious individual, this freedom is to be understood as the

²⁹⁶ PR §10: 34. cf. "The [Geist] is primarily its own object; but as long as it is this only in our eyes, and has not yet recognised itself in its object, it is not yet its own object in the true sense. Its ultimate aim, however, is the attainment of knowledge; for the sole endeavour of [Geist] is to know what it is in and for itself, and to reveal itself to itself in its true form." (LPWH: 53).

²⁹⁷ These expressions must remain metaphorical since they suggest a logical connection that is informed by essentialist thinking. At the level of *conceptual* thought, particularity, universality and singularity are thought in unity and any notion that suggests an absolute difference between them is inadequate.

*appearance*²⁹⁸ of the activity of the true subject of willing — the concrete Geist. For Hegel, rational, self-conscious willing is thus indeed part of the truth, it is just not its foundation or basis. In reverse, true willing is not ‘more’ or something ‘extra’ than what is universal about the activity of particular self-conscious individuals. It is rather what makes such appearance possible — it is immanent to individual willing, not external to or ‘beyond’ it. On this view, rational, self-conscious willing presupposes the Idea of the will as the condition of its own possibility.

One consequence of this notion is that whenever one tries to illustrate or to give examples of what true willing consists in by means of individual or collective behaviour, one ‘distorts’ the thought of what true willing is. Since the rational actions of self-conscious individuals are always just the *appearance* of willing but never willing itself, any example of willing that relies on the image of willing individuals ends up being an example for the *appearance* of willing. Insofar as such ‘examples’ or ‘illustrations’ of true willing are never true willing itself, it is rather they that are the metaphor.

Furthermore, Hegel suggests that for there to be an *Idea* of the will, the concept has to ‘appear’ or ‘exist’ — it has to become ‘actual’. This means that true willing has to appear as the activity of finite beings in order to be properly objective: “The Idea thus appears only in the will that is a finite will, but which is the activity of developing the Idea and of positing the Idea’s self-unfolding content as reality, which, as reality of the Idea, is actuality — objective [Geist].”²⁹⁹ While the notion of self-conscious, ends-pursuing individuals is inadequate as an *absolute* description of the category of the ‘Idea’ of the will, it is not altogether ‘false’.³⁰⁰

²⁹⁸ It will later be seen that this also corresponds to the Idea’s objectivity, although this is not to be thought of in terms of individual willing.

²⁹⁹ Enz §482: 214.

³⁰⁰ Pinkard, for example, calls appearance’s participation in truth “[a] type of explanation in which the link between the substructure and the superstructure is fully explicit.” (Pinkard 1988: 64.)

II. 2.4.10. The forms of determination revisited

In the addition to §8, Hegel reiterates that the will is determined with regards to content *and* form. While the *content* is determination, the *form* describes *how determination takes place*: “The consideration of the will’s determinacy properly belongs to the understanding and is in the first instance not speculative. The will is determined in two senses, i.e. in both content and form. Its determinacy in form is its purpose and the fulfilment of its purpose.”³⁰¹

According to Hegel, *appearance* is thus the form of the will that describes the pursuit and accomplishment of ends in terms of the activity of world-confronting self-conscious individuals. The other form of the will is the self-determining Geist that finds its ends and their accomplishment within *itself*. Since the unity of subject and purpose is ‘whole’ or ‘complete’, their separation seems ‘incomplete’ or ‘deficient’ in comparison. This deficiency becomes obvious when we criticise an end of willing as *merely subjective*: “My purpose is at first only something inward, something subjective, but it should also become objective and cast aside the defect of mere subjectivity. At this point you may ask why it has this defect. If what has a defect does not at the same time stand above its defect, the defect is not for it a defect. An animal is deficient from our point of view, not from its own. My purpose, so far as it is still only mine, is felt by me as a defect since freedom and will are for me the unity of the subjective and objective. Hence the purpose must be established objectively and thereby it attains not a new one-sided determination but only its realization.”³⁰²

For Hegel, the thought of a ‘merely subjective’ purpose or end thus already implies a unity of subject and object. An end is only ‘merely subjective’ if there is also an ‘objective end’. Given this unity, there is no ‘change’ of the end’s status in the course of determination since the subject that pursues and realises it is also the object that is affected and the world of realised ends and the ends-realising subject are the same. While this unity articulates itself or *appears* in the form

³⁰¹ PR §8 addition: 33.

³⁰² PR §8: 33, 34.

of self-conscious willing subjects that pursue ends that differ from them facing an objective, external world, its *true* form is without such a separation. This form is the concern of §9.

II. 2.5. §9

II. 2.5.1. Determination as the will's content

In §9, Hegel describes this second form of the will's determination: willing as the self-realisation of the concept of the will or Geist. At this stage, the subject and object of willing are not distinct but the determinations of the concept of the will are not merely subjective determinations in a self-conscious Geist or realised, objective determinations in an external world. Rather, they are *immanent* determinations of the will and Geist itself — they are its content: “[The second form of the process of the will's particularization states:] In so far as the determinations of the will are its *own* or, in general, its particularization reflected into itself, they are its *content*.”³⁰³

As opposed to the first form, so Hegel argues, the subject of willing is now not a self-conscious individual. Instead, willing is the self-determination of the singular concept — or more precisely, the concept of the will. This entails that for Hegel, all acts of self-determination are part of the development of this singular entity. Since this process is *immanent* — there is nothing opposed to or limiting the concept — all of the resulting determinations are the concept's *content*. This self-determination by the concept of the will is an ‘internal reflection’ and ‘particularisation’ since it entails a differentiation that the will effects within itself. Instead of being undifferentiated or abstractly identical, the will's content is thus internally divided into particular agents and their ends. For Hegel, this internal division is the result of reflection and its determinacy-delineating activity: “Reflection is initially the transcending of the isolated determinacy and a relating of it, whereby it is posited in relationship but is nevertheless maintained in its isolated validity.”³⁰⁴

Hegel's willing as it is in-and-for-itself is thus the self-particularising activity of the concept of the will. Since this concept is subject *and* object, it is the active origin of its own *content*,

³⁰³ PR §9: 34.

³⁰⁴ Enz §81: 128.

which is also the concept's 'purpose'. However, Hegel warns that the notion of 'purpose' can be misleading in this case insofar as it is usually associated with the notion of a consciousness that pursues a purpose or of a purpose that is 'realised' in a subject-external world. In both cases, the 'purpose' differs from the willing subject. In contrast, for Hegel, there is no difference between the subject and its 'purpose' in the case of the will as it is in-and-for-itself — the purpose *is* the subject's content and the subject's purpose is therefore itself. This means that the purpose of the concept of the will is always already 'accomplished'. Strictly speaking this also entails that it is not 'a purpose' since that notion implies that a purpose is something that ought to be accomplished and is not accomplished, yet.

Hegel accordingly argues that this unity of the concept of the will and its already accomplished purpose *appears* in the form of the activity of self-conscious individuals that pursue their own, subjective ends: "This content, as content of the will, is, in accordance with the form described in (a), its *purpose*, either its inward or subjective purpose when the will merely represents its object, or else its purpose actualized and achieved by means of its activity of translating its subjective purpose into objectivity."³⁰⁵

This is the 'cunning of reason' that Hegel describes in §8 — the *appearance* of the will suggests that the purpose is not yet achieved, whereas *in truth*, it is. As far as the will's *appearance* is concerned, the notion of 'purpose' thus designates 1) specific representations that the self-conscious agent 'has in mind'³⁰⁶ 2) realised representations that have become manifest in the subject-external world. In the realm of appearance, ends can be subject-internal or subject-external. For the will as it is in-and-for-itself, they are always subject-internal.

³⁰⁵ PR §9: 34.

³⁰⁶ or maybe better, 'has in consciousness'.

II. 2.5.2. Form and content

Although Hegel's discussion of the forms of the will's determination in §§8-9 is framed by the categories of 'form' and 'content', their dichotomy is only *apparent*. Hegel discusses them in the context of 'appearance'³⁰⁷ and they precede the categories of 'actuality' and of the 'concept'.³⁰⁸ As such, they are incapable of expressing the negative unity of the Idea. Hegel argues that while form and content appear initially as absolutely different determinations, they also share conceptual space: "[C]ontent is not formless, but it has the form within itself just as much as the form is something external to it."³⁰⁹ For Hegel, 'content' thus implies 'form' — it is the form as "inwardly reflected"³¹⁰ and he argues that one of the categories that fails to capture the underlying unity of form and content is 'existence'. For him, it is the "non-reflected form that is indifferent to the content".³¹¹ Because form and content express aspects of an underlying unity, so Hegel, 'form' can be grasped as the content's externality and 'content' as the form's inward reflection.

Despite their mutually conditioning identity, Hegel sees the form-content dichotomy to be still present at the stage of 'existence' or 'appearance' because "appearance in general is still *burdened* with generality"³¹² — it has not yet *incorporated* it. According to Hegel's notion of 'appearance', generality or form is thus 'outside' of content — the appearance of something is not truly general but only formally so, while *true* generality is with that entity, which appears.

In contrast to this dichotomy, the right form of an object is the content itself³¹³ in the sense that for example "a work of art that lacks the right form cannot rightly be called a work of art, just for that reason".³¹⁴ In the true work of art, so Hegel, form and content are "completely identical".³¹⁵ Similarly, in philosophical thought and its account of the idea, "the separation

³⁰⁷ Enz: vi.

³⁰⁸ Enz: vi.

³⁰⁹ Enz §133 remark: 202.

³¹⁰ Enz §133 remark: 202.

³¹¹ Enz §133 remark: 202.

³¹² Enz §133 addition: 202.

³¹³ Enz §133 addition: 202.

³¹⁴ Enz §133 addition: 202.

³¹⁵ Enz §133 addition: 202.

between [form and content] falls to the wayside”.³¹⁶ According to Hegel, *true* thinking comprehends how form and content permeate each other and that thought is neither merely formal nor that its content is given to it from the outside: “We must admit that thoughts are not to be considered as indifferent to their content, or as being in themselves empty forms, and that [...] the truth and the solidity of the content rest essentially on the fact that this content shows itself to be identical with the form”.³¹⁷

II. 2.6. Chapter Conclusion

For Hegel, the concept of the will — like all concepts — is defined by singularity. Since it unites the moments of universality and particularity within the overarching structure of the concept’s concrete self-determination, it is freedom. It is the truth of willing or how willing is ‘in-and-for-itself’ — the activity of a singular, self-determining entity. For Hegel, this freedom is its own purpose and the activity of finite, self-conscious agents that differ from the ends they pursue is merely its appearance or how freedom is ‘for us’.

³¹⁶ Enz §133 addition: 202.

³¹⁷ Enz §133 addition: 202. See e.g. Carlson 2007: 317, 318.

II. 3. Chapter 3

While Hegel introduces the abstract form of the concept of the will in §§5-9, he dedicates §§10-20 to its next conceptual stage: ‘Immediacy’ or ‘naturalness’. Although the concept of the will unites with its object to form the *Idea*, (§10) it *appears* as a separation of subject and object. This *appearance* is the will’s ‘being-in-itself’ (§10), where the willing subject is the undetermined, universal ‘I’ that embraces or negates an immediately given, ‘natural’ (§11) content. The difference between ‘I’ and content renders both elements finite (§13) and although the ‘I’ can negate any given content, it remains dependent on it for its actuality as willing subject (§14). This relationship is the will’s spuriously infinite (§16) Willkür (§15). Its content presents itself as a multitude of conflicting and particular impulses (§12) that demand absolute satisfaction (§17) and cannot be evaluated as ‘good’ or ‘bad’. (§18) The ‘I’ can either obey the impulses’ demands unquestioningly or apply its own universality to them (§19). In the latter case, the impulses are systematically ordered and subordinated to the overarching end of happiness (§20). Although such pursuit results from the application of the ‘I’’s content-external universality, the content it relies on remains particular. Consequently, so Hegel, Willkür falls short of achieving the unity of subject and object that is the mark of the *Idea*.

II. 3.1. §10

II. 3.1.1. The immediate will

Chapter 2 illustrated Hegel’s argument that the concept of the will is the subject *and* the purpose of willing — it is the accomplished end that stands behind all finite willing. This means that all rational acts of determinate willing are the result of the concept of the will’s immanent particularisation — they constitute the concept’s *content* and are therefore part of the concept. However, this is not immediately obvious: “This content, or the will’s distinct determination, is in

the first place *immediate*. Consequently, the will is free only *in itself* or *for us*, or, to speak generally, it is the will in its concept.”³¹⁸

Although the content of willing is essentially spiritual [*geistig*] — it is the concept in immediate form — Hegel argues that it *appears* as immediate, ‘given’ or ‘natural’ at the stage of the will’s being-in-itself. As a result, the spiritual willing subject appears to be *different* from the content.³¹⁹ The will’s immediate form of being-in-itself also differs from the will’s abstract being-for-itself. In the latter, the will’s content is the will itself although it is merely abstract and lacks immediate existence. This initial abstract unity is replaced by a separation of willing subject and willed content.

For Hegel, how the will is in-itself is how the will is ‘for us’ insofar as ‘we’ are self-conscious willing subjects and determine ourselves to will a content that differs from us. Hegel claims that this changes with the mediation of the will and its attainment of the stage of ‘mediation’ or ‘being in-and-for-itself’. This sequence of ‘abstract-immediate-mediated’ is characteristic of all of Hegel’s concepts. It parallels the triad ‘for-itself’, ‘in-itself’ and ‘in-and-for-itself’.

II. 3.1.2. The stages of the concept: Abstract - immediate - mediate

Hegel thus argues that at the first stage, the concept of the will is ‘for-itself’ and merely abstract. While it refers only to itself, the concept is without concrete existence. Its determination or ‘content’ is its own abstraction. Willing is here mere willing *for itself* when the object of willing is the abstract willing subject without determinate content. This corresponds to singularity’s first moment of pure self-referential universality.

³¹⁸ PR §10: 34.

³¹⁹ Weil differentiates between ‘existence’ and ‘reality’ and connects these with Willkür: “As [Hegel] pointed out, one had only to open his *Logic* to see that his terminology *reality* and *existence* are not the same at all, since existence was only partly equivalent to reality, the remainder being made up by *appearance*. His efforts were in vain. [...] Haym, an intelligent critic, did not miss the opportunity of stating his difference from Hegel in the clearest possible terms: Hegel is prepared to sacrifice the individual because the interests of harmony must outweigh those of concrete, living individuality. Hegel’s response would be (and in fact was) to ask, Can individuality be rational in itself? Is not the rational necessarily the universal? Can individuality desire anything more than to be reconciled with the reality of the rational, to discover itself in what *is* insofar as it is rational?” (Weil 1998: 20).

At the concept's second stage, so Hegel argues, its determination is immediate. Now, the concept relates to its content as something that is different from itself, as something 'given' and 'other'. This 'other' might be an immediate purpose that originates in a drive, desire or the external world. Since this determination *as willed object* differs from the concept *as willing subject*, so Hegel, this stage of the concept is marked by limitation and finitude — the concept's determination limits the concept and vice versa.

For Hegel, the will's 'being-in-itself' is also the *appearance* of the concept's 'being-in-and-for-itself' and it is generally marked by separation — for example on the one hand of the determinations amongst themselves and on the other hand of the concept and the determinations — and dichotomy — for example between 'form' and 'content'. Hegel argues that this is the realm of 'us' — mutually exclusive and independent self-conscious agents that pursue ends, which differ from them in the face of an external world. This parallels the general concept's stage of 'existence' or 'appearance', according to which reality is made up of relationally independent, mutually limiting and contradicting entities³²⁰ and it furthermore defines the concept's 'self-alienation': Although *in truth*, the concept only confronts *itself* in the determination, it seems to confront something 'else' — it faces itself as something 'other' or alien.

At the concept's third stage, so Hegel suggests, the determination is *mediated* and has become part of the concept. Here, the concept relates to itself *in the determination*. This renders the concept substantial *and* free or infinite. It marks the 'return' of the concept into itself: *the determination* equates to the concept, it has itself as its own object and is Idea. Here, the determination's 'mediation' consists in the overcoming of the form of immediacy — the *mediated* object has been 'elevated' to the status of the subject, the universal concept relates to its own universality via its particularity. This 'internalisation' of particularity also marks the concept's *concreteness*. At this final stage, the concept has achieved self-determination proper — it determines itself *to itself* and is free.

³²⁰ See e.g. SL: 418.

This suggests that for Hegel, the concept's third and final stage is the unity of the two previous moments. It is the first moment of 'being-for-itself' that has passed into its second moment of 'being-in-itself' and then returned to itself in order to become 'in-and-for-itself'. Although the third moment differs from the first two, it contains these within itself, like 'singularity' contains 'universality' and 'particularity'. While both moments participate in the same overarching entity, they are 'other' to each other. The first moment goes through the 'otherness' of the second moment to return into itself in the third moment, which contains the two *within*.

The concrete truth of the two moments' unity also means that *on their own*, the moments are abstract and one-sided. The will's stage of mere 'being-in-itself' accordingly lacks the unity of the concrete concept that is united with itself in its particular determination. However, at the stage of the will's 'being-in-itself', the object of willing is the immediate, particular content that differs from the willing subject's universality. This differentiates the will that is 'in-itself' from the will that is in-and-for-itself: "It is not until it has itself as its object that the will is *for itself* what it is in itself."³²¹

II. 3.1.3. Finitude and in-itself

The will as in-itself is marked by *finitude*. According to Hegel, this is generally true of all concepts: "Finitude consists therefore in this, that what something is in itself or in accordance with its concept is one phenomenon or exists in one way, while what it is for itself is a different phenomenon or exists in another way; so, for example, in itself the abstract externality of nature is space, but *for itself* it is time."³²²

For Hegel, the will that is *for itself* as abstract concept is infinite despite its lack of concreteness — as subject, it has itself as its own object. In contrast, the will that is 'in-itself' refers to something else — the immediate content — and is therefore limited by it and finite. Since the content is not part of the subject's *self*-determination, the two are mutually limiting — the subject

³²¹ PR §10: 34. Apart from the first two paragraphs, this is the first mention of the will as Idea. However, the detailed discussion of the Idea's logical structure begins in §21.

³²² PR §10 remark: 34.

determines itself to something it is not. Consequently, the *true unity* of the will that is ‘in-and-for-itself’ is split. While the *true* will is thus subject *and* content, so Hegel, the immediate will is ‘a self-mediating subject that confronts an immediate content’. For Hegel, this structure has a parallel in the *Philosophy of Nature*. While true nature — as it is in-and-for-itself — is spacetime — the unity of space and time, its being-for-itself, time, differs from its being-in-itself, space.³²³

In the *Encyclopedia*, Hegel similarly describes time as the result of space’s self-sublation: “Space is the immediately existing quantity, in which everything persists, even the limit has a mode of persisting [in it]; this is the deficiency of space. Space is this contradiction, to have negation in it, but in such a way that this negation collapses into indifferent persistence. Since space is simply this inner negation of itself, the sublation of its moments is its truth; time is exactly this Dasein of the continuous self-sublation, in time, the point has actuality. [...] The truth of space is time, so space becomes time; we don’t pass subjectively over into time, but space itself passes over. In representation, space and time are far apart, we there have space and then *also* time; this “Also” is what philosophy fights against”.³²⁴

For Hegel, space’s immanent negativity is not dynamic but rather results in the indifference that the contents of space have towards each other: one object is not another object, they are mutually negating. Time allows the objects to become actual, to overcome their mutual indifference and to relate to each other. Nevertheless, Hegel argues that space is not lost in time, it is sublated: both dimensions are needed for objects to be actual.

Like space and time are *in truth* united — both are intrinsic to finite beings — so the concept’s dimensions of ‘being-in-itself’ and ‘being-for-itself’ are united in the Idea. Although the

³²³ See e.g. Enz §254 ff.

³²⁴ Enz § 257 addition: 48 (Suhrkamp) Own translation. Original: [“Der Raum ist die unmittelbar daseiende Qualität, worin alles bestehen bleibt, selbst die Grenze die Weise eines Bestehens hat; das ist der Mangel des Raums. Der Raum ist dieser Widerspruch, Negation an ihm zu haben, aber so daß diese Negation in gleichgültiges Bestehen zerfällt. Da der Raum also nur diese innere Negation seiner selbst ist, so ist das Sichaufheben seiner Momente seine Wahrheit; die Zeit ist nun eben das Dasein dieses beständigen Sichaufhebens, in der Zeit hat der Punkt also Wirklichkeit. [...] Die Wahrheit des Raumes ist die Zeit, so wird der Raum zur Zeit; wir gehen nicht so subjektiv zur Zeit über, sondern der Raum selbst geht über. In der Vorstellung ist Raum und Zeit weit auseinander, da haben wir Raum und dann *auch* Zeit; dieses »Auch« bekämpft die Philosophie.”]

concept's moment of 'in-itself' or 'being-*in*-concept' is not the Idea or truth *as Idea*, it is still a *shape* of the concept and as such it forms part of the truth:

“In this connection, two things are to be noticed: (i) The true is the Idea and the Idea alone, and hence if you take an object or a category only as it is in itself or in its concept, you have not yet grasped it in its truth. (ii) A thing which is in itself or as concept is also existent in some way and its existence in such a way is a shape proper to the thing itself (as space is in the example just given).”³²⁵

II. 3.1.4. The will in-itself as appearance

For Hegel, the finite and dichotomous moment of the concept of the will's 'being-in-itself' is also the stage of the will's *appearance*: “The gulf present in the sphere of the finite between 'being-in-itself' [*Ansichsein*] and 'being-for-itself' [*Fürsichsein*] constitutes at the same time that sphere's mere existence or *appearance*. (Examples of this—in the natural will and then in formal right, and so on—will be forthcoming directly.)”³²⁶

The true will — or the will that is 'in-and-for-itself' — *appears* as if it was merely 'in-itself'. The actions of seemingly independent self-conscious agents that endlessly pursue ever-different immediately given ends are only the *appearance* of the entity that is its own purpose and always already accomplished: the Idea. While the Idea *as Idea* cannot be merely *understood* since it dissolves or sublates finite determinations and requires an act of speculative thinking, the Idea's *appearance* is available to the understanding — it is the site of finite determinations: “The understanding goes no further than mere being-in-itself and consequently calls the freedom which accords with this being-in-itself a 'capacity' [*Ver-mögen*], because such freedom is indeed mere possibility. But the under-standing regards this determination as absolute and perennial; and it takes the relation of freedom to what it wills, or in general to the object in which it is realized, as merely a

³²⁵ PR §10 remark: 34.

³²⁶ PR §10 remark: 34.

matter of its application to a given material, not belonging to the essence of freedom itself. Thus it has to do with the abstract only, not with its Idea and its truth.”³²⁷

For Hegel, true freedom proper is self-determination *to itself*, and thus the unity of subject and object. However, according to the understandable ‘appearance’ of the will, the two are distinct — a self-determining subject determines itself to embrace a determined and given ‘material’. This difference between ‘free self’ and ‘material’ renders proper freedom ‘unreal’ or ‘not actual’ — if the *separation* of subject and object is ‘actual’, their unity is not. On this view, real or actual freedom only *could be* — it is merely possible — as long as it involves the separation of subject and object.

For Hegel, the will’s appearance thus falls short of truth in a similar way to how the understanding falls short of speculative thought — its determinations are absolute, different and mutually exclusive rather than being aspects of an overarching unity that incorporates difference *within* identity. Just as ‘singularity’ — the unity of the different moments ‘universality’ and ‘particularity’ — can only be grasped *speculatively* so the will that is in-and-for-itself has to be *thought* rather than be represented as a determinate content. Insofar as the understanding keeps them separate, so Hegel, it lacks the truth of the will’s Idea.

II. 3.1.5. §10 Addition

The addition to §10 reiterates the point that the will’s being-in-itself is not freedom ‘proper’ since it does not have itself as object: “The will which is a will only in accordance with its concept is free in itself but at the same time it is also unfree, for it would become truly free only as truly determinate content. At that point it is free for itself, has freedom as its object, and *is* freedom.”³²⁸

For Hegel, the will is only truly free when it has itself *as* determinate content *and* as willing subject. Insofar as the will in-itself has something else as determination, it is unfree. In order to be truly free, the immediate will’s content has to be mediated. According to Hegel, this need for

³²⁷ PR §10 remark: 34, 35.

³²⁸ PR §10 addition: 35.

mediation is a feature of all immediate entities: “What is still only in accordance with its concept, what is merely in itself [*an sich*], is only immediate, only natural. In our ordinary ways of thinking we are familiar with this. The child is *in itself* a human being. At first it possesses reason only *in itself* [or implicitly]; it begins by being the possibility of reason and freedom, and so is free only in accordance with its concept. Now what exists only in itself in this way does not yet exist in its actuality. The human being is *in himself* [or implicitly] rational, but he must also become so *for himself* [or explicitly] by working to create himself, not only by going outside himself but also by developing himself internally.”³²⁹

For Hegel, the concepts of ‘reason’ and ‘freedom’ manifest themselves to different degrees within different human beings — less rational beings are less adequate expressions of ‘reason’ and freedom. Children are usually less adequate since they tend to have less ability of self-determination than adults. The average child is thus rationality and freedom in a more ‘immediate’ manifestation than the average adult. However, rationality’s immediacy can be mediated — by means of education, the child can realise its initially merely potential freedom and rationality and render it *actual*.

II. 3.2. §11

While Hegel argues in §10 that the will is initially immediate, he describes the natural dimension of the immediate will’s content in §11. The willing subject finds itself *determined* by drives and desires beyond its control. This entails a conceptual contrast between self-determining subject — ‘I’ — and determined content. This contrast renders both finite.

³²⁹ PR §10 addition: 35.

II. 3.2.1. The natural content of immediate willing

For Hegel, the will that is in-itself thus posits an absolute difference between the subject ‘I’ and its determination. While the ‘I’ is associated with the dimension of ‘self-determining’ and Geist, the object is the dimension of ‘determinateness’ and is associated with ‘nature’. Consequently, willing here means that the subject determines itself to embrace a content that is ‘natural’ or ‘given’: “The will which is free only in itself [*an sich*] is the *immediate* or *natural* will. The determinations of difference which the self-determining concept posits within the will appear in the natural will as an immediately existing content, i.e. as the impulses, desires, inclinations, whereby the will finds itself determined in the course of nature.”³³⁰

Although the determinations of the concept of the will *in truth* originate in the concept and are therefore spiritual, they do not *appear* as such at the stage of the will that is in-itself or immediate. Rather, the content of immediate willing appears to be ‘other than Geist’, that is natural. As such, it does not appear to be part of the will’s self-determination but rather seems ‘determined’. This means that the drives, desires and inclinations that furnish the immediate will’s content conceal their inherent rationality: “This content, together with the determinations developed within it, arises from the rationality of the will and so is in itself rational; but, poured out in this way into the mould of immediacy, it still lacks the form of rationality.”³³¹

Since for Hegel, Geist *contains* nature, also the immediate, ‘natural’ drives are ultimately part of Geist. However, at the stage of appearance or ‘immediacy’, nature’s embeddedness in Geist is not quite apparent. What appears ‘natural’ — for example the drives and impulses — *opposes* Geist absolutely. Here, one might object that even in the case of the subject of immediate willing that relies on natural content, the content is still *the subject’s* in the sense that my desires are *my* desires. Even what is natural is *part* of the spiritual willing subject to some degree. This contradicts the claim that the willing subject and its content differ radically. However, beyond the superficial possessive affinity between subject and content, so Hegel, the willing subject’s

³³⁰ PR §11: 35.

³³¹ PR §11: 35.

formality and the determination's status *as substantive content* is what defines the difference within immediate willing: "It is true that this content has for me the general character of being mine; but this form is still different from the content, and hence the will is still a will finite in character."³³²

This is the most fundamental difference of the will that is in-itself — 'I' am not the content and the content is not me. 'I' decide to eat an apple and it is *my* desire to eat that drives me. However, the desire to eat is not of 'my' doing. It is rather something given *to 'me'*, to my 'I', by my natural drive. This means that the immediate will is *internally* divided into willing subject *as form* and natural determination *as content*. For Hegel, this resurgence of 'nature' *within* the will opposes the notion of Geist as *containing* nature and it therefore falls short of the truth of the category of 'Geist' according to which *every* aspect is spiritual or 'geistig'. Instead of *containing* nature, Geist as immediate will *opposes* itself in the form of otherness. Consequently, so Hegel, immediate Geist is self-alienated.

II. 3.2.2. §11 Remark: Empirical psychology

Since this discussion of the drives seems to bring Hegel's notion of willing close to psychology, he discusses the difference between philosophy and psychology in §11's remark and argues that *philosophical* enquiry is concerned with the Idea as a unity of content and form while *psychology* takes the drives, desires etc. and their effect on willing as something that is 'given' to experience. From a logical perspective, so Hegel, philosophy explains how self-determination and determined content relate to each other *conceptually* or *necessarily* while psychology asks how desires *happen to* relate to the will in an empirical world. In contrast to philosophy's argument that will and desires oppose each other and *have to* do so at the will's stage of immediacy, psychology thus records how desires empirically happen to give content to willing according to experience: "Empirical psychology details and describes these impulses and inclinations, and the needs arising from them,

³³² PR §11: 35.

as it finds them, or presumes it finds them, in experience, and it proceeds in the usual way to classify this given material.”³³³

According to Hegel, a psychologist might thus ask: How does the desire for food affect people’s behaviour? Following an empirical investigation, one will find that it affects certain people under certain circumstances in a certain way and the findings will be presented in accordance with whatever stratification is considered relevant. The psychologist might thus differentiate between different age groups, consider the desire for food’s competition with other desires, investigate the impact of childhood and education on the way in which food is desired or allowed to affect the Geist etc..

For example, a psychologist might conduct the following experiment: He tells a teacher to leave one chocolate on the desk of each child. The teacher says: “I will leave the room for a few minutes. If you eat the sweet while I am gone, you will get no more sweets. If you do not eat it, I will give you another sweet and you can eat both”. An animal will eat the sweet - it has no control. A child has a choice. Some of them eat the sweet, others exercise self-restraint. Unsurprisingly, those who exercise self-restraint turn out to be often better at their school work.

The conclusion of this psychological experiment might be that certain children are better at delaying gratification than others, that children that delay better are often better at disciplining themselves and thus at learning, that the ability to delay gratification depends on certain factors like home environment and education, that constant suppressing of desires leads to inner conflict and neuroses etc. All these findings are of psychological rather than philosophical interest since they all assume a certain ‘given’ — a set of students, situational set-up etc. and derive conclusions that depend on the ‘given’ for their validity. In contrast, so Hegel, philosophy tries to establish truths that are independent of ‘given’ factors and which originate from the concept.

Hegel’s philosopher thus asks how desire *in general* relates to the decision-making subjectivity and Hegel’s answer is that at the stage of the concept of the will’s being-in-itself, desire

³³³ PR §11 remark: 35.

is a naturally given drive that differs from the subjectivity that decides to act on it. However, so Hegel, the philosophical account does not stop at the stage of the will's immediacy. Instead, philosophers are concerned with describing the *Idea* and from this perspective, the content of willing is as rational and conceptual as the subject that wills it. However, Hegel in §11, Hegel postpones the analysis of this next stage of the concept: "Consideration is given below to the objective element in these impulses, both to its true character stripped of the form of irrationality which it possesses as impulse and also to the manner in which at the same time it is shaped externally."³³⁴

According to Hegel, the 'objectivity' or 'truth' of the will thus differs from its immediate form — the former describes an identity that the latter takes as separation. The entirely true will is the will that is in-and-for-itself: both its form and its content are recognised as spiritual and participate in the form of Geist's self-determination. At the final stage, the 'irrationality' and 'externality' of the immediate will's natural content is sublated.

II. 3.2.3. §11 Addition

The addition to §11 equates the natural part of immediate willing with man's animalistic nature:

"An animal too has impulses, desires, inclinations, but it has no will and must obey its impulse if nothing external deters it."³³⁵ Unlike in humans, there is no element of rational self-determination in the behaviour of animals — they lack the moment of for-itself or absolute, self-referential universality — the negative freedom of the understanding that was identified as the will's first moment. 'We' might not choose our desires but we can choose to control, restrain and even alter them. Only human beings are able to negate the 'given' natural content and therefore participate in self-determination proper: "The human being, however, the wholly undetermined, stands above his impulses and may make them his own, posit them in himself as his own. An impulse is something

³³⁴ PR §11 remark: 35.

³³⁵ PR §11 addition: 35.

natural, but to posit it in the I depends on my will which thus cannot fall back on the plea that the impulse has its basis in nature.”³³⁶

While the content of immediate human willing might be given by nature, Hegel thinks that there is no ‘excuse’ for being uncritically determined by it — by definition, rational beings are able to negate one content and choose another, or to prefer empty self-determination over any content. In virtue of its spiritual nature, Hegel’s man as immediately willing entity is thus always potentially ‘above’ or ‘beyond’ naturally given content.

II. 3.3. §12

While Hegel argues in §11 that the immediate will’s content is natural, he describes this content in more detail in §12: It consists of a plurality of drives that can be satisfied in a variety of different, contingent ways. Independently of *how* they are satisfied, *that* they are satisfied is a necessary condition for willing to be actual. The agent has to decide.

II. 3.3.1. To decide is to limit

According to Hegel, the naturally given content of the immediate will is manifest in a plurality of different conflicting and competing drives and impulses. Each of these belongs to the subject and differs from the others. Hegel adds there are several ways to satisfy any given drive: “The system of this content, as we find it in its immediacy in the will, is there only as a medley and multiplicity of impulses, each of which as such is ‘mine’ but exists alongside others which are likewise all ‘mine’, and each of which is at the same time something universal and indeterminate, aimed at all kinds of objects and satiable in all kinds of ways.”³³⁷

Hegel thus suggests that the natural content of immediate willing is indeterminate in two senses: Firstly, there is a variety of drives to choose from. The willing subject has to decide which of these drives to satisfy. For example, I might decide to answer my drive for physical

³³⁶ PR §11 addition: 35, 36.

³³⁷ PR §12: 36.

exercise and play soccer *or* I might decide to satisfy my drive for intellectual stimulation and play chess instead. Furthermore, after deciding on which drive to obey, the willing subject has to decide *how* to obey it: I might decide to play soccer *or* to go running in order to satisfy my desire for physical exercise.

For the subject of immediate willing, so Hegel, ‘making a decision’ thus means to go through a twofold process of identifying the most suitable drive to prioritise and the way in which to meet its demand. In making this twofold decision, the subject ‘gives itself the form of individuality’ or ‘singularity’ — it decides on a given determination in the face of the possibility of negating it: “When, in this twofold indeterminacy, the will gives itself the form of *individuality* [...], this constitutes the resolution of the will, and it is only in so far as it resolves that the will is an actual will at all.”³³⁸

If the subject were not to make a decision, so Hegel, it would not choose *any* given content. Instead, it would only refer to its own indeterminacy or universality and remain empty or merely abstract. Since the only available content at the stage of the will’s being in-itself is a naturally given one, the willing subject is forced to limit itself by determining itself to such a content if it wants to will ‘something determinate’. In order to *actually* will, the immediate subject has thus to limit itself by embracing a determinate content.

II. 3.3.2. Remark: ‘Beschliessen’ and ‘Entschliessen’

Hegel suggests that this act of deciding can be described in two different ways. First, one might begin with the indeterminacy of ‘which drive to satisfy’ and ‘how to satisfy it’. In that case, ‘deciding’ means to abolish the initially empty indeterminacy of the will. Alternatively, one might begin with the infinity of possible determinations that the abstract will contains. In that case, ‘deciding’ means to ‘unleash’ a certain set of such possibilities: “To *resolve* on something is to cancel the state of indeterminacy in which one content is *prima facie* just as much of a possibility as

³³⁸ PR §12: 36.

any other. As an alternative to *etwas beschliessen* [to resolve on something] the German language also offers the expression *sich entschliessen*. This conveys the fact that the indeterminate character of the will itself, as itself neutral yet infinitely prolific, the original seed of all determinate existence, contains its determinations and aims within itself and simply brings them forth out of itself.”³³⁹

In the first case, ‘deciding’ is a limitation of limitlessness — a determination is introduced against a backdrop of indeterminacy. In the second case, that initial indeterminacy is taken as the origin and source of all determination and ‘deciding’ simply means to single out one of the infinite available possibilities. In either case, the initial indeterminacy of the will is sublated in the act of deciding — it results in a contentful determinacy that has its origin in the natural givenness of the impulse.

II. 3.4. §13

While Hegel argues in §12 that immediate willing implies an act of deciding, he differentiates between the deciding of the concept of the will and the deciding of the immediately willing subjects in §13. The latter’s deciding is *formal* and abstract because of the absolute difference between form and content that informs their ontology.

II. 3.4.1. The particular individual as a ‘result’ or aspect of the singular and universal will

For Hegel, the unresolved concept of the will is nothing particular or determined. It has no distinguishing features. In the act of deciding, it embraces a given content, assumes particularity and determination and thus manifests itself as a particular finite subject that wills a given content that differs from other willing subjects: “By resolving, the will posits itself as the will of a specific

³³⁹ PR §12 remark: 36. cf. “As absolute negativity the ego is at the same time the *passing over to determinacy* and the positing of a determinacy or of a distinction as an inner content, a content that may be given further by nature or may be pure concept of the ego itself. Here either the ego decides to *close itself off* [*Beschliessen*], to posit one determinacy as its essence and exclude everything else, or else it decides to *open itself up* [*Entschliessen*], insofar as all determinacy [is] contained in the ego as *universal*; and it is only through positing itself as something determinate that the ego enters into *determinate existence* [*Dasein*] — the *absolute finitude* or infinitude of its *individuality* [*Einzelheit*].” (LNR §4: 53-54).

individual and as a will separating itself off against another individual.”³⁴⁰ While the *true* subject in this act remains the singular concept, *it appears* as an ‘I’ that is different from other ‘I’s. While the *true* will — the concept in unity with itself as object, the Idea — is infinite and self-referential, it *appears* as finite, initially indeterminate ‘I’ that refer to something given in their willing.³⁴¹

According to Hegel, the universal concept of the will thus manifests itself in forms of individuals and their separate wills. John and Smith as particular willing individuals are, despite their particularities, manifestations of the same concept. Despite the seeming independence that the subjects’ particularities afford, they remain as *moments* of the concept of the will.

For Hegel, there are at least two levels of ‘singularity’ or ‘individuality’. Firstly, the universal singularity of the concept of the will — it decides and thereby differentiates into the ‘merely individual’ or ‘particular individual’ instances that are the immediately willing subjects. Secondly, these subjects themselves are *particular* individuals or singulars — like the concept, they can decide. However, they lack the universality of the concept’s individuality, which is the condition for their existence.

II. 3.4.2. Form, content and abstractness

Hegel argues that in contrast to the truly free will, the immediate will is formal — it fails to be *concrete* because it does not accommodate the universality of the willing consciousness and the particularity of the content within *one* structure. Within the immediate will, form and content, universal and particular remain *absolutely* different — they lack an overarching unity. For Hegel, the immediate will thus differentiates between the willing self-consciousness’s act of decision as *form* of willing and its determination as *content*: “But apart from this *finitude* as consciousness [...], the immediate will is *formal* on account of the difference between its form and its content [...]. It is

³⁴⁰ PR §13: 36.

³⁴¹ See e.g. Winfield 2006: 57, 58.

capable only of *abstract* resolution [or decision] and its content is not yet the content and product of its *freedom*.”³⁴²

According to Hegel, the self-conscious individual’s activity of deciding is ‘abstract’ since its particular content is ‘taken away from’ or ‘separated from’ the form — the ‘I’. Only when the content of willing is as ‘self-positing’ as the subject of willing, then the distinction between form and content is relativized and the finitude of willing is sublated. In that case, the content is defined by the same structure as subjectivity, namely self-determination or freedom. If the content of willing is part of the willing subject itself, it is just as free as the subject because it *is* the subject. However, at the stage of *immediate* willing, the content remains natural and ‘determined’. This is contrasted to the will as *Idea*, where the form of self-determination *is* the content, the willing subject *is* the determination and the structure of willing is *infinity* since there is no ‘other’ to which the will can determine itself to: the truly infinite will is ‘self-enclosed’ and ‘-contained’.

II. 3.4.3. Thinking and willing revisited

In the remark to §13, Hegel returns to the relationship between thinking and willing. While he describes both of these as forms of intelligence, he takes them to differ in the way that they relate to their object. He thus argues that if one takes thinking not as an *activity* but merely as a ‘passive participation’ in universal thought, the particularities of the thinking subject play no role. Thinking is then the articulation of universal thought itself. In other words, Hegel’s universal thought expresses itself in the ‘I’ but is not affected by its particularities. The ‘I’ and its specific features do not play a role for the *thought*. For example, mathematicians ‘think’ all the same numbers — their particular egos are unimportant here — but actively love different persons in a particular way.

Hegel argues that this is different in the case of willing since the notion of ‘action’ introduces the element of individuality. From the point of view of accomplished action, an action is always *someone’s*. What is willed, is willed by a *particular subject*. In other words, every end the

³⁴² PR §13: 36.

‘I’ endorses is also *its* end. When the ‘I’ determines itself to will a specific end, for example the pursuit of happiness, this end is *someone’s* — it is the end of *a particular I*, the end of a *subject* who wills the end. While the thinker’s individuality is irrelevant for the objectivity of the thought, the act of willing implies the existence of a singular willing subject: “In so far as intelligence thinks, its object and content remain something universal, while its own behaviour consists of a universal activity. In the will, ‘the universal’ also means in essence ‘mine’, ‘individuality’”.³⁴³

Hegel goes on to argue that since the dimension of self-determination or singularity defines how willing differs from thinking, willing also always implies ‘freedom’. In thinking, the self-determination is universal thought’s own, in willing, the self-determination is always articulated through the action of the free subject. The dimension of freedom only enters the concept of thinking if thinking is thought of as an *act* — the activity of thinking — *someone* thinks. In that case, thinking is not *just* thinking but *also* willing. While the externalisation of Geist — ‘willing’ — relies on the concept of singularity, the inwardness of Geist — ‘thinking’ — does not.

According to Hegel, the singularity of the willing subject can take one of three forms. In the first case, it is mere ‘willing for itself’ without particular subject or object — it entirely lacks manifestation. In the second, it is ‘willing in itself’ or immediate willing — there are subject and object but they differ. In the third case, it is concrete willing that is in-and-for-itself — subject and object are different but united in an overarching identity. This entails that the second form, ‘immediate willing’, differs from the third form of concrete willing: “[I]n the immediate will—the will which is only a formal will—[‘the universal’] means abstract individuality, individuality not yet filled with its free universality. Hence it is in the will that the intrinsic finitude of intelligence has its beginning; and it is only by raising itself to become thought again, and endowing its aims with immanent universality, that the will cancels the difference of form and content and makes itself the objective, infinite, will.”³⁴⁴

³⁴³ PR §13 remark: 36.

³⁴⁴ PR §13 remark: 36.

In immediate willing, so Hegel argues, the willing subject is universal and spiritual but the willed content is particular and natural. This form of the will is marked by *finitude* since the willing subject and the willed content limit each other in virtue of their difference — the willing subject is ‘not the willed content’, the willed content is ‘not the willing subject’. However, while the content of immediate willing is given or natural, the willing subject can ‘elevate’ the content to the universality of Geist by means of thinking. For example: ‘I’ am hungry and have the drive to eat. I could go and eat the first thing that comes to me, for example steal a peach from a fruit stall.

However, by thinking about the end, my situation and the most adequate means of pursuing it, I come to the conclusion that I must buy the peach in order to be entitled to eat it. Alternatively, I might come to the conclusion that suppressing this natural desire is a better way of dealing with it or that I should eat something else since the peach does not meet certain dietary requirements. Alternatively, ‘thinking’ might also reveal to me that silencing the drive to eat is itself a rather mundane end that should serve as a means to the satisfaction of a more rational pursuit, for example the composing of an opera, the pursuit of family life, economic activity or service to the state.

In that case, the concept of the will — of which I am a particular manifestation — has sublated the difference between itself as subject and itself as object. ‘I’ as particular willing agent am the articulation of the concept as subject that wills itself as object. In this act, the concept has become *infinite* because it refers to itself by referring to its object. The difference between form — willing ‘I’ — and content — natural drive — has disappeared because the content is now as spiritual [*geistig*] as the willing subject. However, this unification of the concept with itself in ‘my willing’ is only possible because of thinking. The ‘new’ and more rational ends and the more rational ways of accommodating the old ends are the product of thinking and carry its universality within them.

Like concrete willing, so Hegel, ‘thinking’ is infinite insofar as it does not posit a difference between thinking subject and the thought itself. Because this ‘difference’ is introduced

with immediate willing, ‘willing’ in this initial form differs from ‘thinking’ in virtue of the dimension of ‘finitude’: “Thus they understand little of the nature of thinking and willing who suppose that while, in willing as such, the human being is infinite, in thinking, he, or even reason itself, is restricted. In so far as thinking and willing are still distinguished, the opposite is rather the truth, and will is thinking reason resolving itself to finitude.”³⁴⁵

II. 3.4.4. §13 Addition - finitude and self-determination

The addition to §13 reiterates the claim that finitude is introduced with the act of self-determination. While the undecided ‘I’ remains in indeterminacy or pure universality and avoids finitude insofar as there is not particularity that could limit its universality, it also fails to *actually* will. Here, freedom in the sense of self-determination remains merely ‘possible’, ‘abstract’ or ‘empty’ for such an undecided ‘I’. Its ‘possibility’ consists in the fact that it *could will anything* but by willing nothing, it does not will at all: “A will which resolves on nothing is no actual will; a characterless human being never reaches a decision. The reason for indecision may also lie in a tenderness of feeling which knows that, in willing something determinate, it is engaging with finitude, imposing a restriction on itself and sacrificing the infinite; yet it will not renounce the totality after which it hankers. However ‘beautiful’ such a disposition may be, it is nevertheless dead. [...] Only by resolving can a human being step into actuality [...]. Inertia lacks the will to abandon the inward brooding which allows it to retain everything as a possibility. But possibility is not yet actuality. The will which is sure of itself does not *eo ipso* lose itself in its determinate volition.”³⁴⁶

II. 3.5. §14

In §13, Hegel differentiates between the concept’s universal individuality and the particular individuality of the immediately willing subjects. In §14, he analyses the latter in more detail: the

³⁴⁵ PR §13 remark: 36, 37.

³⁴⁶ PR §13 addition: 37.

immediately willing subject is ‘beyond’ the willed content *and* dependent on it — it *has to* choose a content but it remains contingent, which content it specifically chooses.

II. 3.5.1. The ‘I’ is above content

For Hegel, the immediate will is the will *as division*, as a dichotomy between willing subject — ‘form’ — and willed object (‘content’). The willing subject is the will’s *form* insofar as it is the opposite of the content. As such, it shares the structure of self-determination or singularity with the concept of the will. However, as opposed to the *concrete* will, where self-determination *accommodates* particularity, the formal and universal ‘I’ of immediate willing is ‘opposed to’ or ‘above’ the particularity of the content: “The finite will as, in respect of its form, though only its form, the self-reflecting, independent, and infinite I [...], *stands over* its content, i.e. its various impulses, and also over the further separate ways in which these are actualized and satisfied.”³⁴⁷

For Hegel, the immediately willing subject or ‘I’ is thus able to refer exclusively to itself and to its own indeterminacy. *As subject*, it does not need the content for its own subsistence. Consequently, the ‘I’ is always able to remain with itself instead of endorsing a specific content or to prefer one drive over another. Although my drives or impulses might entice me to get drunk, steal money or destroy public property, I am always able to deny or re-channel their force and choose to do nothing at all or to spend my energy otherwise, for example on playing the guitar. The ‘I’, so Hegel seems to suggest, is neither bound by the drives and impulses nor by a specific way of satisfying their requirements. The ‘form’ is independent from the content *and* dependent on it — it can always deny the content’s claim to domination while it needs this content in order to deny something or commit itself to it.

³⁴⁷ PR §14: 37.

II. 3.5.2. The ‘I’ is tied to content

Hegel thus suggests that while I am always able to prefer, negate or redirect any given drive, I cannot choose to *not* negate, prefer or redirect one. ‘I’ can only act or not act *in the light* of content, be it affirmatively or negatively: “At the same time, since it is infinite in form only, it is *tied* to this content [...] as to the specific determinations of its nature and its external actuality; though since it is indeterminate, it is not tied to *this* or *that* specific content. From the point of view of the I reflected into itself, this content is only a possible one, i.e. it may be mine or it may not; and the I similarly is the *possibility* of determining myself to this or to something else, of *choosing* between these specific determinations, which at this point I regard as external to me.”³⁴⁸

This suggests that while the ‘I’ is forced to will a content or to not will a content, no content is *necessary* to it. Since content and subject are absolutely distinct, any content is a *possible* choice. Because the indeterminate ‘I’ is itself *without* content, its self-determination — to itself — is not *actual* but merely possible. As soon as the ‘I’ actually determines itself, it ceases to be free since it does not determine itself *to itself* but rather *to something else*. It is the *possibility* of self-determination rather than its actuality: As soon as the ‘I’ actually determines itself, it ceases to be free, however, if it does not determine itself to anything but itself, it does not actually will. Since the ‘I’ does not *contain* particular content in an overarching structure of concreteness, it is as external to the content as the content is external to it.

II. 3.6. §15

According to Hegel, the difference between form and content that he discusses in §14 is also the defining moment of §15’s Willkür — arbitrariness or ‘wilfulness’ — and the root of its *contingency*.

³⁴⁸ PR §14: 37.

II. 3.6.1. Willkür

Hegel thus argues that according to immediate willing, the willing subject and the willed content stand in a relation of contingency to each other since no content is necessary to the willing subject. He takes this contingency to be a result of the *difference* that defines the relationship between subject and content and its result is Willkür: “According to this determination, the freedom of the will is *arbitrariness* [*Willkür*] and this involves two factors: (a) free reflection, abstracting from everything, and (b) dependence on a content and material given either from within or from without.”³⁴⁹ For Hegel, the ‘free reflection’ of Willkür is the indeterminacy of the universal ‘I’. Although this ‘I’ can abstract away from all content, it is still dependent on there being a content to abstract away from. As such, the ‘I’ *depends* on the content, even if it negates it entirely and refers only to itself. In that case, it refers to ‘no content’ and thus still *implies* the content by negating it.

II. 3.6.2. Willkür as contradiction

According to Hegel, the I also depends on the content in another sense. For the I’s immediate willing to be *actual*, it has to embrace a given content. And yet, while there has to be content to the I’s immediate willing, the precise determination of this content remains contingent since the I may negate it: “Because this content, necessary in itself as purpose, is at the same time qualified in the face of free reflection as possible, it follows that arbitrariness is *contingency* manifesting itself as will.”³⁵⁰

For Hegel, the category of Willkür is thus defined by a contradiction with regards to content — while content is necessary for there to be any actual willing at all, content is also contingent insofar as it has no necessary connection to the willing ‘I’. This contingency differentiates the will’s ‘being-in-itself’ from the will that is ‘in-and-for-itself’ — the arbitrarily willing ‘I’ could always have willed otherwise, at the stage of the Idea, the concept of the will has only itself to determine itself to.

³⁴⁹ PR §15: 37.

³⁵⁰ PR §15: 37.

II. 3.6.3. Willkür as freedom

In the remark to §15, Hegel accordingly describes ‘immediate willing’ or ‘Willkür’ as a middle position between determinism and the Idea of the will. He argues that ‘Willkür’ is a more adequate description of freedom than natural reductionism, where everything is ‘determined’ and where there is no dimension of self-determination in the ‘I’. However, he warns that it would be a mistake to consider Willkür to be the absolute or most adequate form of freedom. Since there is no *necessity* in Willkür, it fails to properly justify any behaviour, institutions or practices. For Hegel, equating willing with Willkür thus betrays a lack of ‘insight’: “The idea which people most commonly have of freedom is that it is arbitrariness [*Willkür*] —the middle position of reflection between the will wholly determined by natural impulses and the will that is free in and for itself [*an und für sich*]. If we hear it said that the definition of freedom is the ability to do what we please, such an idea can only be taken to reveal an utter immaturity of thought, for it contains not even an inkling of the free will in and for itself, of right, ethical life, and so forth.”³⁵¹

II. 3.6.4. Consciousness, content and certainty

This also entails for Hegel that as long as the willing subject is taken to be a (self-) consciousness, it cannot be *truly* free since its willing is not a contentful or concrete self-determination *to itself as present in the world*. Instead, its willing is merely a determination *to something else*. For self-conscious willing, subject and object remain distinct and the content or object of willing is finite since it is not part of an overarching self-determination *to itself*. Willing subject and willed object contradict each other, so Hegel, they are different, opposed and mutually limiting: “Reflection, the formal universality and unity of self-consciousness, is the will’s abstract certainty of its freedom, but it is not yet the truth of freedom, because it has not yet got *itself* as its content and aim, and consequently the subjective side is still other than the objective; the content of this self-

³⁵¹ PR §15 remark: 37, 38.

determination, therefore, also remains purely and simply finite. Instead of being the will in its truth, [Willkür] is rather the will as contradiction.”³⁵²

While Willkür falls short of concrete freedom, it contains the *possibility* of true self-determination, namely the contentless self-determination of the willing subject to the willing subject — its empty, yet infinite self-reference and Hegel calls this its ‘formal’ freedom or ‘certainty’. Systematically speaking, Hegel associates certainty with subjective consciousness and its internal or world-opposing quality. As such, it is contrasted with truth, which is the unity of inner and outer, subject and object. For example, I might be certain that something is the case without it objectively being the case. Similarly, ‘freedom’ is certain for the immediately willing, self-conscious subject: ‘I’ know that ‘I’ can determine myself to whatever I want, including my own nothingness. However, my internal freedom is not united with the external world or even with my available ends — what I determine myself to is not myself but something else.

‘True willing’, so Hegel, differs from ‘Willkür’ like ‘truth’ from ‘certainty’. When I will rationally, what is rational wills itself through my actions — subject and object are united. Likewise, the truth is the congruence of inner and outer — a living person is the truth of body and soul. Willkür, on the other hand, is marked by the difference between self-determining and free but empty ‘I’ on the one hand and its ends and the external world on the other.

Hegel claims that even this formalist notion of ‘freedom’ is rejected by the determinist who argues that freedom must be ‘determined’ or ‘*contentful*’ in order to have meaning. In determinism, so Hegel, this content is *all there is* — there is no ‘form’ or ‘subject’ with the ability to self-determine. In Willkür, there is a determining ‘I’ but its content comes from ‘outside’ — the ‘I’ depends on the content.. The ‘contradiction’ at the heart of Willkür is that the ‘I’ is free *and* unfree at the same time. It is free insofar as it can always determine itself to itself and thereby avoid external determination. However, since this self-reference is *empty*, the ‘I’ is forced to determine

³⁵² PR §15 remark: 38.

itself to a determined content if it is to will at all. Consequently, Willkür is marked by determining — the I — *and* by being determined — the content.

II. 3.6.5. Willkür and determinism

This contradiction makes Hegel's Willkür incompatible with determinism *and* it accounts for the demand that freedom be contentful: "In the controversy carried on especially at the time of Wolff's metaphysics as to whether the will is really free or whether the conviction of its freedom is only a delusion, it was [Willkür] which was in view. In opposition to the certitude of this abstract self-determination, determinism has rightly pointed to the content which, as something *encountered*, is not contained in that certitude and so comes to it from outside, although 'outside' in this case means impulses, ideas, or, in general, consciousness so filled in one way or another that its content is not intrinsic to its self-determining activity as such. Since, then, [Willkür] has immanent in it only the formal element in willing, i.e. free self-determination, while the other element is something *given* to it, we may readily allow that, if [Willkür] is supposed to be freedom, it may indeed be called an illusion. In every philosophy of reflection, like Kant's, and Kant's deprived of all its depth by Fries, freedom is nothing else but this formal self-activity."³⁵³

Given this notion of Willkür, the determinist is wrong if he claims that there is no self-determination at all. There is, after all, the possibility for contentless self-determination of the 'I'.³⁵⁴ However, so Hegel, the determinist is right in arguing that the 'I' of Willkür is dependent on a 'given' content in order to will *actually* — it is not completely self-sufficient in its self-determining. According to Hegel, 'reflective philosophy' differentiates absolutely between the willing subject ('I') and the willed content and since both of these are distinct, they cannot be conceptualised *in unity*. Consequently, no Willkür-based willing that involves *content* lives up to the Ideal of self-

³⁵³ PR §15 remark: 38.

³⁵⁴ Hegel's argument is not just a phenomenology of free willing, it does not discuss how willing appears but how it is. Strong naturalist (or Spinozist) determinism is refuted with the *Logic*'s transition from 'actuality' to the 'concept'. Furthermore, the transition from 'nature' into 'Geist' establishes Geist's self-determination as overarching origin of nature's seeming determinism. Nevertheless, the discussion of 'immediate willing' (§§10 -20) can be called a 'phenomenology' insofar as it discusses how the true (Idea of the) will *appears* or is 'for us'.

determination. According to Hegel's interpretation of Kant, 'free' or 'moral' action is accordingly impossible if 'action' means the pursuit of determined ends. For Hegel's Kant, freedom is free of determination and accordingly purely self-determining. However, since all available ends are empirical and therefore 'given', moral action excludes 'empirical' or determined ends by definition.

Hegel's term 'reflective' refers to precisely this dichotomy between pure willing subject and empirical content — instead of preserving the concrete conceptual unity that marks the relationship between willing subject and content according to speculative philosophy, 'reflective' philosophy draws a line between subject and object and thereby renders the meaning of contentful self-determination impossible.

II. 3.6.6. Addition §15 - Freedom and possibility

The addition to §15 reiterates the claim that Willkür is often mistaken for freedom proper: "Since it is possible for me to determine myself in this way or that, or in other words since I can choose, I possess the arbitrary will, and to possess this is what is usually called freedom."³⁵⁵ However, as opposed to proper freedom, Hegel's Willkür relies on the dichotomy between universal 'I' and particular content. Since the universal 'I' is the willing subject, it is able to adopt or drop any given content. The 'I' can do as it pleases or 'as it happens to want to do'. Its only restriction lies in the fact that it needs a given content in order to will anything particular at all. While the 'I' on its own is 'indeterminacy', the content is 'determinacy' — arbitrariness is thus indeterminacy's commitment to determinacy, its 'choice' lies in the 'I' ability to remain or return into its own indeterminacy: "The choice which I have is grounded in the universality of the will, in the fact that I can make this or that mine. This thing that is mine is particular in content and therefore not adequate to me and so is separate from me; it is only possibly mine, while I am the possibility of linking myself to it. Choice, therefore, is grounded in the indeterminacy of the I and the determinacy of a content."³⁵⁶ ...and... "Thus the will, on account of this content, is not free, although it has an infinite aspect in

³⁵⁵ PR §15 addition: 38.

³⁵⁶ PR §15 addition: 38.

virtue of its form. No single content is adequate to it and in no single content is it truly itself.

[Willkür] implies that the content is made mine not by the nature of my will but by contingency.

Thus I am dependent on this content, and this is the contradiction lying in [Willkür].”³⁵⁷

II. 3.6.7. Willkür and rationality

According to Hegel, the only apparent freedom of Willkür is overcome when the I rids itself of its particular nature and pursues ends that are prescribed by rationality in general. In that case, it is not a particular I that acts but rationality itself that uses the I as a means to pursue itself:

“The ordinary person thinks he is free if it is open to him to act as he pleases but his very Willkür implies that he is not free. When I will what is rational, then I am acting not as a particular individual but in accordance with the concepts of ethical life in general. In an ethical action, what I vindicate is not myself but the thing [*die Sache*].”³⁵⁸

This suggests that Hegel’s free act is the act in which the particular agent ceases to be a particular agent but ‘merges with’ or ‘is sublated in’ the universality of the ends he pursues. From the perspective of ethical rationality, everyone’s acts are identical insofar as they form part of the articulation of the same rationality. Whether it is Smith or Jones that acts ethically is indifferent since both are part of the same concept’s articulation. If both actions are entirely ethical, then that is all that there is to say about them from the philosophical point of view. In that case, the difference between ‘I’ and content has disappeared because agent and its determination are not different anymore — rationality itself is the agent *and* the end and Willkür is replaced by necessity. The ethical action does not *happen* to be done but it *has* to be done.

This is different in the case of irrational action: “But in doing [something wrong] [*etwas Verkehrtes*], it is my particularity that I bring on to the centre of the stage. The rational is the high road where everyone travels, where no one is conspicuous. When great artists complete a work, we can say: *that* is how it must be; that is, the artist’s particularity has completely disappeared and no

³⁵⁷ PR §15 addition: 38.

³⁵⁸ PR §15 addition: 38, 39.

mannerism is detectable in it. Pheidias has no mannerisms; the shape itself lives and stands forth. But the worse the artist is, the more we see in his work the artist, his particularity, his [Willkür].”³⁵⁹

Hegel thus suggests that similar to the piece of art that lacks necessity and the citizen that fails to will in accordance with rationality, the concept of the will as arbitrary or immediate willing is not developed to the stage where it refers to its own universality, yet. While Willkür accommodates the dimensions of contentfulness and self-determination, it falls short of uniting these, and consequently fails to render the arbitrary subject properly free: “If you stop at the consideration that, having an arbitrary will, a human being can will this or that, then of course his freedom consists in that ability. But if you keep firmly in view that the content of his willing is a given one, then he is determined thereby and in that respect at all events is free no longer.”³⁶⁰

For Hegel, Willkür is thus not absolutely *false* but it has to be an articulation of the concept in order to qualify as properly rational. In any case, Willkür’s claim to absoluteness is demolished — Willkür is not the standard but the *appearance* of rational action.

II. 3.7. §16

While Hegel introduces the notion of Willkür and its contingency in §15, he elaborates on the roles that ‘finitude’ and ‘infinity’ play in this context in §16. Here, the choosing ‘I’ and chosen content are both finite in virtue of their difference.

II. 3.7.1. Mutual limitation and finitude

Hegel thus suggests that contingency is not the only consequence of the subject-object split that characterises Willkür but it also leads to a bad or linear infinity. In virtue of its moment of singularity, the subject ‘I’ is able to adopt any given content or abolish it — none of these ends is analytically or necessarily connected to the I *as a choosing* subject. In spite of this ‘freedom of choice’, the I *depends* on the end — it has to embrace or negate *something*. However, every

³⁵⁹ PR §15 addition: 39.

³⁶⁰ PR §15 addition: 39.

‘something’ *can* be replaced and even *has to* be replaced once the initial end is achieved or revealed as unreachable: “What the will has decided to choose [...] it can equally easily renounce [...]. But its ability to go beyond any other choice which it may substitute, and so on ad infinitum, never enables it to get beyond its own finitude”.³⁶¹

Irrespective of how many ends the formal ‘I’ embraces or how many ends it achieves, so Hegel, it will never find *itself* in the them. As long as the subject remains different from the object of willing, their mutual limitation prevents the true infinity of the ‘I’'s self-reference *in the content*. According to Hegel, this renders the infinity of Willkür ‘spurious’ or ‘bad’ — since subject and object are mutually limiting, they fail to form the overarching circle that defines the concept’s true infinity. Hegel thinks that this is a direct consequence of the difference between the two determinations: “[B]ecause the content of every such choice is something other than the form of the will and therefore something finite, while the opposite of determinacy, namely indeterminacy, i.e. indecision or abstraction from any content, is only the other, equally one-sided, moment of the will.”³⁶²

While the purely universal, self-determining but empty ‘I’ *on its own* is infinite in virtue of its circular self-reference, it becomes *finite* as soon as it wills something determinate. Since willing something determinate is inevitable if the willing is to be *actual*, the formal ‘I’ is necessarily finite and limited by the willed content. Like indeterminacy and determinacy limit each other mutually as abstract or one-sided moments of *singularity*, so the *formal* ‘I’ and its willed *content* as end define each other as respectively different moments of immediate willing.

³⁶¹ PR §16: 39. cf. “But in the natural will, this form and this content are still distinct, and what is mine is something other than the ego. This natural will is the *arbitrary will* [*Willkür*], the will in the sphere of desires, drives and inclinations, which has for its content anything given (externally or inwardly) and therefore finite, and can renounce this finite content because it is only its own through its self-determination. But the new content that it substitutes for what it has renounced is likewise a determinate content of this kind, so that the arbitrary will can go on sublating this content *infinitely* [without] thereby escaping from finitude.” (LNR §7 remark: 55).

³⁶² PR §16: 39.

II. 3.8. §17

After discussing the role of finitude in Willkür in §16, Hegel continues §12's analysis of the drives that he began in §17 — the drives stand in a dialectical relationship in which they absolutely compete for immoderate satisfaction.

II. 3.8.1. Dialectic of impulses

Insofar as the content or the determination for the arbitrarily willing 'I' is given *naturally*, so Hegel, it is an unordered multiplicity that lacks structure: "The contradiction, which the arbitrary will is [...], comes into appearance as a *dialectic* of impulses and inclinations; each of them is in the way of every other—the satisfaction of one is unavoidably subordinated or sacrificed to the satisfaction of another, and so on."³⁶³

The impulses and drives of for example hunger, thirst or intellectual stimulation thus compete with each other and the determining I can satisfy one only at the expense of one or several others. For example, the I has to decide whether to indulge its desire for fame and practise its oratory skills or whether to pursue its desire for altruistic behaviour and volunteer with a local homeless shelter. One might here object that it is possible to satisfy several drives at the same time with one activity — for example, one can rid oneself of hunger and satisfy the desire for sensual pleasure by attending a restaurant with live music.

II. 3.8.2. The impulses' claim to absoluteness and the understanding

However, insofar as the demand of the drives are each *absolute*, so Hegel, they oppose each other irreconcilably: "An impulse is simply a unidirectional urge and thus has no measuring-rod in itself, and so this determination of its subordination or sacrifice is the contingent decision of the arbitrary will which, in deciding, may proceed either by using understanding to calculate which impulse will give most satisfaction, or else in accordance with any other optional consideration."³⁶⁴

³⁶³ PR §17: 39.

³⁶⁴ PR, §17: 39.

According to Hegel, every drive posits itself as total — it wants only its own satisfaction immediately and without compromise. For example, the desire to eat makes me want to eat now and it wants that all I do now is eat. The desire for intellectual stimulation wants me to read now and not do anything else. In virtue of this inherent claim to absoluteness, the ‘I’ has to limit and sacrifice some of each drive’s claim to satisfaction. Even if I affirm it, I have to restrict the impulse to eat since I cannot survive if all I do is eat.

On this view, the ‘control’ or ‘containment’ of the drives has to be superimposed by the ‘I’’s ‘calculating understanding’. While the ‘I’ might choose to control and order the drives and their demands in order to achieve maximum overall pleasure or satisfaction, it can be driven by any other goal — for example fame, wealth, altruism, security etc. Since there is no identity-based necessary connection between the ‘I’ and a specific arrangement of drives and impulses or a specific overarching goal, these are as contingent as the content of the drives themselves.

II. 3.8.3. Absoluteness and the destruction of the subject

Albeit being unpleasant, so Hegel, the competition of the drives and the ordering activity of the ‘I’ is to be preferred over the dominance of one drive over the others and over the understanding. Such domination would result in relinquishing the ‘I’’s ‘universality’ and would entail the destruction of the willing subject: “Impulses and inclinations are in the first instance a content of the will, and reflection alone stands above them. But these impulses themselves begin to impel, they drive one another, stir each other, and all of them demand satisfaction. Now if I neglect all the others and put myself in one of them by itself, I find myself under a restriction which destroys me, since just by so doing I have surrendered my universality, which is a system of all impulses.”³⁶⁵

For Hegel, the universality of the ‘I’ thus consists in *not* being reduced to a particular impulse. Since every particular impulse’s demand is absolute, it eclipses the others entirely when it is being pursued exclusively. Examples of this are drug addiction, alcoholism, gambling etc.. In

³⁶⁵ PR §17 addition: 39, 40. Cf. Plato’s Republic IV and IX: Thirst is simply a desire for drink without qualification, not for good drink.

order to avoid this, the ‘I’ has to defend its ‘universality’ by bringing order to the sum of particular impulses and in systematising them into a coherent whole. While the drives themselves are merely particular, their ‘system’ is thus the result of a process of universalization. Insofar as ‘universality’ is the categorial mark of the ‘I’, it is the ‘I’ that expresses itself in such an order.

II. 3.8.4. Failed universality and generalities

For Hegel, the ‘I’ attempts to achieve universality in the content of its willing — the impulses — by controlling and ordering them. However, although an ordered, hierarchical system of drives is *more* universal than the merely particular unhindered existence and competition of the drives, it is not *truly* universal: “But it is just as little help to make a mere hierarchy of impulses—a device to which the understanding usually resorts— since no criterion for so ordering them is available here, and therefore the demand for such a hierarchy runs out in the tedium of generalities.”³⁶⁶

According to Hegel, there is thus nothing in the nature of the ‘I’'s universality that allows for the deduction of a general rule with regards to which impulses are to be preferred over which others or how their overall hierarchical system ought to look like. Since there is no necessary relation between ‘I’ and the impulses’ system, *any* arrangement will be fundamentally contingent and arbitrary — even if it is an improvement over the unrestricted dominance of a single drive. By bringing universality to the drives, the ‘I’ does not change their *fundamentally* contingent and arbitrary nature but rather ‘orders’ the contingency without being able to *convert* it into universality.

Although a system of drives or impulses is more universal than their unhindered competition, the drives remain fundamentally particular and arbitrary in their claims to absoluteness. This means that for Hegel, the impulses are inherently void of universality and so universality has to be externally imposed onto them. Accordingly, generalisations that rely on the impulses are false. Sayings such as ‘fool me once, shame on you, fool me twice, shame on me’, ‘all is fair in love and war’, ‘work first, play later’ might *pretend* to be universally valid, however, they

³⁶⁶ PR §17 addition: 39, 40.

fail to be so since their claim to universal validity is not grounded in the nature of the drives that give rise to the ends — for example getting married, killing the enemy, achieving a professional task — themselves.

II. 3.9. §18

After describing the drives and their dialectical relations in §17, Hegel discusses and rejects the validity of subjective moral evaluations of the drives in §18 and argues that insofar as the drives are a necessary element of immediate willing, they are neither ‘good’ nor ‘bad’.

II. 3.9.1. Impulses and goodness

As long as willing is arbitrary and its particular content comes from the impulses, so Hegel, it cannot be *truly* universal since universality is exclusively associated with the activity of the ‘I’. The ‘given’ or ‘natural’ conflict of the different drives and their relative claims to absoluteness can thus be seen in two different ways. According to the first view, the impulses are ‘positive’ and therefore good: “In connection with the *judging* of impulses, this dialectic appears in the following form: (a) As *immanent* and so positive, the determinations of the immediate will are *good*; thus human beings are said to be by nature good.”³⁶⁷ Here, ‘nature’ is good - the impulse to eat, drink, procreate, compete etc. are taken as life-affirming, a source of energy, creativity and purpose. The claim that some action is motivated by a drive and is ‘natural’ is taken as a justification, for example ‘it is only natural to seek success’. Actions that are harmful to others, manipulative, self-destructive etc. are either ‘unnatural’ or an inevitable part of nature’s overall purpose — for example the death of the least adapted in evolutionary theory.

³⁶⁷ PR §18: 40.

II. 3.9.2. Impulses and evil

However, Hegel maintains that there is another view on the natural impulses. It associates ‘nature’ with passivity, dependence and ‘givenness’ and renders nature to be the absence of freedom. Here, the impulses are not chosen or the product of the subject’s self-determination but they are ‘imposed’ or ‘merely posited’. This renders freedom positive and nature to be its negation — the impulses curtail the subject’s freedom and are associated with coercion and evil: “(b) But, insofar as these determinations are *natural* and thus are in general opposed to freedom and the concept of [Geist], and hence negative, they must be uprooted, and so human beings are said to be by nature *evil*.”³⁶⁸

This analysis implies that humans are primarily ‘spiritual’ [*geistig*] and so ‘self-determining’. Since the impulses are ‘natural’ or ‘merely determinate’, they contradict man’s spirituality and are therefore the negation of freedom. They are ‘evil’ and the root of suffering and unsatisfiable needs rather than true purpose. In order to avoid suffering, it is man’s duty as a spiritual being to renounce their demands.

Hegel argues that while both views contain *some* truth, they are also partly mistaken since they take either the impulses or the ‘I’ as absolute or ‘given’. For Hegel, the first view fails to appreciate that the I is as important for willing as the impulses and reduces freedom to the impulses’ determinism — to be free is to do what the naturally good impulses demand. The second view fails to appreciate the drives’ positive element. It reduces freedom to the I’s empty negation of all ‘given’ content. Instead of grasping impulses and the I as moments of an overarching unity, both views prefer one over the other and abstract away from their concrete unity.

In contrast, so Hegel, the truth about willing is that both self-determining ‘I’ *and* the drives are necessary but insufficient moments. Since the whole is their *unity*, neither is absolute, whether the drives are ‘good’ or ‘bad’ is the wrong question to ask and any answer is as arbitrary as the perspective from which it is given: ”At this point a decision in favour of either thesis depends equally on subjective [Willkür].”³⁶⁹

³⁶⁸ PR §18: 40.

³⁶⁹ PR §18: 40.

II. 3.9.3. Impulses and order

However, while Hegel argues that the drives are neither entirely ‘good’ or ‘bad’, the addition to §18 states that the emphasis on self-determination that is implied by the demonization of the drives is preferable: “The Christian doctrine that human beings are by nature evil is superior to the other which takes them to be by nature good. This doctrine is to be understood as follows in accordance with the philosophical exegesis of it: As [Geist], the human being is a free being who is in the position of not allowing himself to be determined by natural impulses; when his condition is immediate and undeveloped, the human being is in a situation in which he ought not to be and from which he must free himself.”³⁷⁰

Hegel’s category of ‘Geist’ contains ‘nature’ as a sublated element. At the stage of ‘Geist’, ‘nature’ has therefore lost its claim to absoluteness. However, in immediate willing, this claim is still present — nature appears here *as natural impulses* rather than as a moment of Geist. In form of a radical, absolute ‘otherness’ to spirituality, it confronts the spiritual ‘I’. Consequently, the whole structure of immediate willing or Willkür is not truthful to Geist — it does not depict nature as *sublated in* Geist but rather as opposed to it. Given that the truth about nature and Geist is that nature originates in and is dominated by Geist, the image of a man who is in spiritual control [*geistig*] of his natural impulses is closer to the truth of ‘Geist’ than a spiritual man who is controlled by his natural drives.

³⁷⁰ PR §18 addition: 40.

II. 3.9.4. Original sin and education

Insofar as man is not educated, so Hegel, he is unable to order the natural drives and to impose the ‘I’'s universality onto them. Although the ordering of the drives does not make them *essentially* universal, he suggests that it imprints universality onto them and brings the subject closer to the form of Geist's contentful self-determination.

The addition to §18 further suggests that this thought is expressed in the Christian doctrine of original sin — here, man is originally, that is by birth, dominated by nature — or ‘evil’ — and has to free himself by struggling for control over his impulses in order to gain relative independence from their rule. This reconnects him to his essential purpose of self-determination: “This is the meaning of the doctrine of original sin without which Christianity would not be the religion of freedom.”³⁷¹ By declaring the impulses to be ‘evil’, Christianity arguably privileges the I's control over them. Insofar as it prefers self-determination over determination, Hegel's Christianity elevates freedom over nature.

II. 3.10. §19

While Hegel argues in §18 that an objective moral evaluation of the drives is impossible, he compares the demand for the drives' ‘purification’ with their rational ordering §19 — both share a commitment to spiritual control of the natural drives.

II. 3.10.1. Purification

Hegel thus suggests that the demand for a rational ordering of the impulses is similar to the notion of their ‘purification’: “In the demand for the *purification* of impulses there lies the general notion that they should be freed both from their form as immediate and natural determinations, and also from the subjectivity and contingency of their content, and so brought back to their substantial essence.”³⁷²

³⁷¹ PR §18 addition: 40.

³⁷² PR §19: 40.

On this reading, the ideals of ‘purification’ and ‘rational ordering’ of the impulses share the opposition to the impulses’ unhindered control over the subject and deprive the impulses of some of their contingency. For example, a monk purifies his drives by channelling his erotic impulses towards work, pray and study. He might think that this gives him greater control over them than he would have if he allowed them to motivate sexual acts. By cultivating a desire for work, study and prayer, the monk has purified his drives.

One might also call this a ‘spiritualisation’ of the natural drives and impulses. While the impulses *appear* to be merely ‘natural’, they are in fact ‘spiritual’³⁷³ or ‘rational’.³⁷⁴ By bestowing the form of universality upon them, so Hegel, the purification and systematisation of the impulses approximates them to the form of ‘Geist’ — and moves them in the direction of their spiritual origin. This purification and systematic ordering of the impulses is thus a ‘spiritualisation’ of the their natural determinateness. Insofar as this relativises the difference between ‘I’ and content, it reduces the contingency of willing.

II. 3.10.2. The science of right and the concept

However, Hegel argues that the notion of ‘purification’ is imprecise in comparison to the drives’ systematic ordering. While the former might be mistaken to suggest that the drives themselves have a ‘pure’ or contentless essence, it rightly demands that individual willing ought to be systematic and oriented towards a necessary content. Only in such a form can willing be properly rational and therefore ethical. According to Hegel, the ‘philosophical science of right’ thus has to establish *which* systematic ordering of the impulses corresponds to the requirements of rationality and ‘mirrors the concept’: “The truth behind this vague demand is that the impulses should become the rational system of the will’s volitions. To grasp them like that, proceeding out of the concept of the will, is the content of the philosophical science of right.”³⁷⁵

³⁷³ ‘Nature’ is sublated in ‘spirit’

³⁷⁴ See §11.

³⁷⁵ PR §19: 40.

Hegel thus aims to present the rational content of the natural drives in a systematic, purely spiritual manner in his philosophical ‘science of right’, to sublimate the dichotomy between natural drive and spiritual subjectivity (‘I’) and to present content and form in conceptual unity.

II. 3.10.3. Philosophy, psychology and facts of consciousness

For Hegel, philosophy accordingly takes the structure from the concept itself and describes it as the origin of willing. This, so Hegel, stands in contrast to the description that psychology provides since psychology describes the rational content of willing as ‘given’ by the natural impulses and fails to achieve the unity of form and content that philosophy aspires to: “The content of this science through every single one of its moments, e.g. right, property, morality, family, state, and so forth, may be expounded in the form: human beings have by nature the impulse towards right, also the impulse to property and morality, also the impulse of love between the sexes, the impulse to sociability, and so on. This form is to be found in empirical psychology.”³⁷⁶

For Hegel, empirical psychology observes that ‘such and such drives exist’ and that they are pursued ‘in such and such a way’ but it does not attempt to justify the impulses or their content. In contrast, Hegel’s philosophy aims to show that the impulses to do ‘such and such’ are themselves rational in virtue of forming part of the concept’s structure of self-determination.³⁷⁷ For example, the impulses to possess property, to engage in contractual agreements, to morally deliberate, to found a family etc. are justified because they are shown as part of the rational concept’s greater whole.

Hegel admits that not everyone understands philosophy’s task in this way. Instead, some simply claim that the impulses to will in a certain way are ‘facts of consciousness’ and therefore beyond justification: “But if in its stead the greater dignity of a philosophical dress is desired, then according to what, as was remarked before, has passed in recent times, and still passes, for philosophy, this dress may be had cheap by the simple device of saying that the human being

³⁷⁶ PR §19 remark: 40.

³⁷⁷ Hegel does this with regard to the institutions of abstract right, morality, family, civil society and the state in the *Philosophy of Right*’s §§ 33-360.

discovers within himself as a ‘fact of his consciousness’ that right, property, the state, and so on, are objects of his volition.”³⁷⁸

II. 3.10.4. Duties and rights

According to Hegel, the rational content of willing is ‘right’ and in virtue of its shared spirituality, the individual has *an individual right* — a ‘rational claim’ — to it: ‘We’ have a right to legal personhood, property, commercial activity, family life et cetera. However, this content is also a duty and demands allegiance and support from the individual: “Later in the book this same subject-matter, which appears here in the shape of impulses, will come on the scene in another form, i.e. in the shape of *duties*.”³⁷⁹

According to Hegel, ‘we’ thus also have the *duty* to found a family, become commercially active, support the state etc. and he maintains that with every right that one receives in virtue of being rational also comes the duty to respect that right of others. However, it also matters between what entities the right-duty relationship holds. For example, I might have a duty to go to war for the state but the state has no equal duty to go to war for me — although the state might have the duty to guarantee and defend my civil liberties.

II. 3.11. §20

II. 3.11.1. External universality

While the impulses are *inherently* particular, so Hegel, their systematisation or ‘purification’ brings them in contact with the formal — rather than concrete — universality of the ‘I’ and enables the pursuit of the overarching end of happiness: “When reflection is brought to bear on impulses, they are imaged, estimated, compared with one another, with their means of satisfaction and their consequences, and so on, and with a sum of satisfaction (i.e. with *happiness*). In this way reflection

³⁷⁸ PR §19 remark: 40, 41. Hegel seems to have primarily Schulze in mind whose sceptical doctrine of ‘facts of consciousness’ he extensively criticises in the *Phenomenology*. Cf. Forster 1998: 591ff.

³⁷⁹ PR §19 remark: 40, 41.

invests this material with formal universality and in this external manner purifies it of its crudity and barbarity.”³⁸⁰

Hegel argues that on the basis of reflection, the ‘I’ carefully arranges the impulses to nourish, compete, procreate, creatively self-realise etc. in order to achieve the overarching and more universal end of its own happiness. Delayed gratification and re-routing of immediate desires are means to achieving long-term peace of mind rather than instantaneous pleasure and avoidance of pain. For Hegel, such universality of happiness is ‘formal’ rather than impulse-inherent because it is not rooted in the impulses themselves but resides in the activity of the impulse-external and formal ‘I’. In contrast to this measured realisation, so Hegel, the unguided impulse is crude and barbarous since it blindly posits its own particular satisfaction as absolute and thereby radically contradicts the ‘I’'s universality. According to Hegel, the ‘I’'s thought-based ability to withstand the impulses’ demands is the product of a process of cultivation called ‘education’: “This growth of the universality of thought is the absolute value in *education* [*Bildung*]”.³⁸¹

Reflecting, thinking and self-disciplining, so Hegel, enable the individual to get to know its impulses, their relative strength and their struggles. Only on the basis of such knowledge can it master the impulses to a degree sufficient for permitting the pursuit of happiness. On this view, education is a necessary part of this development since it teaches us to think and it enables us to identify the universal end of happiness as the supreme end that is to be preferred over the short-term goals set by the impulses in their most immediate form.

II. 3.11.2. §20 Addition

The addition to §20 emphasizes the dimension of universality that happiness introduces into immediate willing: “In happiness thought has already a mastery over the natural force of impulses,

³⁸⁰ PR §20: 41.

³⁸¹ PR §20: 41.

since the thinker is not content with the momentary but demands a whole happiness. This requirement is connected with education in that it is education which vindicates a universal.”³⁸²

Education thus teaches the individual to grasp the universal and to prioritise it over the particular. Insofar as happiness is a ‘whole’ rather than a particular, it participates in the universality of thinking. However, in spite of its greater universality than impulsive particular willing, the addition to §20 suggests that the pursuit of happiness is neither the ultimate goal of thinking nor of education. This is due to happiness’s lack of proper universality: “In the Ideal of happiness, however, there are two moments: (i) a universal which is superior to all particularity; but (ii) since the content of this universal is still only universal *pleasure*, there appears here once again the singular, the particular, i.e. something finite, and a return must therefore be made to impulse.”³⁸³

This suggests that happiness is a greater and more universal end than the specific impulses’ immediately given and unreflected content. To a degree, happiness thus overcomes particularity since it denies the particular impulses’ demand to short-term satisfaction. However, the happiness of the particular individual still *depends* on this individual’s particularity insofar as it takes the particular impulses as *content* or *material*. This renders happiness *particular* insofar as it is specific to the particular individual whose impulses are ordered. This particularity remains the basis and ground for the universality-oriented reflection of the ‘I’: “Since the content of happiness lies in everyone’s subjectivity and feeling, this universal end is for its part particular, and consequently there is still not present in it any genuine unity of form and content.”³⁸⁴

‘My happiness’ so the addition suggests, is always *mine* because it is defined by *my particular* impulses. Although happiness is *more* universal than the unstructured demands of the impulses, it is not *entirely* so and it thus structurally differs from the wholly universal subject. Even in the pursuit of happiness, both subject and object are mutually exclusive and therefore finite — there is no *true* infinity. This, so Hegel suggests, changes with the transition into the pursuit of *truth*. Here, the concept of the will has itself as object and Hegel begins its analysis in §21.

³⁸² PR §20 addition: 41.

³⁸³ PR §20 addition: 41.

³⁸⁴ PR §20 addition: 41.

II. 3.12. Chapter Conclusion

According to Hegel, Willkür is the will's 'being-in-itself' — it is one of the two moments that constitute the will's 'being in-and-for-itself' or the 'Idea'. While Willkür fails to articulate *all* there is to willing — it is not absolute —, it participates in truth since it is the Idea's *appearance*. Willkür is thus how willing is 'for us' — 'we' as self-conscious subjects pursue ever-changing ends that differ from our determining subjectivity.

The lack of Willkür's completeness relates to this difference between its moments of subjectivity and objectivity — since there is no necessary connection between willing subject and willed object, any content is as adequate as any other and the only available freedom — self-determination *to itself* — is the 'I's empty self-reference. From the perspective of Willkür, even the pursuit of the most rational ends is contingent and could be otherwise.

Nevertheless, the arbitrary individual is able to systematically arrange its impulses in order to pursue the long-term goal of happiness rather than the short-term satisfaction of the impulses. It achieves this by applying the universality of thought to its choice of ends. However, as long as the 'I' and the impulses are mutually exclusive, so Hegel, the 'I's universality remains content-external and the end of happiness remains as particular as the drives that inform them. The contingency of Willkür and its subject-object split is overcome in the Idea of right — the concern of chapter four.

II. 4. Chapter 4

Hegel account of Willkür in §§10-20 thus leads into the unity of ‘I’ and content: The self-determining universality (§21) of the Idea of the will. This is the concept of the will as subject that wills itself as object. Since it determines itself to itself only, it is independent, truly infinite (§22) and universal (§24). This negative unity also contains particularity — and is therefore not limited by it — and there is nothing absolutely ‘else’ or ‘other’ for it to depend on. Finally, the Idea’s universality also *contains* singularity — the concept’s syllogism overcomes the judgement-imposed separation of universal and singular and results in the Idea as their unity (§24).³⁸⁵ For Hegel, this Idea of the will is *true* (§23) since it is the unity of concept and Dasein and its subjective dimensions (§25) unite with its objectivity (§26) to obey its impulse to actualisation (§27). In the Idea, self-determination is objectified in seemingly Geist-external norms, institutions and practices and ‘we’ as self-conscious, finite agents are at best the appearance of this Idea. Insofar as ‘our’ actions express and promote self-determination, they qualify as supremely rational. In §§21-27, Hegel thus aims to provide what he promised in §1 — the logical structure of the Idea of the will *as Idea*.

II. 4.1. §21

II. 4.1.1. The transition into Idea

After discussing the will’s immediate form in §§10-20, Hegel begins §21 with a description of what he calls the ‘mediated will’ or ‘the Idea of the will’. This reconnects with his discussion in §1 and §2 and the introduction’s circle comes to the full. At this final stage of Hegel’s notion of the concept, the end of willing is not individual happiness or any other particular end. Rather, the

³⁸⁵ in the context of the Idea, ‘unity’ is negative rather than ‘positive’ or ‘posited’: “Since the Idea is (a) *process*, the expression of the Absolute as “the *unity* of the finite and the infinite, of thinking and being, etc.” is false [...]; for “unity” expresses an abstract, *quietly* persisting identity. And because the Idea is (b) *subjectivity*, that expression is equally false for another reason: “unity” there expresses the *In-itself*, the *substantial* [side] of the genuine unity. [...] But in the *negative* unity of the *Idea*, the infinite overgrasps the finite, thinking overgrasps being, subjectivity overgrasps objectivity.” (Enz §215 remark: 290).

concept of the will as subject becomes its own object.³⁸⁶ This transition reinforces the point that the *true* agent for Hegel is not the particular willing subject but rather the universal *concept* of the will. While this is not obvious at the stage of immediate willing where the agent is identified with the particular and finite ‘I’, the Idea of the will consists of the universal concept as subject *and* object.

For Hegel, this categorial change also marks the will’s transition from being in-itself to being in-and-for-itself. It arises out of the tension that is inherent in Willkür’s dichotomy between willing subject — ‘form’ — and willed object — ‘content’. This parallels the conflict that Hegel finds within ‘teleology’ and ‘purpose’ in general: “But in the realising of the purpose what happens in-itself is that the one-sided subjectivity is sublated, along with the semblance of an objective independence standing over against it. [...] [B]ecause the purpose con-cludes itself with itself by sublating the form-determinations, the form is posited as identical with itself, and hence as content—so that the Concept, as the activity of the form, has only itself for content. [...] [T]he unity in-itself of the subjective and the objective is now posited as being-for-itself. [This is] the Idea.”³⁸⁷

In the Idea, the ‘concept’, ‘formal universality’, ‘indeterminate subject’, ‘for-itself’, subject, ‘I’, or ‘form’ of immediate willing finds that the willed ‘content’ is itself, the subject *as* object. Consequently, the dimension of the will’s ‘for-itself’ *incorporates* the will’s ‘in-itself’ and becomes the will that is ‘in-and-for-itself’, the Idea or ‘truth’ of willing: “The truth, however, of this formal universality, which is indeterminate for itself and finds its determinacy in the material mentioned in § 20, is *self-determining universality*, the will, freedom. In having universality, or itself *qua* infinite form, for its object, content, and aim, the will is free not only *in* itself but *for* itself also; it is the Idea in its truth.”³⁸⁸

At the stage of immediate willing, so Hegel, the indeterminate subject or ‘formal universality’ — the ‘I’ — is only determinate in virtue of the content that differs from it. In

³⁸⁶ PR §21 notes: 73 (Suhrkamp).

³⁸⁷ Enz §212: 285, 286. The key categories on the way to the Idea such as judgement, syllogism, object etc. will be discussed in the context of the following paragraphs.

³⁸⁸ PR §21: 41. cf. “Our business here is to consider world history in relation to its ultimate end; this ultimate end is the intention which underlies the world. We know that God is the most perfect being, he is therefore able to will only himself and that which is of the same nature as himself. God and the nature of the divine will are one and the same thing; it is what we call in philosophy the Idea.” (LPWH: 46).

contrast, at the stage of the Idea, the determination is an aspect of the same entity that determines — the concept is thus both, subject *and* content. Consequently, the object of willing is just as universal as the subject of willing and ‘both’ are rational. Since the concept has itself as object, it is ‘for itself’ and insofar as the concept is the will and freedom, in the Idea, freedom wills freedom. As was the case with Willkür, if the subject were the particular agent or ‘I’, its self-willing would result in emptiness. However, since now, the subject is the universal concept that is objectified in form of norms, institutions and practices, its self-willing is contentful.

II. 4.1.2. Idea and happiness

Hegel argues that the ‘Idea of the will’ differs from the uncritical acceptance of sensuously given material and from the reflective will, where subject and object are different: "(i) When the will’s self-consciousness takes the form of desire and impulse, this self-consciousness is *sensuous*, just as sensation in general denotes externality and therefore the condition in which self-consciousness is external to itself. (ii) When the will is *reflective*, it contains two elements—this sensuous moment and the universality of thought. (iii) When the will is will *in and for itself*, then it has for its object the will itself as such, and so the will in its sheer universality—a universality which is what it is simply because it has superseded [*aufgehoben*] in itself the immediacy of natural desire and the particularity which is produced by reflection and with which such desire *eo ipso* becomes imbued.”³⁸⁹

When a self-conscious agent wills something based on desire or impulse, so Hegel, he is not ‘in control’ of his willing. Rather, he — as ‘I’ — is ‘out of himself’ [*ausser sich*] and fails to live up to the self-consciousness and singularity-inherent standard of ‘being able to negate any impulse’. In other words, he ‘allows’ the impulse to dominate him. Since the thinker is defined by singularity, this means that he fails ‘to be with himself’ *as self-conscious, singular agent*. By

³⁸⁹ PR §21 remark: 41, 42.

‘forgetting’ its power of negation, the subject forgets itself — the content obliterates the subject’s awareness of its ability to negate the content.

For Hegel, the willing self-consciousness restores control over the impulses by reflecting on its ends — and thereby returns to itself. The content of willing is not only sensed or felt — as hunger/thirst/lust are felt — but it is reflected on, or thought about. ‘I’ might feel the impulse to eat a whole cake but I reflect on that desire and decide not to do so because my overall goal of happiness might be harmed in virtue of the damage to my health that eating the whole cake entails. By means of reflection, I distance myself from the content and allow the concern with the more universal goal of happiness to overrule the momentary desire for sensual indulgence. In that case, I do not simply will but I will reflectively, ‘I’ think about the goal of my willing and rationally accept or deny it.

In contrast to the form of Willkür, the will that is in and for itself wills its own universality for its own sake — all other particular determinations are merely means to the achievement of the end of self-determination. By means of sublation, the particularity of desire and the impulses is absorbed into the concrete universality of the concept.³⁹⁰ Now, rationality has become its own end — willing subject and willed content are part of the Idea.

II. 4.1.3. The content is Idea-internal

Hegel argues that since the Idea contains subject *and* content, it also incorporates an element of ‘otherness’ or of ‘difference within’. This internal difference is the key to the Idea’s dynamic nature: “The Idea is the course in which the Concept (as the universality that is singularity) determines itself both to objectivity and to the antithesis against it”.³⁹¹ If it was not for this ongoing dialectic between subject and object within the Idea, so Hegel, the Idea would merely be the uninformative and undifferentiated identity of the understanding: “Formal identity or identity-of-

³⁹⁰ cf. “[When Hegel speaks] of the will as [truly] universal, he is not thinking of the universal as a common character, nor is he thinking of it as the abstract universality which stands outside the individual. [...] Rather, he is thinking of the *concrete* universal, and he adds that the universal of which he speaks—the universal which is in and for itself—is that which is generally called ‘the rational’ (*das Vernünftige*)” (Parkinson 1985: 162).

³⁹¹ Enz §215: 290.

the-understanding is this identity insofar as one holds onto it firmly and abstracts from distinction. [...] Thus the principle of identity reads: “Everything is identical with itself, $A = A$ ”.”³⁹²

In contrast, the Idea contains determinateness as a moment of difference *within* its own identity.³⁹³ Since determinateness is *part* of the Idea, the willing subject refers to it *as a form of itself*. This means that descriptions of particular subjects that pursue subject-external ends fall short of the Idea. While the subject-object split that defines such behaviour is characteristic of teleology, a similar structure can be found in the categories of ‘existence’ and ‘appearance’. This is relevant insofar as Hegel regards Willkür or the finite pursuit of ends as the will’s *existence* or *appearance* (see §8).

In the *Encyclopedia Logic*, Hegel thus describes how the thought that something ‘exists’ leads to the further thought that this existence has a ground that is beyond itself. Consequently, what exists is the existence *of something*. As such, it is the external *appearance* of something internal: “[E]xistence, since it does not have its ground within itself but in an other, is [...] appearance.”³⁹⁴ For Hegel, the entity of which the existing is the outside, remains ‘within’ or ‘behind’ the existence. The thought that there is something else of which the existence is the outside, is that something ‘appears’ and Willkür is this ‘appearance’ with respect to willing. The thought of finite individuals that pursue specific ends leads to the question what the rationale, reason or ground *behind* such activity might be.

This entails that willing individual subjects are the *outside* of the real reason *behind* their activity. It is this ‘real’ reason of appearance, so Hegel, that thinking turns to next. Instead of the *appearance*, we want to comprehend the inner rationale that lies ‘behind’ appearance and how it expresses itself *in* appearance. Once we realise that there is something on the ‘inside’ that expresses itself externally — something appears —, we realise that we are actually interested in this ‘something’ *and* its appearance. We want to know the unity of ‘inside’ and ‘outside’ — and thus the unity of the ‘reason for finite activity’ and of finite activity itself. Hegel argues that this unity is

³⁹² PR §21 remark: 41, 42.

³⁹³ PR §21 notes: 73 (Suhrkamp).

³⁹⁴ Enz §131 addition: 200.

expressed in the category of ‘actuality’: “Actuality is the unity, become immediate, of essence and existence, or of what is inner and what is outer.”³⁹⁵

For Hegel, actual willing thus is the willing of what is necessary. Individual subjects pursue the ends that reason dictates: they will family, abstract right, morality and ethical life. The agents are identical with their ends insofar as the ends correspond to their rational essence and ‘actuality’ is accordingly the final determination of ‘essence’ that assigns rationality to subject *and* object.³⁹⁶ However, in spite of the necessary connection between willing subject and willed end that actuality implies, actuality for Hegel still contains a contradiction between the outer difference and inner identity of its elements or ‘terms’: the willing subject and the willed end are still *different*. Actuality thus falls short of expressing their internal *and* external identity. This is achieved in the transition from actuality’s necessity to the freedom of the concept: “The process of necessity is the overcoming of what is present at first as rigid externality, so that its inwardness is revealed. What this process shows is that the terms that appear initially to be bound together are not in fact alien to one another; instead, they are only moments of *one* whole, each of which, being related to the other, is at home with itself, and goes together with itself.”³⁹⁷ It is this structure of freedom or the concept that Hegel thinks leads through the category of judgement, syllogism and objectivity to the Idea.³⁹⁸

II. 4.1.4. Examples and appearance

Independently of the subtleties of the logical transitions from ‘existence’ to the ‘Idea’, Hegel sees examples of rational willing that rely on a notion of particular willing subjects to be situated at the categorial stage of ‘existence’ or ‘appearance’. For him, they do not describe the Idea as *Idea* but rather describe the Idea as *appearance*.

³⁹⁵ Enz §142: 213.

³⁹⁶ The category of actuality also informs the preface’s *Doppelsatz*: “What is rational is actual and what is actual is rational.” (PR: 14). For a detailed discussion of this dictum and the difference between ‘actuality’ and ‘existence’ see Stern 2009: 81-116.

³⁹⁷ Enz §158 addition: 232.

³⁹⁸ Enz §213: 286.

One might wonder whether Hegel thinks that finite actions that are part of the Idea's appearance have to be altruistic or self-negating? Hegel seems to deny this. Instead, he argues that truly rational individuals find their own happiness in doing what supports or increases universal self-determination. While they have particular desires and needs that have to be catered for beyond the pursuit of universal self-determination, these are arranged to be compatible with such a pursuit.

However, so Hegel, by pursuing their own happiness rationally, individuals unwittingly articulate the Idea of right by supporting or furthering a free social order. For the notion of motivation, this means that the agent who consciously strives to contribute to the universal end of self-determination is more free than the agent who is bound by and exclusively concerned with his own particular ends. The agent who *knowingly* pursues universal self-determination is accordingly a more 'true' manifestation of the Idea of willing than the one who does so in ignorance but such subjective awareness need not be part of the action to render it ideal.

II. 4.1.4.1. The ethical apple

Hegel thus argues that the pursuit of particular ends can be *part* of the pursuit of universality if the former is a means to the latter. For example, I may decide to eat an apple because I happen to be hungry and thereby sustain my life. In that case, I am immediately, or naturally determined. However, I may also decide to eat an apple because doing so contributes to my own happiness as a set of ordered preferences. It might satisfy my desire to have a balanced, healthy diet, which decreases the probability of my falling ill. In that case, it is reflective thought rather than immediate desire that motivates me to eat the apple.

However, Hegel also suggests that I can think beyond happiness and decide to eat an apple because doing so supports the institutions of right, morality and ethical life. For example, I might be a civil servant that needs to eat in order to serve a rational state and it turns out that staying active and healthy by eating an apple is a suitable way of going about this. Or I might decide that eating this particular apple in this moment is the best way of pursuing my goal of engaging in moral

reflection and of pursuing my goal of becoming a more moral agent. Or I might consider that eating this apple now will help me to achieve the goal of taking better care of my family, or allow me to engage in civil society or ultimately, support the institution of the rational state. In the light of this interconnectedness, even the most universal end is connected to particular requirements — at least to that of the agent’s self-subsistence: “Even in the purest rightful, ethical and religious will, which has only its concept, freedom as its content, there also lies the individualisation into a this, to something natural. This moment of individuality must obtain its satisfaction even in the execution of the most objective purposes; I, as this individual, do not wish, nor ought I, to perish in the execution of the purpose. This is my interest.”³⁹⁹

Hegel thus argues that as opposed to the arbitrary subject’s purely indeterminate self-determination to itself —Willkür’s first moment of pure universality —the concept’s freedom — its self-determination to itself — is not empty. From the perspective of the Idea’s appearance, the free individual does not will nothing but it wills the ‘Dasein’ of the norms, institutions and practices that articulate the concept of the will. It thereby affirms their existence, brings them into Dasein and ‘animates’ them with its *thoughtful* willing.

II. 4.1.5. Thinking and the choice of ends

For Hegel, it is thus by means of thinking that the willing subject orders, embraces or rejects the determinations of his willing. In the process of thinking about and reflecting on the content of our willing, ‘we’ as self-conscious agents are guided to comprehend that the pursuit of the most general purpose is the most rational and highest available end. For Hegel, it is only in virtue of thinking that the individual can guide his willing towards the unity with the universal will: “But this process of supersession or elevation to universality is what is called the activity of thought. The self-consciousness which purifies its object, content, and aim, and raises them to this universality effects

³⁹⁹ Enz §475 addition: 213.

this as thinking asserting itself in the will. Here is the point at which it becomes clear that it is only as thinking intelligence that the will is genuinely a will and free.”⁴⁰⁰

According to Hegel, the Idea’s unity of subject and object is a unity of thought with itself — the universality of thinking expresses itself in the subject’s choosing of an end insofar as this choice is informed by thinking. However, this also entails that thought and its universality is present in the end itself — its existence *as end* is based on thinking and therefore has universal value. For example, ends like the law-abiding pursuit of financial gain or jury service require thought for their formulation and in this sense, the universality of thought is in the subject *and* in the end. However, while it is thinking as the activity of self-conscious individuals that enables them to be part of the Idea’s appearance, the real agent ‘within’ the individuals’ actions remains the universal and singular *concept* of the will.

II. 4.1.6. Freedom and the slave

This concept, so Hegel suggests, can also express itself imperfectly. Consequently, there are individuals that fail to think and that do not embody or comprehend their own capacity for self-determination. They are ‘slaves’: “The slave does not know his essence, his infinity, his freedom; he does not know himself to be an essence; and he lacks this knowledge of himself because he does not think himself.”⁴⁰¹

The slave’s failure to think of himself as self-determining entails that he fails to properly self-determine and vice versa. In order to *be* self-determining, the slave would have to subjectively think what he objectively is — a self-determining being. This is prevented by the master’s will’s domination of the slave’s will. Since the slave is dependent, he cannot think of himself as independent since he is not. If being implies thinking, when I think that I am not self-

⁴⁰⁰ PR §21 remark: 42.

⁴⁰¹ PR §21 remark: 42. Hegel’s phrasing here suggests that ‘being’ follows ‘thought’. If the slave only thought himself (as free), his being would follow the thought and he would become free. This suggests that the unity of being and thought is not a ‘static’ but rather a ‘dynamic’ or ‘procedural’ one. This is exemplified by the Idea: “But in the *negative* unity of the *Idea*, the infinite overgrasps the finite, thinking overgrasps being, subjectivity overgrasps objectivity. The unity of the Idea is subjectivity, or thinking or infinity, and therefore it has to be essentially distinguished from the Idea as *substance*, just as this *overgrasping* subjectivity, thinking, or infinity has to be distinguished from the one-sided subjectivity, thinking, or infinity, to which it reduces itself in judging and determining.” (Enz §215 remark: 290).

determining, I am not. Likewise, when I depend on a master, I cannot think myself as self-determining since ‘thinking’ for Hegel implies that reality and thought are *one* — I am free when I think myself so and when I think myself free, I am: “[Intelligence] is for itself intrinsically cognitive; intrinsically the universal; its product, the thought, is the thing; simple identity of the subjective and the objective. It knows that what is thought, is; and that what is, only is in so far as it is a thought”.⁴⁰²

Hegel seems to suggest that while the actual oppression of the slave prevents him from thinking of himself as self-determining, such oppression is also the result of the slave’s failure to emancipate himself. A slave is not just a slave just because he is physically forced to pursue someone else’s ends. He is also a slave because he does not choose to kill the master, run away or bring about social reform with the end of abolishing slavery. Whether one was a house-slave or a gang slave, in either case one cannot determine and pursue one’s own ends *entirely*. Whether the slave likes his work, master and general social status does not change the fact that he or she is at someone else’s whim. Hegel thus argues that if the slave is not discontent with his status, he *should* be so since his status contradicts his very human nature.

Insofar as Hegel takes thinking to grasp the universal as it is embedded in real entities,⁴⁰³ and the slave fails to grasp his own universal essence of self-determination, the slave thus fails to think. This also means that as soon as the slave asserts his ability to self-determine, he ceases to be a slave. In that case, he appropriates all the ends of his willing and only pursues what he determines himself to. These ends might still coincide with those that the master formulated but now, the former slave pursues them *because* he determined himself to do so. Once the former slave thinks of himself as self-determining, he *is* self-determining and while some individuals are *by nature* less able to self-determine than others —these might be called ‘natural slaves of their passions’ — for Hegel, every spiritual being has the ability to self-determine *in principle* and should aim to lead a life that allows him or her to exercise this ability to the highest possible degree.

⁴⁰² Enz §465: 202.

⁴⁰³ Inwood 2007: 515 notes to Enz §465.

Does this mean that slaves cannot be moral, ethical or do the right thing? According to Hegel, this seems to be the case insofar as moral and ethical action presupposes thoughtful self-determination. As long as the agent does not think and determines himself to pursue a certain end, he lacks the subjective aspect of self-determination that is a necessary condition for free agency. Even if the slave is forced to adopt his master's ends and these happen to be chosen ethically, the slave would not know himself as having chosen these ends for himself. The slave can thus only become a truly ethical actor as soon as he thinks of himself and his actions as self-chosen, universal and therefore ceases to be a slave.

As opposed to the slave, so Hegel, the free agent affirms his identity of being part of the concept, determines himself and knows and thinks himself as having chosen his ends. The agent's self-knowledge *as a free subject* thus *implies* free self-determination. The individual's true freedom is the unity of self-knowledge and of self-determination and they are the mark of and condition for a rational social order: "This self-consciousness which apprehends itself through thinking as an essence, and thereby frees itself from the contingent and the untrue, is the principle of right, morality, and all ethical life."⁴⁰⁴

II. 4.1.7. Right, morality and feelings

Since Hegel takes thought to be the condition for rational self-determination, he considers any attempt to disconnect the two as flawed: "Philosophical utterances about right, morality, and ethical life from those who would banish thought and have recourse instead to feeling, enthusiasm, the heart and the breast, are expressive of the utterly contemptible position into which thought and philosophical science have fallen, because what this amounts to is that even philosophical science itself, plunged in self-despair and extreme exhaustion, is taking as its principle barbarity and absence of thought, and would do its best to rob humanity of all truth, worth, and dignity."⁴⁰⁵

⁴⁰⁴ PR, §21 remark: 42.

⁴⁰⁵ PR, §21 remark: 42.

This reiterates Hegel's claim that right is the product and presence of thought rather than feeling. Although the outcome of a thoughtless action might be conducive to the achievement of a certain goal, for example the creation of a more free social order, this is not enough to render the action moral or ethical. Similarly, a well-intentioned end is not enough to make an action ethical. Although one might have moral reasons for choosing a certain end, it takes the objectification of an ethically chosen end to make an ethical deed. Although agents can choose to do the right thing on an emotional basis, it is *thinking* that elevates their ends to the level of universality. While natural feelings guide us to the satisfaction of our particular desires and attempt to domineer over our spiritual nature, universality and necessity-oriented thought frees us from their rule. As long as feeling is the motivation for pursuing a certain end, so Hegel suggests, it contains a contingency that is absent in the case of thought-informed action.

Hegel thus thinks that the objectivity of the moral and ethical standard is lost when it is based on particular insight, feeling or inspiration. For example, if feeling were the basis of moral action, an action would be justified in virtue of how the agent happens to feel. There would be no objective criterion on the basis of which he could be blamed for feeling in a certain way. Thus, even if one claimed that the ultimate criterion for ethical worth was the presence of a universally acknowledged feeling — for example compassion — it would be a matter of chance or contingency as to whether this feeling was present in an agent's mind or not. Hegel's category of Geist aims to eliminate such contingency by providing a truly universal basis for mental phenomena.

II. 4.1.8. §21 Addition: Circularity

In the addition to §21, Hegel gives another reason for the will's circular structure: "Truth in philosophy means that concept and reality correspond. For example, the body is the reality, while the soul is the concept".⁴⁰⁶ While the category of 'reality' is a determination of 'Dasein' and is situated within the logic of 'being',⁴⁰⁷ and although the concept is situated in the more concrete

⁴⁰⁶ PR §21 addition: 42.

⁴⁰⁷ Enz §91: 147.

‘logic of the concept’,⁴⁰⁸ both reality and concept are here referred to as being aspects of the same Idea.⁴⁰⁹

According to Hegel’s *Logic*, ‘reality’ is the part of qualitative being that is, rather than that part, which is not. It thus refers to the world *as being*, rather than as non-being: “As determinacy that [simply] is vis-à-vis the negation which it contains but which is distinct from it, quality is reality.”⁴¹⁰ Like ‘Dasein’, ‘reality’ is the element of objective presence that complements the concept’s abstract singularity. The union of reality and concept contains the aspiration to mutual adequacy: “[B]ut soul and body ought to be adequate to one another. Therefore a corpse is still an existent, but its existence is no true existence; the concept has left it; and for this reason a dead body putrefies.”⁴¹¹ For Hegel, reality can thus ‘contain’ truth or lack it, depending on whether it is animated by the concept or not.

With regards to Hegel’s will, reality can be described as a self-determining socio-political whole. Here, the end of willing — the concept’s objectivity — is adequate to the willing subject — the concept — since both are freedom: “So a will is truly a will only when what it wills, its content, is identical with itself, when, that is to say, freedom wills freedom.”⁴¹²

II. 4.2. §22

While Hegel argues in §21 that the Idea of the will is self-referential, he associates it with true infinity in §22. Since there is no absolute difference between subject and object, the Idea avoids their mutual limitation. Its infinity is *actual* since its self-determination *to itself* contains content.

⁴⁰⁸ Enz §160: 236.

⁴⁰⁹ See discussion of §1.

⁴¹⁰ Enz §91: 147.

⁴¹¹ PR §21 addition: 42.

⁴¹² PR §21 addition: 42.

II. 4.2.1. Circular infinity

For Hegel, the concept's reference to itself *as object* is circular and therefore infinite: "It is the will in and for itself which is truly infinite, because its object is itself and so is not for it an 'other' or a limitation; on the contrary, in its object this will has simply turned back into itself."⁴¹³

This differs from the empty infinity of Willkür's I — the self-referring wilful I is without content. In contrast, the Idea of the will is self-referential and thus circularly infinite *and* contentful. While the I is limited in virtue of being different from the determination or particularity, the Idea is 'limited' only by itself and is therefore not limited at all. What appears to limit the concept — namely its objectivity — turns out to be the concept itself.

In virtue of referring to itself as object, the concept of the will thus forms a circle and is not understanding's endless linear progression: "Infinity has rightly been represented figuratively as a circle, because a straight line goes on and on for ever and denotes the purely negative, bad infinite which, unlike the true infinite, has no return into itself."⁴¹⁴ It is thus in virtue of its self-referentiality, so Hegel, that the will's structure is truly infinite or circular.⁴¹⁵

II. 4.2.2. Finitude and infinity

One might here object that if it is not limited by finitude, circular infinity could nevertheless be limited by linear infinity. This would render circular infinity to be 'what linear infinity is not' and one would understand it *in contrast to* linear infinity. In that case, circular infinity would be 'what is not truly infinite'. However, Hegel argues that the notions of 'linear infinity' and 'finitude' rely on a different kind of thinking than *true* infinity does. He thus maintains that the conception of a *difference* between linear infinity and true infinity is a product of the faculty of understanding. This means that one can *understand* that linear infinity is 'not true infinity' and vice versa.⁴¹⁶

⁴¹³ PR §22: 42.

⁴¹⁴ PR §22 addition: 43.

⁴¹⁵ See e.g. Houlgate 2006: 423.

⁴¹⁶ Houlgate 2006: 405, 406 and Houlgate 2006: 423.

Yet, this does not amount to speculatively grasping the meaning of *true* infinity.

According to Hegel, while the notion of true infinity relies on the understanding of linear infinity and finitude, it is neither exhausted by either one nor can it be directly compared to them and it is also not merely the sum of linear infinity and finitude. Instead, so Hegel argues, true infinity is the dynamic mutual negation of finitude and linear infinity *within one category*. Like the mutual dialectical negation between ‘universality’ and ‘particularity’ constitutes ‘singularity’, so the moments of ‘finitude’ and ‘linear infinity’ are preserved *and* negated in ‘true infinity’. It is in virtue of its dynamic rather than determinate or ‘static’ character that true infinity cannot be *understood* — nor can one describe in *determinate* terms *what it is like* to think true infinity.

For Hegel, this means that ‘understanding’ as the mode of thought that allows for the defining of something in contrast to something else fails to apply in the act of grasping true infinity and its relationship to finitude and linear infinity. This means that linear infinity, finitude and true infinity are not on the same logical plane. Rather, true infinity is ‘higher’ or, if seen as origin of finitude and linear infinity, it is more ‘basic’ than them — it contains them *within* an overarching, negative unity.

Consequently, when one thinks true infinity speculatively, so Hegel, the thought of limitation ceases to apply and accordingly fails to support the charge of limitation against true infinity. Since *true* infinity is of a different logical nature than finitude and linear infinity, it escapes comparison. Since the very thought of ‘limitation’ fails to apply to true infinity, it cannot be limited by linear infinity, finitude or anything else.

II. 4.2.3. §22 Remark - Understanding and infinity

While the understanding is unable to conceptualise true infinity, so Hegel maintains, it is able to define a notion of linear infinity as ‘that which is not finite’. Insofar as ‘to understand something’ means to form a finite representation of it, the ‘infinite’ is by definition that which is not finite and thus ‘not understandable’. Like the never-ending chain of prime numbers, linear infinity is

constantly ‘beyond’ understanding and its finite delineation and is the only notion of infinity available to the understanding:

“Since the understanding takes the infinite only as something negative and so as something ‘beyond’, it supposes that it is doing all the more honour to the infinite, the more it pushes it into the distance away from itself and removes it from itself as something alien.”⁴¹⁷

According to Hegel, the infinity of the understanding thus consists in the positing of a limit and the subsequent negation of this limit. Since the negation and the original limitation are not conceptually *united*, the understanding never escapes the sequence ‘positing-negating-positing-negating...’ and every negation just pushes limitation one level further.

Hegel maintains that this infinity is only ‘unlimited’ in the sense of ‘*not* being limited’. Since it is the mere negation of limitation, it is still conceptually indebted to it. Consequently, the linear infinity of the understanding cannot be understood *positively* as this would amount to describing its content within positive limits while by definition, linear infinity is the very negation of limitation. This entails that every time the understanding wants to *contain* linear infinity by delineating it, linear infinity questions such very delineation. While it is possible to understand what it means for there to be an infinite amount of prime numbers as something negative — namely the absence of a finite amount — one cannot think the set of all prime numbers *in its infinity*.⁴¹⁸

As opposed to understanding’s linear infinity, Hegel’s *truly* infinite is not something ‘beyond’ the world of finitude or its mere negation. Rather, it is constitutive of finitude and *contains* the dimension of ‘finite *Dasein*’: “In the free will, the truly infinite becomes actual and present; the free will itself is this Idea whose nature it is to be present here and now.”⁴¹⁹ This suggests that the positive presence of the will’s true infinity in the world can only be grasped in the act of speculation: the world — reality, existence, actuality, objectivity — is grasped as the product of the concept’s infinity. At this stage, the difference between concept — abstract circular infinity

⁴¹⁷ PR §22 remark: 43.

⁴¹⁸ Houlgate 2006: 418.

⁴¹⁹ PR §22 remark: 43.

— and world —finitude — disappears: “In the free will, the truly infinite becomes actual and present; the free will itself is this Idea whose nature it is to be present here and now.”⁴²⁰

II. 4.2.4. Potentiality and emptiness

For Hegel, the Idea of the will is thus actual, concrete and objective. As opposed to the merely abstract will of the arbitrarily willing individual, the Idea thus *contains* rather than confronts objectivity: “Further this will is not mere possibility, predisposition, capacity (*potentia*), but the *infinite in actuality* (*infinitum actu*), since the concept’s existence or its objective externality is inwardness itself.”⁴²¹ Similarly... “The free will is truly infinite, since it is not just a possibility and a predisposition. On the contrary, its external existence is its own inwardness, is itself.”⁴²²

Consequently, the ‘content’ or the ‘external world’ that Willkür’s ‘I’ confronts now *forms part of* the will itself. Like ‘universality’ and ‘particularity’ are contained within ‘singularity’, so the subjective moment — the agent — of the will unites with its objective moment — world — in the Idea. This means that the distinction between willing subject and objective world is sublated into a higher-order conceptual unity. Whereas the will that was in-itself — Willkür — juxtaposed an actually or potentially self-referential ‘I’ with a determined external world, Hegel’s will that is in-and-for-itself faces only itself.

II. 4.2.5. ‘For-itself’, ‘in-itself’ and otherness

This transition provides an opportunity to compare the concept of the will’s stages as Hegel discusses them in sequence. He thus argues that at the stage of *immediate* willing — Willkür—, the willing subject ‘I’ is indetermined and empty when it determines itself *to itself* in form of otherness.⁴²³ Although the will’s *content* is here also the concept, it is merely the concept ‘in-itself’.

⁴²⁰ PR §22 remark: 43.

⁴²¹ PR §22: 42.

⁴²² PR §22 addition: 43.

⁴²³ ‘Wilfulness’ might be a better translation for ‘Willkür’ insofar as it makes the connection between ‘will’ and immediate willing (Willkür) more obvious. Willkür is but a form of the will, not an unrelated logical determination.

In Willkür, the immediate concept thus confronts its own content as ‘other’ and relates to itself in the form of ‘being-in-itself’.

Hegel suggests that as long as the ‘I’ determines itself *to itself as something else*, it remains dependent on its ‘otherness’. Consequently, the ‘I’'s freedom in the sense of ‘*self-reference to itself*’ is never *actual* but always merely *possible*. As soon as the ‘I’ commits to a determinate content, it loses its self-determination *to itself* and thereby its freedom. In the will’s third stage of the Idea, the ‘I’ has ‘absorbed’ or ‘united with’ the content and the world. Like in the first stage, its self-determination is a determination *to itself*. However, now it is self-aware, contentful and constitutive of actuality.

In the Idea, so Hegel claims, the difference between self-referring subject and external world is sublated and the subject refers to itself in the form of the world. What appeared *different* at the stage of Willkür — for example nature, the impulses, the external world — is now grasped as being identical with the willing subject — the impulses are rationalised and nature is sublated in Geist. In the *Idea* of right, the formerly external world has thus become part of Geist ‘as a second nature’ and is now the existence of the concept itself. If the subjective dimension of willing — namely the ‘I’ — was formerly the ‘inside’ and the world was the ‘outside’, then the externality of the objective world has merged with the inwardness of the willing subject: “[The free will’s] external existence is its own inwardness, is itself.”⁴²⁴ At this stage, the concept as agent is in-itself — substantive — *and* for-itself — self-referential.

II. 4.2.6. Understanding and speculation

What makes the description of this negative unity especially difficult is a phenomenon similar to the above-mentioned thought of true infinity, namely the phenomenon that Hegel describes as the difference between understanding and speculative thinking. While willing is the speculative unity of objective externality *and* subjective inwardness, so Hegel, the understanding refuses to unite these

⁴²⁴ PR §22 addition: 43.

two moments. Although the sentence “the concept’s outside is its inside” describes or shows a speculative thought, it does not express it *as such*. It rather points at it in form of three understandable propositions: 1. There is an outside 2. There is an inside 3. They are one. However, such an analysis falsely suggests the existence of absolute delineations that do not obtain in the speculative thought as such. Claims such as: “[B]ecause it is absolute negativity, the concept divides and posits itself as the negative or the other of itself; yet, because it is still immediate concept, this positing or this differentiation is characterized by the reciprocal indifference of its moments, each of which comes to be on its own; in this division the unity of the concept is still only an external connection.”⁴²⁵...cannot be ‘understood’ according to Hegel since they contain the maintenance *and* dissolution of finite determinations. The differences between the mentioned moments ought thus to be thought against the backdrop

II. 4.2.7. Willkür and the will in-and-for-itself

Hegel warns that in spite of their categorial difference, Willkür can be mistaken for the ‘truly’ free will: “Thus, if anyone speaks simply of the ‘free will’ as such, without specifically referring to the will which is free in and for itself, he is speaking only of the predisposition towards freedom, or of the natural and finite will [...], and not by any means therefore of the free will, despite his intention and the words he uses.”⁴²⁶

For Hegel, Willkür is merely a *disposition* towards freedom rather than being freedom itself because its subject fails to determine itself *to itself* in the process of self-determination. Since Willkür’s subject determines itself to something else — the content, world, end, impulse —, it is dependent on the thing to which it determines itself. In virtue of this dependency, it falls short of the true freedom that *contains* the determination as its own internal content.

Consequently, as long as one thinks of willing as Willkür, so Hegel, the will’s freedom or self-determination to itself cannot be grasped as *actual* but rather remains an unattainable ideal,

⁴²⁵ SL: 528.

⁴²⁶ PR §22 remark: 43.

‘ought’ or aim. This entails that the will that is only in-itself or arbitrary is rendered a mere *predisposition* towards freedom since it cannot be free *and* actual at the same time. Its self-determination is finite insofar as it is limited by the content it wills and its subjectivity ends where the content’s objectivity begins. In contrast, the *Idea* of the will *is* free since it depends on nothing but itself and infinite because there is nothing to limit it.

II. 4.3. §23

While Hegel associates the Idea of the will with true infinity in §22, he describes its independence in terms of the congruence of concept and Dasein §in 23.

II. 4.3.1. The will with itself

Hegel thus argues that at the stage of the Idea, the will’s dependency on something else is overcome. Subject, motivation *and* willed content are all rational *and* substantial. The concept of the will has itself *as object* and is ‘with itself’: “Only in freedom of this kind is the will with itself without qualification, because then it is related to nothing except itself and so is released from every relation of dependence on anything else.”⁴²⁷

At the stage of the Idea, so Hegel, there is nothing but this concept in its different moments. Since everything else is excluded, there is nothing else to refer to or to depend on. The subject finds itself in the content that is but an objective manifestation of itself. This eliminates contingency and Willkür’s arbitrariness since these rely on a *difference* between subject and object. Everything that was formerly thought to be given by nature- or by the particular self-conscious Geist, so Hegel, is now conceptualised as a manifestation of objective Geist itself.

This also entails that for Hegel, individual willing is something that takes place *within* the Idea’s negative unity. In other words, at the stage of the Idea, Hegel does not entirely *abandon* the ontology of particular willing subjects but rather describes it as forming part of the Idea’s

⁴²⁷ PR §23: 43.

manifestation. This means that for him, individual rational action can be described as participating in both, the subjective and the objective dimensions that complement each other to form the Idea. The concept of the will is thus not something ‘beyond’ or ‘more’ than what is articulated in the acts of willing individuals. Rather, it is that which *objectifies* itself in these acts of rational willing. While the *understanding* thinks the Idea as a manifold of different individual, finite actors, so Hegel, thinking the Idea guides speculative thought back to its unity. From its appearance as a manifold of particular individuals whose independence from the Idea is but an illusion or ‘semblance’, the Idea now connects with itself: “[The Idea] is the dialectic that makes this product of the understanding, this diversity, understand its own finite nature once more, makes it see that the independence of its productions is a false semblance, and leads it all back to unity.”⁴²⁸

II. 4.3.2. Individual action, nature and Idea

While one might accept that Hegel does not consider individual willing subjects to be fundamental to willing, one might still think that there must be something apart from the will — even at the ontological stage of the will that is in-and-for-itself. Although there is willing in the world, there is still for example nature as something that can not be explained in terms of willing. However, Hegel argues that while it might *appear* that there are merely natural phenomena at the stage of Geist, *in truth*, these are sublated *into* Geist:

“The shapes of nature are merely shapes of the concept — but in the form of externality. As stages of nature, its forms are grounded in [Geist]; but even where the concept concentrates itself in sensation, it is still not the being-with-itself of the concept as concept.”⁴²⁹ And.. “This is the transition from *the natural into* [Geist]; in the living thing, nature has completed itself and has made its peace by transmutating into something higher. [Geist] has thus emerged from nature. The end of

⁴²⁸ Enz §214 remark: 289.

⁴²⁹ Enz §376 addition: 539 (Suhrkamp). Author’s translation. Original: “Die Gestalten der Natur sind nur Gestalten des Begriffs, jedoch im Elemente der Äußerlichkeit, deren Formen zwar, als die Stufen der Natur, im Begriffe gegründet sind; aber auch wo dieser sich in der Empfindung sammelt, ist er immer noch nicht das Beisichsein des Begriffes als Begriffes.”

nature is to kill itself and thereby to break through its cortex of immediacy and the sensual, to burn itself as phoenix in order to emerge from this externality rejuvenated as [Geist]”.⁴³⁰

For Hegel, Geist and nature thus relate via identity and difference. They are *identical* insofar as both are manifestations of the Idea — nature as the Idea in its otherness, Geist as the Idea that has returned from its otherness. However, they also *differ* insofar as nature is the Idea that is merely in-itself while Geist is the Idea as in-and-for-itself. Since willing is a form of Geist, it contains nature sublated as an internal difference. Consequently, the ‘natural’ content — ‘impulses’ — of willing is only absolutely different from the willing subject at the immediate stage of ‘the will *in-itself*’ or ‘Willkür’. For the will that is in-and-for-itself, the content of willing is supplied by Geist — we do not pursue the satisfaction of impulses for their own or happiness’ sake but we pursue it for the sake of the demands of rationality. Our impulses have become means to the pursuit of the rational ends embodied in the existence and the demands of rational socio-political institutions.

II. 4.3.3. Truth

Hegel further argues that the Idea of the will as negative unity of subject and object is an instance of truth itself: “The will is then true, or rather truth itself, because its self determination consists in a correspondence between what it is in its existence (i.e. what it is as objective to itself) and its concept”.⁴³¹ At this final stage of its development, so Hegel argues, the will’s concept is thus identical with its objectivity. Like soul and body unite in the living person, so Hegel’s concept as universal willing subject and the willed content as object unite in the *Idea* or ‘truth’ of self-determination. In general, Hegel thus describes truth as this unity of existence and concept: “The

⁴³⁰ Enz §376 addition: 538 (Suhrkamp). Author’s translation. Original: “Dies ist der *Übergang des Natürlichen in den Geist*; im Lebendigen hat die Natur sich vollendet und ihren Frieden geschlossen, indem sie in ein Höheres umschlägt. Der Geist ist so aus der Natur hervorgegangen. Das Ziel der Natur ist, sich selbst zu töten und ihre Rinde des Unmittelbaren, Sinnlichen zu durchbrechen, sich als Phönix zu verbrennen, um aus dieser Äußerlichkeit verjüngt als Geist hervorzutreten.”

⁴³¹ PR §23: 43.

Idea is what is true in and for itself, the absolute unity of Concept and objectivity.”⁴³² The Idea of the will is thus both, concept and object — it is all of objectivity that is animated by the concept.

Consequently, so Hegel argues, all actual or rational willing by individual agents is result and part of the Idea: “[E]verything that is actual is the Idea inasmuch as it is something-true, and it has its truth only through the Idea and in virtue of it.”⁴³³ At the stage of the Idea, the difference between willing subject — ‘subjectivity’ — and willed objects — ‘actualities’ — that is implicit in Willkür is sublated in the Idea: “The singular being is some side or other of the Idea; that is why other actualities were needed for it — actualities which likewise appear to subsist distinctly on their own account. It is only in all of them together and in their relation that the Concept is realised.”⁴³⁴ The merely individual or singular agent accordingly falls short of the Idea of the will’s universal singularity — while the Idea is infinite, the particular agent is finite: “By itself the singular does not correspond to its concept; this restrictedness of its way of being constitutes its finitude and its fall.”⁴³⁵ While even the rationally willing finite agent is to some degree untrue, the Idea of the will that contains him, is truth itself.⁴³⁶

II. 4.3.4. Object, intuition, reality and purpose

For Hegel, the objective dimension of the concept — the totality of rational ends and their objective manifestation — is also the concept’s reality and end: “[T]he pure concept of the will has the intuition of itself for its goal and its reality.”⁴³⁷ Insofar as the Idea has overcome teleology and purpose, it is ‘the purpose that is always already achieved’. In other words, in the Idea, the concept is its own purpose and due to the lack of a difference between subject and end, the notion of ‘purpose’ has become obsolete and is replaced by ‘objectivity’ or ‘content’.⁴³⁸ While finite activity and Willkür aim to realise an *external* purpose, the truly infinite Idea is its own, immanent, ever-

⁴³² Enz §213: 286.

⁴³³ Enz §213 remark: 286.

⁴³⁴ Enz §213 remark: 287.

⁴³⁵ Enz §213 remark: 287.

⁴³⁶ On ‘our’ relationship to the Idea, see e.g. Inwood 1992: 299.

⁴³⁷ PR §23: 43.

⁴³⁸ Regarding the role of ‘purpose’ see the commentary on §8.

present accomplishment: “In the sphere of the finite we can neither experience nor see that the purpose is genuinely attained. The accomplishing of the infinite purpose consists therefore only in sublating the illusion that it has not yet been accomplished. The good, the absolute good, fulfills itself eternally in the world, and the result is that it is already fulfilled in and for itself, and does not need to wait upon us for this to happen”⁴³⁹ ...and... “[b]ut in fact the object is *implicitly* the Concept, and when the Concept, as purpose, is realised in the object, this purpose is only the manifestation of the object’s own inwardness. So objectivity is, as it were, only a wrapping under which the Concept lies hidden.”⁴⁴⁰

For Hegel, this also means that in the Idea, the concept confronts its own objectivity in intuition’s [*Anschauung*] forms of space and time since these are the forms in which intelligence generally confronts an outer reality: “Intelligence hereby determines the content of sensation as a *being* that is *outside itself*, casts it out *into space and time*, which are the *forms* in which intelligence is intuitive.”⁴⁴¹ While the Idea thus seems external to consciousness or Geist insofar as it is manifest in space and time, in truth it is what conditions space and time in the first place.

Hegel further argues that while intuition suggests that the Idea’s objectivity is detached from the subject, in truth, it is united with it: “[In intuition], the object is both detached from me and at the same time my own. But that the object has the character of what is mine is present in intuition only in itself [...]”⁴⁴² Like intuitive intelligence relates to its object, so the concept of the will as intuiting subject relates to its objectivity as a spatio-temporal externality. Although the Idea is prior to space and time, it manifests itself in them as an objectivity that differs from itself: “[The Idea’s dialectic of making its own diversity understand its own finitude] is not temporal, and not in any way separate and distinct (for then it would again belong to the abstract understanding), it is the

⁴³⁹ Enz §212 addition: 286.

⁴⁴⁰ Enz §212 addition: 286. cf. “But by being this totality the Concept already contains everything that reality as such brings into appearance and that the Idea brings back into a mediated unity.” (Aesth: 109).

⁴⁴¹ Enz §448: 179.

⁴⁴² Enz §449: 182, 183.

eternal intuiting of itself in the other: the Concept that *has* carried *itself* out in its objectivity, of the object that is *inner purposiveness*, essential subjectivity.”⁴⁴³

Hegel thus suggests that all finite acts of rational willing that are manifest in space and time as different and independent are understandable as such because the Idea *as their true unity* manifests itself in this way. This suggests that the pre-temporal and pre-spatial Idea that is its own purpose objectifies itself in a manner that is accessible to the understanding — as an object of intuition. Nevertheless, so Hegel, the understanding becomes aware of its own inadequacy with regards to the Idea and realises that it is the implied unity that only *appears* as an intuitive manifold.

II. 4.3.5. Nothing new

Insofar as Hegel’s concept determines itself to itself *as object*, its activity is circular. This entails that nothing radically ‘new’ in the sense of ‘different from what was there before’ enters the concept’s relationship to itself *as object*. Everything that is in the object is already in the subject. While the concept might become more differentiated and developed in the course of its objectification, so Hegel, it remains wholly with itself in this process. This also means that at the Idea’s stage, the concept and its objectification is all that is and can be. All difference is posited by the concept itself and is therefore concept-internal and all that develops or which is determined has always been in the concept, already — if only in abstract and not concretely.

As finite, self-conscious and *willkürliche* individuals, ‘we’ are sensually unaware of this true form of the Idea. However, this discrepancy is not ‘tragic’ in the sense of being something that cannot be overcome. Rather, it is *already* overcome insofar as ‘we’ as finite, mutually limiting and contradictory agents are sublated in the Idea. While the true agent thus remains the self-determining concept of the will, for Hegel, ‘we’ as self-conscious agents participate in its action insofar as we pursue self-determination. The concept articulates itself in ‘our’ activity and exists in all ‘our’ actions.

⁴⁴³ Enz §214 remark: 289.

II. 4.4. §24

While Hegel argues for the Idea of the will's independence and truth in §23, he relates it to the notions of 'true universality', singularity and the judgement in §24.

II. 4.4.1. The Idea is universal

In §24, Hegel argues that the Idea of the will is not just 'singular' or 'individual' in virtue of combining abstract universality and particularity *within* itself. It is also universal in the overarching sense that it *contains* singularity: "The will is then universal, because all restriction and all particular individuality have been superseded within it. These lie [...] in the difference between [...] its universality and its exclusive individuality, the individuality which resolves."⁴⁴⁴

Hegel thus suggests that the Idea's universality differs from the abstract universality of Willkür's indeterminate 'I', which is the negation of particularity, void of determination and one of the elements of singularity. Instead, the Idea's *true* universality or 'universal singularity' *contains* abstract universality, particularity *and* is therefore concrete singularity.

II. 4.4.2. Judgement

In the *Encyclopedia's* §§ 169 – 178, Hegel discusses the relationship between singularity [*Einzelheit*] and universality in more detail. He there claims that universal singularity articulates itself in the form of the 'judgement'.⁴⁴⁵ In the *Science of Logic*, Hegel treats judgement as a part of the concept and describes it as an aspect of the concept that precedes the concept's 'objectivity'.

While he defines the abstract judgement as... "[T]he *singular* is the *universal*"⁴⁴⁶, he argues that this

⁴⁴⁴ PR §24: 43.

⁴⁴⁵ Inwood on its etymology: "Urteil ('judgment'), from urteilen ('to judge'). Here ur- does not mean 'original, primitive', but amounts to er- (see appearance), as in erteilen ('to give, award'). Hence urteilen was originally 'to give, allot' and an Urteil something given or allotted. Urteil was later restricted to a legal 'judgment, verdict, sentence', and it remained a legal word until the seventeenth century, when Leibniz gave it the sense of a propositional 'judgment'. Wolff defined it as the logical combination or separation of two or more concepts. Thus an Urteil is a logical, rather than a grammatical, entity, and is distinct from a sentence. In ordinary German Urteil, urteilen and the similar beurteilen ('to judge, criticize') retain the flavour of assessment or evaluation." (Inwood 1992: 151).

⁴⁴⁶ Enz §166: 316. e.g. in form of an abstract proposition: 'Tibbles is a mammal'

form underlies all judgements and that the propositions “the *particular* is the *universal*”⁴⁴⁷ and “the *singular* is the *particular*”⁴⁴⁸ are more specific cases of this general judgement. This also means that the judgement *unites* the concept’s singularity and universality *whilst* separating them: “It is true that the determinations of singularity and universality, or subject and predicate, are also distinct, but the absolutely universal *fact* remains, nonetheless, that every judgement expresses them as identical. The copula “*is*” flows from the nature of the Concept — to be identical with itself in its uttering; as moments of the *Concept*, the singular and the universal are the sort of determinacies that cannot be isolated. [...] Hence, only the judgement is the genuine *particularity* of the Concept, for it is the determinacy or distinguishing of the Concept which continues to be *universality* all the same.”⁴⁴⁹

In the judgement, so Hegel, singularity is thus not *obviously* the result of the concept. Although singularity is the product of the concept’s internal differentiation, only the judgement makes this explicit by presenting the universal concept’s determinations as different from *and* identical with it: “[The general judgement] is the Concept in its particularity as the distinguishing *relation* of its moments, which are posited as being-for-themselves and at the same time as identical with themselves and not with each other.”⁴⁵⁰

Hegel thus argues that the singular instances that result from the concept’s judgement seem self-sufficient and different from each other, whereas *in truth*, they are but instances of the concept. Although singularity and universality are both moments of the concept, the judgement posits them as different from each other. For example, the judgement ‘Socrates is spiritual’ suggests that there is an identity-based connection between Socrates and Geist, thereby positing their unity, *whilst simultaneously* suggesting that Socrates and Geist are different by juxtaposing the two. Although in truth, Socrates is a singular instance of Geist and thus *part of it*, the judgement presents it *as if* it was different from Geist. While the judgement’s universality is initially abstract, it effects an ever more complex particularisation of universality: “[I]n respect of the judgment there is first

⁴⁴⁷ Enz §166: 317. e.g. ‘Cats are mammals’

⁴⁴⁸ Enz §166: 317. e.g. ‘Tibbles is a cat’

⁴⁴⁹ Enz §166 remark: 244. See also Winfield 2006: 88.

⁴⁵⁰ Enz §166: 243.

the further determination of the judgment itself, the determination of the initially abstract, *sensible universality* to *allness*, *genus*, and *species* and to the developed *universality of the Concept*”.⁴⁵¹

As is the case with the concept and all other categorial determinations, so Hegel, also the judgement is not merely an event or an entity within individual self-consciousness: “The judgment is usually taken in a *subjective* sense, as an *operation* and a form, which occurs only in thinking that is *conscious of itself*. But this distinction is not yet present in the logical [realm]; [here] the judgment is to be taken as entirely universal: *every thing is a judgment*.—That is, every thing is a *singular* which is inwardly a *universality* or inner nature, in other words, a *universal* that is made singular; universality and singularity distinguish themselves [from each other] within it, but at the same time, they are identical”.⁴⁵²

On this view, the singular entity ‘Socrates’ is an actual manifestation of Geist’s judgement. Likewise, all the different determinations of nature such as plants, animals, crystals, mechanics, physics etc. result from judgements of nature. Nature’s universality thus expresses itself in singular form when it ‘judges itself’ into what we call the natural world. Similarly, the universal singularity of ‘Geist’ judges itself — amongst other things — into what we describe as consciousness-related, anthropological and psychological determinations. These are the forms of *quality*,⁴⁵³ *reflection*,⁴⁵⁴ *necessity*⁴⁵⁵ and finally, the form of the *judgement of the concept*.⁴⁵⁶ This entails that different types of judgement differently manifest universality and its self-relationship in form of singularity.

Also with regards to the will, so Hegel, the judgements of the universal concept of the will result in a variety of singular actions — committed by finite agents — that have the attributes of quality, reflection, necessity and the concept. While some actions simply are *in a certain way* — qualitative judgement—, others are the result of arbitrary and contingent willing — reflective

⁴⁵¹ Enz §170: 248.

⁴⁵² Enz §167: 246, 247.

⁴⁵³ Enz §172: 224.

⁴⁵⁴ Enz §174: 251.

⁴⁵⁵ Enz §177: 253.

⁴⁵⁶ Enz §178: 255.

judgement. Necessary actions manifest what has to be done — they correspond to the requirements of duty — necessary judgement. The most rational actions are those that have the universal concept as agent rather than the particular subject: the concept wills its own rationality *as object* — conceptual judgements.

II. 4.4.3. Syllogism

Hegel further argues that insofar as the judgement relies on a distinction between universal and singular, it falls short of living up to the concept's unified *concrete* universality — the conceptual unity of these moments. While the judgement separates the two, the *syllogism* restores the overarching identity of singular and universal: "The syllogism is the unity of the Concept and the judgment; it is the Concept as the simple identity into which the form-distinctions of the judgment have returned, and it is judgment, insofar as it is posited at the same time in reality, i.e., in the distinction of its determinations. The syllogism is what is *rational*, and it is *everything* that is rational."⁴⁵⁷

While the concept animates reality, so Hegel, the judgement is responsible for the differences between the determinations in which reality is animated. The syllogism thus re-unites a) the concept as reality-animating principle and b) *the entities that result from this animation*. Like concept and judgement, so Hegel argues, also the syllogism is not reducible to a merely subjective mental phenomenon. Rather, he takes it to be constitutive *of* - and manifest *in* the world. The syllogism *in its concreteness* can thus not be described in terms of abstract propositions since it is *what happens in reality*.

II. 4.4.4. The will's stages

According to Hegel, the forms of judgement and syllogism thus mark stages of the concept of the will's development. At the stage of the will as 'immediate' or 'in-itself', the concept of the will's

⁴⁵⁷ Enz §181: 256.

universal singularity takes the form of singular, indeterminate ‘I’s that differ absolutely from their determination — it is the activity of arbitrarily willing subjects. Their actions can be described as the product of the concept of the will’s *reflective* judgements.

At the stage of the will that is in-and-for-itself, so Hegel, the will’s singularity is universal, it is subject *and* determination. Here, the willing subjects are accommodated within an overarching universality that *contains* them as determinations *of itself*. Universality and singularity are united and the universal singularity of the concept that *appears* as singular ‘I’s wills objective universality as content.

Similar to the way a language can be described as ‘judging’ itself into a variety of dialects and speakers, so Hegel suggests that the will’s singularity appears as a multitude of different agents. While each dialect, speaker or agent has its own particular properties, they all embody the same language or ideal of rational agency to varying degrees. It is this shared universality that enables speakers to communicate and agents to relate to each other and express a rational purpose in their actions in the first place. However, at the stage of the Idea’s *appearance*, so Hegel, this common ground is not obvious or explicit. It exists in the background, as an unknown force⁴⁵⁸ or a bond that escapes the understanding. Hegel’s *Philosophy of Right* can accordingly be read as an attempt to render this implicit socio-political bond explicit.

II. 4.4.5. Objection — Singularity’s self-sufficiency

One could object to such a view that particular singularities can be understood on their own. Instead of implying the existence of a universal, such singularities are free-standing, ontologically self-sufficient, absolute or radically opposed to the universal. For example, singular or individual acts of willing do not need further explanation since they are all there is.

One Hegelian answer to this challenge might be to argue that the thinking of all acts as *simply singular* deprives the thinker of the ability to make normative claims or to take a critical

⁴⁵⁸ e.g. like Smith’s ‘invisible hand’ in civil society (Inwood 1992: 34).

distance to the acts concerned. If all there is are singular actions, how could one judge their value without implying some standard that differs from the actions perceived? The question for a justification of action — in the sense of giving a universally valid rationale for it — would have to remain unanswered and positivistic statements about the factual existence of singular actions would be all there is left for thinking. However, such an answer might be regarded as merely ‘external’ and the ‘singularist’ might reply: “So much the worse for a notion of fact-independent normativity”.

Alternatively, one might challenge the singularist with an immanent criticism: all singular actions carry an *implicit* notion of universality — by claiming that singular or individual willing is *all there is*, one makes the universal claim that *all there is* are particular acts. Universality is implied in the ontology’s inescapable claim to validity: ‘*all there is*’ is a universal commitment. This universality is *implicit* rather than explicit insofar as only particularity is *explicitly* accepted. The contradiction arises out of the difference between implicit meaning and explicit statement.

This would amount to saying that singular acts cannot be *all there is* because *if they were*, there would be no ‘all’ that they could be. Since they are merely singular, they cannot meet their ontology’s implicit universality-requirement. By claiming that singular acts are *all there is*, I imply universality and then grasp singular acts as an expression of such universality. However, while I only *imply* universality, I *expressively* deny it.

The same seems to hold for claims like ‘there are only singularities’ or ‘there is nothing but singularities’. Although they avoid the word ‘all’, they logically imply the universal validity of their commitment. In order to expressively accommodate the dimension of universality that my statement implies, I have to reconceptualise my understanding of what willing is and revise my ontological commitment.⁴⁵⁹

⁴⁵⁹ These ontological revisions lead Hegel from ‘existence’ (all there is are singularities) through the *Logic*’s higher-order categories (e.g. necessity, concept, judgement, syllogism, object etc.) to the ‘Idea’.

II. 4.4.6. Universality and the subject - object split

In §24, Hegel continues to argue that the Idea of the will's universality has overcome the subject-object split that informs Willkür and instead *contains* particular individuality and limitation:

“[Limitation and particular individuality] lie only in the difference between the concept and its content or object”.⁴⁶⁰

This suggests that as long as the subject differs from the object, particular individuality is inevitable. If I take the subject of willing — concept — to be different from the content — object — and the subject has to be universal — for example the indeterminate ‘I’, then the object has to be particular in virtue of being logically different from the subject. However, if the object is particular — for example a particular desire, happiness — then the act of willing as the relation of a subject and an object is also particular. In other words, this concept of the will — ‘universal, indeterminate ‘I’ willing a particular content’ — is particular because the content is and *particular* singularity is a result of the particular quality of the *object* or *content* of willing, which in turn is a consequence of the object's difference from the subject.

For Hegel, this difference vanishes with the Idea, where the object of willing is as universal as the subject. However, as opposed to the *abstract* and empty — or ‘contentless’ — universality of the indeterminate ‘I’, the Idea's universality is *concrete* since its singularity *contains* particularity. Although particular singularity thus forms part of the self-referential universal concept, it is sublated and encompassed by universality. Similarly, Hegel suggests that the implicit universality that resides in any thought about particular acts is made explicit once one thinks of the particular acts as being sublated in the universal and self-referring activity of the Idea. ‘My’ particular starting a business is then an expression of the universal Idea's moment of ‘civil society’.

⁴⁶⁰ PR §24: 43.

II. 4.4.7. Two other forms of difference

Hegel further suggests that particularity and limitation can also be described as the result of the difference of two modes of being that are both part of the concept: "[Restriction and particularity lie] in the difference between its being-in itself [*Ansichsein*] and its subjective being-for-itself [*Fürsichsein*], or between its universality and its exclusive individuality, the individuality which resolves."⁴⁶¹

This means that the concept is the will's being-for-itself and its resolving singularity. Meanwhile, 'content', 'being-in-itself' and 'universality' all describe the objective aspect of the concept. Insofar as Hegel thinks that the truth of willing — the Idea — is the unity of these moments, he considers their *difference* to be dependent on their identity. The truth about willing is thus expressed in the Idea's concrete universality that *contains* singularity within.

II. 4.4.8. §24 Remark: The forms of universality

In §24, Hegel argues that the Idea's concrete — or singularity-containing — universality differs from several alternative notions of universality: "In connection with this word 'universality', what strikes representational thinking [*Vorstellen*] first is the Idea of abstract and external universality; but in connection with universality in and for itself—and the universality here in question is of this character—we have to think neither of the universality of reflection, i.e. 'all-ness' or the universal as a common characteristic, nor of the abstract universality which stands outside and over against the individual, the abstract identity of the understanding (see Remark to § 6). It is the universality concrete in character and so universal for itself which is the substance of self-consciousness, its immanent generic essence, or its immanent Idea."⁴⁶²

Hegel thus suggests that 'abstract' or 'external' universality lacks concreteness because it does not *accommodate* the dimension of particularity. Since it lacks an objective or particular dimension, so Hegel, abstract universality is the universality of "reflection" rather than of actuality

⁴⁶¹ PR §24: 43.

⁴⁶² PR §24 remark: 43, 44.

or the concept. It “stands outside and over against the individual”⁴⁶³ insofar as the individual is not universality’s embodiment but something to which universality is applied to or projected onto.

For instance, if one takes a variety of individuals and thinks what properties they have in common, one *begins* thinking with the individuals’ particularity or singularity and grasps universality as its consequence or function. I can take a number of trees and infer from their appearance that *all* trees have brown boles. Or I abstract away from their particular properties and attempt to reduce my representation of ‘treeness’ to the most essential aspects that all these trees share. In both cases, I attempt to derive what is universal on the basis of how the particulars happen to be. The trees’ universal qualities are ‘posterior’ or ‘external’ to the particular trees themselves.

Instead, so Hegel suggests, I might wonder of what the trees are a particular manifestation. This might lead me to the notions of ‘life’ and ‘nature’ and I might arrive at the conclusion that what is universal about trees is their ‘naturalness’ — the concept of nature that is the origin of their particular forms. In that case, the particular trees’ particularity is *contained* in nature’s universality — the trees are a product of the universal concept of nature’s particularisation.

According to Hegel, the concept of nature’s universality thus differs from the “abstract identity of the understanding”,⁴⁶⁴ which is “[f]ormal identity or identity-of-the-understanding [...] insofar as one holds onto it firmly and *abstracts* away from distinction. Or rather, *abstraction* is the positing of this formal identity, the transformation of something that is inwardly concrete into this form of simplicity — whether it be the case that a part of the manifold that is present in the concrete is *left out* (by means of what is called *analysis*) and that only *one* of these [elements] is selected, or that, by leaving out their diversity, the manifold determinacies are *drawn together* into One.”⁴⁶⁵

This suggests that for Hegel, universality as abstract identity is the product of taking the particular or the distinctions away from what is concrete or actual and that it is a reduction of the given concrete unity of particular and universal. Hegel argues that this reduction takes place for example by ignoring certain particulars that do not fit the abstract universal description or by

⁴⁶³ PR §24 remark: 44.

⁴⁶⁴ PR §24 remark: 44.

⁴⁶⁵ Enz §115 remark:180.

declaring one particular to be the universal ideal. Alternatively, one can create a universal ideal type by ignoring the differences between different particulars.

For instance, in order to define what is universal about *all* trees, I might look at several trees and decide to identify the main features that they abstractly share. All trees might thus seem to be woody plants with many secondary branches and a single main stem. According to this procedure, my notion of what is universal is based on the properties of an observed multitude and is reached by the process of abstraction. However, Hegel argues that this notion of universality remains external or posterior to the particulars since it is superimposed onto them. It differs from the universality of the concept, that — like a ‘method’ — is the condition and origin of the particulars: “The universality of the subject of the universal judgment is the external universality of reflection, “allness”; the “all” is the all of all the singulars in which the singular remains unchanged. [...] Also in analysis is this conception of universality the one most prevalent, as when, for instance, the development of a function in a polynomial is taken to have greater universal value than its development in a binomial, because the polynomial displays more single terms than the binomial. The demand that the function should be resolved in its full universality would require, strictly speaking, a pantonomial, the exhausted infinity. [...] But in fact the binomial is already the pantonomial in those cases where the method or the rule concerns only the dependence of one member on another, and the dependence of several terms on those that precede them does not particularize itself but remains one and the same underlying function. It is the method or the rule which is to be regarded as the true universal”.⁴⁶⁶

Hegel’s notion of universality is thus not explicable in terms of individuals but is rather their immanent principle. Hegel’s concept is thus also not to be confused with individually held representations: “When people speak of the Concept, they ordinarily have only abstract universality in [Geist], and consequently, the Concept is usually also defined as a general notion. We speak in this way of the “concept” of colour, or of a plant, or of an animal, and so on; and these concepts are

⁴⁶⁶ SL: 527.

supposed to arise by omitting the particularities through which the various colours, plants, animals, etc., are distinguished from one another, and holding fast to what they have in common. This is the way in which the understanding apprehends the Concept, and the feeling that such concepts are hollow and empty, that they are mere schemata and shadows, is justified. What is universal about the Concept is indeed not just something common against which the particular stands on its own; instead the universal is what particularises (specifies) itself, remaining at home with itself with its other, in unclouded clarity. It is of the greatest importance, both for cognition and for our practical behaviour, too, that we should not confuse what is merely communal with what is truly universal.”⁴⁶⁷

In contrast to abstract universality, Hegel’s *true* universality thus either refers to a property that all instances within a domain have in common nor can it be equated with the universal domain signifier itself. It is rather the condition or origin of the particulars’ existence. As such, Hegel’s notion of ‘true universality’ escapes expression in symbolic logic.

II. 4.4.9. Objection - Abstract universality and internal contradiction

This entails that the domain of ‘all X’ is an inappropriate rendering of Hegel’s universality since it illegitimately implies a difference between subject and predicate *whilst* implying their identity:

“The *propositional form* itself already contradicts it, since a proposition promises a distinction between subject and predicate as well as identity; and the identity-proposition does not furnish what its form demands.”⁴⁶⁸

For Hegel, the propositional notion of universality is self-contradictory since any claim of ‘All X are Y’ promises a difference between X and Y insofar as ‘X is X and not Y’ and ‘Y is Y and not X’. However, at the same time, the copula ‘is’ implies that X and Y are the same — it is logically equivalent to the equal sign ‘=’. In order to fulfil its promise of identity *and* difference, concrete universality would have to be formalised as such: all X are Y *and* all X are not Y. Yet,

⁴⁶⁷ Enz §163 addition 1: 240.

⁴⁶⁸ Enz §115: 180.

even such a notation situates identity and difference within the same ontological plane — its identity claim and its difference claim seem to have the same logical weight. In contrast, Hegel’s universality of the concept suggests that difference is *within* identity and maintains that universality — or identity — is an overarching structure that accommodates difference. Insofar as abstract identity only expresses $X=Y$, it fails to capture such a notion. In other words, it fails to render its implicit difference (X is not Y) explicit *whilst* holding on to their overarching identity ($X=Y$).

Hegel maintains that this abstract identity remains ‘external’ to the particulars because it is not grasped as their *inherent* property or the immanent condition of their existence. The particulars are thus primarily particulars and their membership to the set of universality is secondary. While particularity is thus ‘internal’, universality is ‘external’, it is added or imposed onto the particulars.

II. 4.4.10. Totality and communality

Hegel argues that another name for the universality that is derived from abstract identity is all-ness [*Allheit*] or communality [*Gemeinschaftlichkeit*]: “When I say “*the singular*,” “*this singular*,” “*here*,” “*now*,” all of these expressions are universalities; *each* and *every* thing is a singular, a *this*, even when it is sensible—here, now. Similarly when I say “*I*,” I *mean* me *as this one* excluding all others; but what I say (“*I*”) is precisely everyone, an “*I*” that excludes all others from itself. [...] “*I*” is the universal in and for itself, and communality is one more form—although an external one—of universality. All other humans have this in common with me, to be “*I*,” just as all *my* sensations, representations, etc., have in common that they are *mine*.”⁴⁶⁹...and...“*Essence* [or *Wesen* in German] is only the *inner* at first; hence it is also taken for a totally *external* and unsystematic common element; one speaks [in German] of *Schulwesen*, *Zeitungswesen*, that is, of public

⁴⁶⁹ Enz §20 remark: 51.

instruction, of the press, and understands by it a common something made up of existing objects externally assembled together, with no essential bond or organization.”⁴⁷⁰

Hegel thus suggests that communality and all-ness depict universality as the sum of particular entities and argues that such universality does not sublate the particular in the higher unity of *concrete* universality. Rather, it claims that some determinacy is universal because a certain amount, the majority — communality — or all — all-ness — of particulars share it. According to Hegel, such thinking fails to grasp the particular as the result or manifestation of the universal, relies on a given or assumed existence of particulars and takes universality to be something that is discovered about such particulars.

II. 4.4.11. True universality

Instead of being ‘dependent’ on the particulars’ properties, so Hegel, ‘true’ or ‘singular’ universality is what is *inherent* within the singulars and particulars — it articulates itself in them. Such universality is not what all individuals share, nor what they ought to share. Rather, it brings the particulars forth, is repeated and stays the same in the activity of taking the shape of ever new and differing particulars. As such, it is not limited or delineated by the particulars nor are particulars external to or opposing it. Rather, by relating to the particulars, true universality relates to itself — the particulars are just one of its forms and while the universal is *in* the particulars, so Hegel, it is also with itself: “This —the concept of the free will— is the universal which embraces its object, thoroughly permeates its determination and therein remains identical with itself.”⁴⁷¹

Hegel thus argues that while abstract universality is opposed to and thus limited by particularity and individuality, the true universality of the concept that is “in and for itself”⁴⁷²

⁴⁷⁰ SL 462, 463. Original: “Das Wesen ist nur erst das Innere; darum wird es auch für eine ganz äußerliche, systemlose Gemeinschaftlichkeit genommen; man sagt: das Schulwesen, Zeitungswesen, und versteht darunter ein Gemeinschaftliches, das durch äußeres Zusammennehmen von existierenden Gegenständen, insofern sie ohne alle wesentliche Verbindung, ohne Organisation [sind], gemacht ist.”

⁴⁷¹ PR §24 remark: 44. Cf. [The absolute subject] has conditions of existence which are at odds with its *telos*. For it must be embodied in external, finite realities, finite spirits living in a world of finite, material things. And yet its life is infinite and unbounded. Its vehicle is a finite [Geist]”. (Taylor 1979: 41).

⁴⁷² PR §24 remark: 43.

contains them. According to Hegel, such universality is “concrete”⁴⁷³ and expresses itself in the very singularity of the self-conscious ‘I’ that defines the concept and subjectivity in general: “It is the universality concrete in character and so universal for itself which is the substance of self-consciousness, its immanent generic essence, or its immanent Idea.”⁴⁷⁴

Hegel’s true universality is thus singular and constitutes the driving principle behind all the forms of self-consciousness. This includes the ‘empty’ self-conscious ‘I’ — or the appearance of the Idea — that opposes particularity as well as the universal consciousness of the concept that refers to itself in the form of a universal particularity-incorporating singularity. Hegel’s true universality is the origin or unity of particulars, not an addition to them or their consequence.

Does this mean that Hegel’s universal animates particulars of a certain kind but not of another? If this were the case, would the particulars that are animated by the universal not be limited by the domain of those individuals that were not so animated? Insofar as the universal *is* the particulars, this seems to contradict the claim that true universality is not limited. However, while one domain of particulars might limit another, it does not limit the universal *as universal*. Limitation is only possible if one thinks of universality as exhausted in particulars. Yet, this does not seem to apply to Hegel’s *true* universality since it cannot be described in terms of particulars or singularities alone.

This notion of universality reiterates Hegel’s description of the concept that is not limited by its object but that rather returns into itself from the self-positing otherness of the object. Just as the individual willing subject is not limited by the content it wills but is able to negate it and choose another — and is with itself in this negation — so the concrete universal is not limited or exhausted by the particulars it expresses itself in. Rather, by constituting the particular, it constitutes itself in the process of actualisation.

For the concept of the will, this means that irrespective of how the universal will embodies itself in particular actions, it remains with itself in these actions. The will never ‘loses’

⁴⁷³ PR §24 remark: 44.

⁴⁷⁴ PR §24 remark: 44.

itself in the determination but rather determines *itself* in the course of determining. The determination of the individual willing subject thus only exists in virtue of the will as willing subject — the particular willing individual is the concept's *determination* and insofar as the universal brought the determination into existence, it remains its author within it.

II. 4.4.12. True universality and rationality

Hegel further suggests that the structure of the universal that is in-and-for-itself resembles the structure of rationality in general: "The universal in and for itself is definable as what is called the '*rational*', and it can be apprehended only in this speculative way."⁴⁷⁵ Like the concept, Hegel's true universality cannot be merely *understood*. Its negative unity of universal and particular is truly infinite and therefore beyond the reach of the faculty of understanding.

This seems to be a variation on Hegel's claim that speculative thinking attempts to comprehend the concept's movement from abstract being towards concrete universal singularity insofar as also this movement consists in the positing, overcoming and sublating of particular determinations and demands a grasp of the dynamic process that singularity drives forward. For example, Hegel describes the breaking down of distinctions like 'inner and outer', 'form and content' and 'subject and object' as marks of rationality insofar as he takes reason to be the *unity* of thinking subject and thought object: "Reason is the truth that is in and for itself, and this is the simple *identity* of the *subjectivity* of the concept with its *objectivity* and universality. The universality of reason, therefore, signifies the *object* which in consciousness qua consciousness was only given, but is now itself *universal*, permeating and encompassing the I."⁴⁷⁶

II. 4.4.13. Criticism - Abstract identity

It might thus seem that Hegel's account of the will's universality abolishes the distinctions between the will as 'Idea', 'rationality', 'concept' and 'freedom'. By describing these in a unificatory way,

⁴⁷⁵ PR §24 remark: 44.

⁴⁷⁶ Enz §438: 164.

Hegel seemingly dissolves the categories' specific determinations and what remains, so one might argue, is a confused and confusing account that is as informative as the sentence 'everything is everything' or 'all is one'. In other words, in virtue of the Idea's overarching identity that Hegel's system aims to describe, distinctions become trivialised and 'real' differences disappear.

Although Hegel would have to admit that ultimately, all the concepts and categories he describes are *united*, he also maintains that this unity is not the undifferentiated, monotone one-ness of abstract identity that finds expression in sentences like $A=A$. Rather, the overarching unity that he aims to describe is concrete and thus internally self-differentiating. In virtue of this dynamic self-differentiation, unity-inherent differences *remain* whilst the unity itself is grasped as origin, goal and self-referential motivation of this differentiation process. Hegel's ambition is thus to show the internally differentiated unity — or identity — of philosophical knowledge in a systematic form. This also applies to Hegel's notion of the Idea's 'true universality' and its unity of singular subjectivity and objective universality.

II. 4.5. §25

In §§ 21, 22, 23 and 24, Hegel describes the will as Idea, that is as subjective *and* objective or how it is in-and-for-itself. In §25, he analyses this unity of the concept's different moments and elaborates on the different facets of what he calls its subjective dimension. This discussion does not add any conceptual content to what has been said before but attempts to more clearly delineate the Idea of the will's aspects in order to make the concept more accessible.

II. 4.5.1. Self-consciousness

Hegel argues that one of the senses of the Idea of the will's *subjective* dimension is self-consciousness: "The *subjective*, in relation to the will in general, means the will's self-conscious side, its singularity [...] in distinction from its concept in itself."⁴⁷⁷

⁴⁷⁷ PR §25: 44 ('individuality' changed to 'singularity').

Hegel thus suggests that this subjective moment of the Idea of the will is equivalent to its dimension of ‘for-itself’. Although this moment’s form is equivalent to self-consciousness, it is still a dimension of the Idea and thus not the *immediate* self-consciousness — for example, of Willkür’s ‘I’ — that is associated with the Idea’s ‘appearance’. While the latter is absolutely distinct from determination, the former *encompasses* determination. As opposed to the Idea of the will which is in-and-for-itself, so Hegel, *immediate* self-consciousness is only ‘for us’: “This unity of the I and the object constituting the principle of Geist is, however, at first only present in an *abstract* way in *immediate* self-consciousness, and is known only by *us*, the onlookers, not yet by self-consciousness itself. Immediate self-consciousness does not yet have for its object the I=I, but only the I; therefore, it is free only for *us* not *for itself*, is not yet aware of its freedom, and has only the *basis* of freedom within itself, but not yet genuinely *actual* freedom”.⁴⁷⁸

This immediate self-consciousness differs from the Idea of the will’s subjective dimension insofar as the latter is the mediated self-consciousness of the *concept*. Hegel’s immediate self-consciousness is ‘for itself’ — that is ‘for the concept’ — rather than ‘for us’ and is *truly universal* rather than abstractly universal. Since it contains the particular object it refers to as a moment of itself, it is not limited by it. While the concept’s ‘being-in-itself’ is equivalent to the ‘object’, its ‘being-for-itself’ is its self-consciousness or singularity. In truth, this self-consciousness is bound up with the dimension of ‘being-in-itself’, in isolation from that dimension it lacks *objective manifestation* and is abstract, one-sided and *merely subjective*.⁴⁷⁹

II. 4.5.2. The subjective concept in general

Hegel further identifies subjectivity as the general mark of the concept: “As the *substantial power which is for itself* the Concept is what is *free*; and since *each* of its moments is *the whole* that *it* is, and is posited as inseparable unity with it, the Concept is *totality*; thus, in its identity with itself it is

⁴⁷⁸ Enz §424: 152, 153.

⁴⁷⁹ See e.g. PR §1.

what is *in and for itself determinate*.”⁴⁸⁰ Although Hegel’s concept as part of the Idea is self-determining, it is neither abstract nor undetermined since it contains a subjective as well as an objective dimension. It is free, so Hegel, because it determines itself *to itself* and so posits itself *as itself*. Its subjective dimension is responsible for the process of determining and its objective dimension is what it has determined itself *to* or *as*.

According to Hegel, this activity relates it to singularity: “The singular [...] has issued from the Concept, and hence is *posited* as something-universal, or as negative identity with itself. [T]he singularity of the Concept is strictly *what is effective*—and of course it no longer works like a cause, with the semblance of producing something else: rather [it is] what produces *itself*.—Singularity, however, is not to be taken in the sense of merely *immediate* singularity—as when we speak of single things, or human beings, etc.; [...]. Every moment of the Concept is itself the whole Concept (§160); but singularity, the subject, is the Concept *posited* as totality.”⁴⁸¹

Hegel thus metaphorically likens the concept’s singularity to a living organism where each organ involves the existence of the others or to the poles of a magnet, where the south pole involves the north pole and vice versa. And while Hegel thought that there was no qualitative difference between the two poles of a magnet, he takes it as a distinction without a difference that is established by the relations between them. In general, Hegel thus sees singularity as *that* moment of the concept, which equates to its ‘subjective dimension’ insofar as it differs from the particular or individual ‘objectivity’ as which the concept posits itself.

⁴⁸⁰ Enz §160: 236. (‘might’ changed to ‘power’) cf. “But the Concept is so much the absolute unity of its specifications that these do not remain independent and they cannot be realized by separating themselves from one another so as to become independent individuals, or otherwise they would abandon their unity. In this way the Concept contains all its specifications in the form of this its *ideal* unity and universality, which constitutes its *subjectivity* in distinction from real and objective existence. So, for example, gold has a specific weight, a determinate colour, a particular relation to acids of various kinds. These are different specifications, and yet they are all together in one. For each tiniest little particle of gold contains them in inseparable unity. In our minds they stand apart from one another, but in themselves, by their own nature, they are there in unseparated unity.” (Aesth: 108).

⁴⁸¹ Enz §163 remark: 240.

II. 4.5.3. From actuality to the concept

In the *Science of Logic*, Hegel argues that this subjectivity, singularity or ‘freedom’ of the concept is the truth of actuality’s necessity.⁴⁸² For example, at the stage of actuality, so Hegel, the apparently unrelated entities that define appearance’s externality are related with their ground and each other by means of an inner identity.⁴⁸³ Although there is thus an identity between entities, this identity is contradicted by the assumed difference of the entities that are supposed to be united. For Hegel, the categories ‘actuality’ and ‘necessity’ thus imply that entities are distinct *and* that they are identical.

With regards to the actuality of willing, this means that according to actuality, there is still a *relationship* between the willing subject and the necessarily willed content, i.e. the object. Although it is necessary to will *this* content, the content still differs from the willing subject. Consequently, the actually willed content is not truly identical with the willing subject. Consequently, subject and object fail to articulate the concept’s overarching identity. For the whole structure of ‘*subject and object*’ to be necessary, the subject has to be as objective and necessary as the object. One has to conceive of actuality *as object and subject* in order to guarantee its subjective *and* objective status. Only in this case would actuality be *truly* necessary.

For Hegel, this ‘true necessity’ of the concept is its freedom. As an ontological structure, it emerges from necessity’s contradiction that suggests that the willed content is different from the subject and yet, that it is also identical with it. Hegel argues that in the transition from necessity to freedom, the inner identity between entities becomes an outer one — the freely willing subject does not necessarily determine itself to will a content but the content is the product of the subject’s self-determination. This means that the willed content ceases to externally differ from the subject and is ‘absorbed’ or sublated into the structure of subject itself: “[The] *truth of necessity* is thereby *freedom*, i.e., the independence, that is the repulsion of itself from itself into distinct

⁴⁸² See e.g. §159 ff.

⁴⁸³ See e.g. discussion of §8 and §21.

independent [terms], [but] which, as this repulsion, is identical with itself, and which is this movement of exchange *with itself* alone that remains at home *with itself*.”⁴⁸⁴

According to Hegel, this freedom is ‘positive’ because it creatively brings forth the willed object and it *contains* necessity as a previous moment: “[F]reedom” [results from the transfiguration of necessity and] [...] is not just the freedom of abstract negation, but concrete and positive freedom instead. From this we can also gather how absurd it is to regard freedom and necessity as mutually exclusive. To be sure, necessity as such is not yet freedom; but freedom presupposes necessity and contains it sublated within itself.”⁴⁸⁵ For Hegel, the freedom of willing thus consists in the subject’s positing of itself as its own determination. It contains actuality and the dimension of necessity insofar as the freely willing subject knows that the willed content is necessary without contradicting its freedom as a willing subject. Instead, the willing subject’s freedom can only be *actual* rather than merely *potential* because there is such a necessary content: “The ethical person is conscious of the content of his action as something necessary, something that is valid in and for itself; and this consciousness is so far from diminishing his freedom, that, on the contrary, it is only through this consciousness that his abstract freedom becomes a freedom that is actual and rich in content, as distinct from freedom of choice, a freedom that still lacks content and is merely possible.”⁴⁸⁶ This ‘free actuality’ that has acquired the dimension of subjectivity — and thereby ceases to be actuality — is what Hegel calls concrete freedom, the self-manifesting *concept* that in union with its manifestation becomes the *Idea*.

II. 4.5.4. ‘Pure’ singularity

Apart from ‘freedom’ or ‘singularity’, Hegel further suggests that the *Idea*’s subjective dimension can also refer to ‘empty formality’: “The subjectivity of the will means therefore (α) the pure form

⁴⁸⁴ Enz §158: 232. This can be likened to a speaker’s relation to his native tongue: It doesn’t feel alien and is entirely absorbed in the self. While I might not know *all* the words of my mother tongue, expressing myself in it comes closest to ‘being at home’ or ‘expressing myself’: In it, I am not trying to produce some effect in an alien world, as when I am trying to break an awkward silence or to speak in a foreign tongue.

⁴⁸⁵ Enz §158 addition: 232, 233.

⁴⁸⁶ Enz §158 addition: 232, 233.

of the will, the absolute unity of self-consciousness with itself (a unity in which self-consciousness, as $I = I$, is purely and simply inward and abstractly self-dependent), the pure certainty of itself, as distinguished from the truth”.⁴⁸⁷ This structure seems identical to Willkür’s first moment of pure self-reference.⁴⁸⁸ ‘Pure’ singularity without content or objective dimension is thus equivalent to the indeterminate, purely self-referential abstract subject. Since it lacks any dimension of ‘otherness’ or ‘difference’, the self-referring, singular ‘I’ is the understanding’s ‘identity’ of $A=A$ rather than true universality.⁴⁸⁹

According to Hegel, the abstract identity of the understanding does not contain ‘difference’ but equates one generality with another without telling anything particular or specific about the equated objects. In virtue of the subject’s ‘absolute’ or ‘pure’ self-reference, there is no ‘outside’ to it and it is ‘simply inward’.⁴⁹⁰ Such a self-contained abstract subjectivity, so Hegel, determines itself to itself only without being able to overstep its self-imposed horizon. It is ‘abstract’ because it excludes content or objectivity as opposed to the ‘concrete’ subject that incorporates it. Insofar as the abstract subject has no content but itself, it is self-determining and free but this freedom is as empty as the pure indeterminacy that marks its universality.

II. 4.5.5. Certainty

Hegel further argues that the self-consciousness’s certainty differs from ‘truth’ insofar as the former refers to a difference-less relationship between the abstract subject and itself and the latter to a difference-containing unity of subject and object. For example, when it is ‘certain’, the world-confronting, self-conscious subject ‘I’ is merely self-referential. It is unaware of any outside world that might challenge its own convictions. For Hegel, such certainty differs from ‘correctness’ [*Richtigkeit*], where the subject’s representation correctly matches a subject-external state of affairs. When it is ‘correct’, Hegel’s subject happens to have an appropriate representation of an external

⁴⁸⁷ PR §25: 44.

⁴⁸⁸ See comment on §5.

⁴⁸⁹ See discussion of §24.

⁴⁹⁰ PR §25: 44.

object. In the case of ‘certainty’, the notion of a congruence with an outside world *as criterion* does not arise since all that is relevant is the subject’s *internal* dimension. While Hegel himself does not use this terms, one might claim that thinking for Hegel is factive since ‘x thinks p’ implies the truth of p. This contrasts with ‘x is certain that p’ where p’s truth is not implied.

Since there is no outside criterion for Hegel’s *certain* subject, its own convictions remain unquestioned. Such a subject is satisfied with whatever happens to be its mental content — it is its own judge and one might say that this self-referring subject has *conviction* rather than *knowledge*. While correctness for Hegel incorporates subjective states of Geist *and* objective states of affairs, mere certainty one-sidedly focuses on the former. With regards to the will, this means that the certain agent has no sense whether his actions are compatible with the demands of ethical reality. He is certain to be doing the right thing, whether this is the case or not.

In reply to this suggestion, one might argue that there is a difference between theoretical and practical certainty: To say “I am certain p is the right thing to do, but it might not be” might seem less peculiar than “I am certain that p but p might not be true”. In other words, one might maintain that action contains an element of implied fallibility that knowing does not. However, both cases share that the relevant domain about which claims are made is the subject itself: the external criterion of truth — truth’s objective dimension — is irrelevant for the subject’s conviction about its mental content or its action.

II. 4.5.6. Arbitrary content

Hegel argues that the Idea of the will’s second sense of subjectivity seems radically opposed to the first: “The subjectivity of the will means therefore [...] (β) the particularity of the will as the arbitrary will and the contingent content of optional aims”.⁴⁹¹ As discussed previously, this means that the arbitrary will or Willkür relies on a split between subject and object — it is the activity of a subject that determines itself to a content that differs from it — while its subject is universal, its

⁴⁹¹ PR §25: 44.

content is particular. This entails that if Willkür's subject wants to be contentful or *actual*, it has to commit to the content's particularity. Consequently, this particularity affects the *whole* of the will as Willkür — it is particular.

The particular ends that are chosen by the arbitrarily willing subject cannot be universal *in themselves*. If they were, they would not be particular but as empty as the indeterminate, universal subject or 'I'. For Hegel, this entails that the relationship between arbitrary subject and its content is *contingent* insofar as there is no necessary or identity-based connection between subject and object — the subject could always have willed otherwise.

This differs from Hegel's will as *Idea*. Here, the content of willing is identical with the subject of willing because the former is the objectification of the latter. Since it is 'free', the identity between its subjective and objective dimension is internal *and* external, the content of willing — namely self-determination — is the same as the subject, albeit in objective form. This entails that subject and object are *internally* identical — and thus necessary — and that they are *externally* identical, and thus free. At the stage of Hegel's *Idea*, the subject cannot will otherwise, since there is nothing 'other' to will and the only available object for willing is the subject itself *as object*. This self-willing — or freedom —, so Hegel, is without alternatives.⁴⁹²

II. 4.5.7. Objection to arbitrariness

One might argue against the *Idea*'s supposed identification of subjectivity with particularity that even universal ends that are pursued by individual willing subjects are arbitrary insofar as they might not have been pursued. Since these ends are chosen by particular subjects, these subjects could have chosen otherwise. Even ends that turn out to be part of the concept are thus arbitrary or contingent. Contingency would thus go 'all the way down' within the Hegelian system.

However, Hegel abandons the ontology of a universal I that wills particular ends that differ from it when he reaches the stage of the concept. Here, so Hegel, the freedom of the will is

⁴⁹² Criminal or merely negative willing (e.g. of the Jacobin) falls short of the *Idea*'s standard: it does not will self-determination but rather negates it.

guaranteed by the internal *and* external identity of willing subject and willed object. Since there is no absolute difference between willing subject and object, there is no ‘other’ object available. The willing subject could not have willed otherwise but to will itself *as object*. Since it can only will itself, the willing subject does not depend on anything ‘else’. The concept is forced — by itself — and therefore *not* forced — to be free. This also means that all particular activity that is not a means for or an expression of freedom is disqualified.

This does not entail that there is *just* rational willing at ‘our’ level of *appearance*. Crime and all unethical and immoral behaviour count as instances of mere Willkür according to Hegel. In these cases, the concept as subject fails to will itself as object. In virtue of their manifest subject-object split, such actions are *merely* or absolutely arbitrary. In response, a criminal who has acted merely arbitrarily is punished in the hope that he will understand his action’s lack of rationality and decide to subsequently act in accordance with the requirements of the Idea. ‘We’ as willful agents have a choice whether to do what is ethical or what is wrong. However, at the categorial stage of the concept, ‘our’ action becomes the expression of the concept: not ‘we’ decide but the concept. ‘Our’ actions are the result of the concept’s decisions and ‘our’ choice is not absolute, anymore but it is sublated into the concept.

Hegel thus argues that from ‘our’ perspective of self-consciousness or ‘appearance’, the Idea is *not* all there is. Rather, in virtue of our sense-based, immediacy-oriented everyday perspective, ‘we’ only encounter seemingly arbitrary action. And yet, by means of thinking, ‘we’ are able to overcome appearance’s claim to absoluteness and refine our insight. Consequently, our actions reach the rational degree of ‘actuality’ and finally, of the Idea. Nevertheless, from ‘our’ everyday point of view, ‘actual’ or ‘ideal’⁴⁹³ action remains a ‘possibility’ and its contingency is rooted in ‘our’ default-position of Willkür. Only when ‘our’ thinking and acting reaches the stages of actuality and the Idea can we comprehend our actions as *necessary* or as *truly* free. This means that Willkür lacks the Idea’s objectivity insofar as it does not *incorporate* the object within the

⁴⁹³ In the sense of ‘manifestation of the Idea’

subject. It prevents free actions from manifesting themselves *as such* and for Hegel, it is this lack that renders Willkür merely subjective.

II. 4.5.8. One-sided form

Hegel further argues that the third sense of subjective willing confines the act to being a merely subjective plan or aspiration: “The subjectivity of the will means therefore [...] (γ) in general, the one-sided form of the will [...] in which the thing willed, whatever its content, is but a content belonging to self-consciousness and an aim unfulfilled.”⁴⁹⁴

For Hegel, such willing is merely subjective because it remains abstract and its content is confined to a particular self-consciousness. Here, the end has been abstractly conceived within a particular mind but has not been realised and willing therefore lacks objectivity in the sense of ‘being manifest in the objective world’. It has not ‘overcome’ the bounds of the particular self-consciousness and is not ‘true’ because it has not manifested itself *as object*.

II. 4.5.9. Objection to one-sidedness

This claim by Hegel seems to contradict the notion that even objectified ends — or accomplished goals — are merely subjective insofar as they do not properly overcome the difference between subject and end — they are always the objective manifestation *of a subject*.⁴⁹⁵ Nevertheless, Hegel argues that such realised ends can qualify as true when they manifest the Idea. In that case, they only *appear* arbitrary — they only seem to differentiate absolutely between subject and object — but in fact, they are part of the Idea’s truth.

⁴⁹⁴ PR §25: 44.

⁴⁹⁵ See discussion of ‘teleology’ in §8 and §21

II. 4.6. §26

II. 4.6.1. Three senses of objectivity

While he describes the subjective aspects of the Idea of the will in §25, Hegel distinguishes between three different senses in which the Idea is ‘objective’ in §26. Again, this seems to serve the purpose of achieving greater clarity and Hegel reminds the reader that taken on their own, also the objective dimensions are as one-sided as the subjective ones and fall short of the Idea’s unity.

Michael Inwood distinguishes between three senses of ‘objectivity’ in Hegel’s work in general: “(1) An object that is independent of the subject, in the sense that the subject is left out of account altogether (except in so far as a subject or concept is implicitly presupposed as constituting the object as an object), viz. mechanism and chemism. (2) An object that stands over against a subject and is to be overcome by it, viz. teleology, but also, at the level of the Idea, the Ideas of the true (cognition) and of the good (Kant's and Fichte's morality). [...] (3) An object that has been worked up to necessity and rationality, so that the subject does not need to alter or determine it, but must simply conform to it.”⁴⁹⁶

Hegel addresses all of these senses in §26. The first sense is equivalent to the Idea’s truthfulness: “(α) The will is purely and simply *objective* insofar as it has itself for its determination and so is in correspondence with its concept and genuinely a will”.⁴⁹⁷ This corresponds to Inwood’s sense (3). Hegel uses ‘objective’ here in the sense of ‘true’ insofar as truth is the conformity of the concept and its determination. In the Idea, the object *is* the subject, only in objective form — this ‘objectivity’ is the Idea’s overarching identity between subject and object.

One might wonder why one should use the term ‘objective’ in this sense. After all, terms such as ‘concrete’ or ‘true’ express the same — or at least a very similar — notion. Furthermore, objectivity is but one side of the truth, whereas truth is *both*, subjective *and* objective. Why should objectivity exhaust truth? It seems that this sense of ‘objective’ is to be taken in the context of the previous paragraph’s abstract or *merely subjective* will. ‘Objective’ here thus

⁴⁹⁶ Inwood 1992: 204, 205.

⁴⁹⁷ PR §26: 44. cf. “[T]he will that has itself as its determination is the will that is utterly identical with itself, the *objective* will, [Geist] in its objectivity.” (LNR §7 remark: 55).

presupposes the concept *as subject*. Once the subjective is given, objectivity complements it to form the Idea.

II. 4.6.2. Objectivity without self-consciousness

In contrast to the unity of subject and object in (α), Hegel argues that a second sense of objectivity lacks subjectivity: “(β) but the objective will, *without the infinite form* of self-consciousness, is the will absorbed in its object or condition, whatever the content of these may be; it is the will of the child, the ethical will, also the will of the slave, the superstitious person, and so on”.⁴⁹⁸

This corresponds to Inwood’s sense (1). The *merely* objective will loses itself — that is, it forgets its subjectivity or singularity — in its content. It fails to take a critical distance and is merely determined by the content rather than being self-determining. Consequently, singularity’s ability to ‘always will otherwise’ is silenced, undeveloped or momentarily lost.

Hegel illustrates this point in the addition to §26: “Finally, we may also call ‘objective’ the will which is entirely absorbed in its object, as for example the will of the child, which is rooted in trust without subjective freedom, and the will of the slave, which does not yet know itself as free and on that account is a willless will. In this sense any will is ‘objective’ which acts under the guidance of an alien authority and has not yet completed its infinite return into itself.”⁴⁹⁹

This suggests that the dimension of subjectivity that is here *excluded* gives the willing subject the ability to critically relate to the content and to rationally appropriate it. Children, slaves and superstitious persons do not make the content ‘their own’ in this sense — they have no critical reasons for embracing it. While the child is still unable to become critically self-aware of its power to negate any content, the slave depends on his master’s will, cannot self-reliantly negate the ordered ends and is ‘victim’ of the master’s choosing. Similarly, the superstitious person believes in a content simply for what it is, not because it has good reasons for doing so. It takes the content to be beyond justification or to be ‘self-justifying’ and sees no need to manifest its own critical

⁴⁹⁸ PR §26: 44.

⁴⁹⁹ PR §26 addition: 46.

abilities by questioning it. In all of these cases, the will is guided by an alien authority — the uncriticised objectivity of the content, by adults or by the master.

II. 4.6.3. The ethical will as universal subject

Another example Hegel gives for the merely objective will is what he calls the “ethical will”.⁵⁰⁰

Although the ethical agent wills its “universal essence”⁵⁰¹ instead of a merely particular or subjective end, it also lacks the critical distance to the content. Since the concept is the real willing subject as well as the object, the particular agent is ‘lost’ in the self-willing of the concept. This is similar to the thinker who loses his particularity when he thinks along with the Idea.

According to Hegel, such a particular ethical agent does not need to ‘make its content its own’ since it already is *in* the content. This contrasts with self-conscious willing, where object and subject differ. While the slave, the child or the superstitious person lacks a subjectivity it *should* have, the ethical will’s subjectivity is rightfully united with the objectivity of the concept. For Hegel, the lack of subjectivity thus carries negative connotations in the case of childish, superstitious and slavish willing but the ethical self’s loss in the universal end of self-determination seems to be rather desirable: “But the ‘objective’ will is also that in which truth lies, and thus God’s will, the ethical will, is an ‘objective’ one.”⁵⁰²

II. 4.6.4. The third sense of objectivity: The immediacy of Dasein

Hegel’s third and final sense of the will’s ‘objectivity’ is the material — or contingently existing — dimension of willing. This is its manifestation as reality: “(γ) objectivity, finally, is the one-sided

⁵⁰⁰ PR §26: 44.

⁵⁰¹ PR §26 notes: 87.

⁵⁰² PR §26 addition: 45, 46. This might be likened to the will of an angel or a perfectly programmed robot: it never occurs to them to commit adultery or punch someone on the nose for the fun of it - to see how he responds. It seems similar to an Aristotelian notion of gods that cannot be temperate, courageous, etc. because they have no temptations or the slightest desire to do the wrong thing.

form opposed to the subjective volition, and hence it is the immediacy of existence as external reality; the will first becomes objective to itself in this sense through the fulfilment of its aims.”⁵⁰³

This sense of objectivity seems to correspond to Inwood’s sense (2). It relates to the category of teleology where a subject attempts to overcome the subject-object-division by means of the pursuit and the realisation of ends. These ends become externally manifest to the subject and are an ‘objectification of the subject’ insofar as the subject translates its own merely abstract subjectivity into existing reality. For example, as long as I only plan on building a house, I do not have ‘myself’ in form of a built house in front of me. Once the house is built, *my* subjective plan and thus a part of ‘me’ has become reality.

II. 4.6.5. §26 Remark: The Subjective and the objective as finite

Some of the senses of the will that Hegel describes as ‘subjective’ and ‘objective’ in §25 and in §26 seem to be clearly distinct. However, in contrast to such a understanding-based separation, he argues that speculative thought shows how they mutually pass into each other: “These logical categories—subjectivity and objectivity—have been set forth in detail here primarily with a view to pointing out expressly in relation to them, since they are often used in the sequel, that they, like other distinctions and opposed determinations of reflection, pass over into their opposites as a result of their finitude and their dialectical character.”⁵⁰⁴

For example, one might argue that while the will is *subjective* insofar as it acts — it is a subject — it is also *objective* in the sense of not being a *subjective, particular* individual but the universal one (sense α). The determination of ‘subjectivity’ is limited by its opposite ‘objectivity’ and yet, both share an underlying identity, that is both apply to the same object — the will. This suggests that insofar as the unity of being and thought informs the whole Hegelian account of philosophical knowledge, and this unity consists of the *identity* of subject and object, any split between the two is provisional and constitutes an obstacle that speculative thought has to overcome.

⁵⁰³ PR §25: 44.

⁵⁰⁴ PR §26: 44, 45.

Hegel accordingly claims that the initial mutual limitation and subsequent ‘passing into each other’ is ‘dialectical’ in the sense that one can only make sense of the will as *merely subjective* in the light of its objectivity — and vice versa. One cannot apprehend what it means for the will to be objective without knowing what it means for it to be subjective. By limiting each other, so Hegel, these terms constitute a mutual finitude and court the dialectical transition from one into the other: “In the will, on the other hand, the opposed aspects [of its objectivity and its subjectivity] are supposed to be at one and the same time abstractions and determinations of the will, which can be known only as something concrete, and so they lead by themselves to their identity and to the confusion of their meanings—a confusion into which the understanding slips quite unconsciously.”⁵⁰⁵ And... “It is usually supposed that subjective and objective stand rigidly in opposition to one another. But this is not the case; it would be truer to say that they pass over into each other, since they are not abstract categories like positive and negative but already have a more concrete significance.”⁵⁰⁶

According to Hegel, the determinations ‘subjective’ and ‘objective’ are thus more speculative than other determinations since they have a tendency to merge into each other, to relate to each other as a difference *within* an identity. This, so Hegel, is different for determinations of the understanding, which remain in their clearly delineated difference to each other: “Distinction *in its own self* is the *essential* [distinction], the *positive* and the *negative*: the positive is the identical relations to self in such a way that it is *not* the negative, while the negative is what is distinct on its own account in such a way that it is *not* the positive. Since each of them is on its own account only in virtue of *not being the other one*, each *shines* within the other, and is only insofar as the other is. Hence, the distinction of essence is *opposition* through which what is distinct does not have an *other in general*, but *its own* other facing it; that is to say, each has its own determination only in its

⁵⁰⁵ PR §26 remark: 45.

⁵⁰⁶ PR §26 addition: 45.

relation to the other: it is only inwardly reflected insofar as it is reflected into the other, and the other likewise; thus each is the other's *own* other.”⁵⁰⁷

Hegel thus suggests that although ‘positive’ and ‘negative’ are mutually dependent, they do not change into each other in the way that the determinations of ‘subjective’ and ‘objective’ do. One might argue that this is contradicted by the fact that for example credit can be counted as positive and debts as negative, or vice versa. Or that the notions of negative and positive electricity suggest that it is arbitrary which we count as positive and which as negative — it is a distinction without difference — cf. magnet. However, Hegel’s point seems to be that once a certain charge is — maybe arbitrarily — defined as ‘positive’ or credit is considered ‘negative’, it is easy to differentiate these from their opposites. This is different with the terms ‘objective’ and ‘subjective’ since they are not as easily confined to one determination. They are linked to concreteness — the unity of opposite determinations — in a way that other, understanding-based determinations are not: “Other such opposed determinations, however, retain a hard and fast meaning for representational thinking and the understanding, because their identity is still only something inward.”⁵⁰⁸

This means that although they are united *in truth*, so Hegel, determinations such as ‘positive’ and ‘negative’ or ‘particular’ and ‘universal’ are more easily kept apart by the understanding. Such determinations’ identity is more ‘inward’ and appears externally different. In contrast, the identity of ‘subjective’ and ‘objective’ is more *explicit*: the terms are mutually exchangeable and more obviously refer to the same thought.

II. 4.6.6. The will and its determinations

Hegel further argues that while certain logical determinations are better than others at concealing their underlying identity, this is not possible in the case of the will: “In the will, on the other hand, the opposed aspects are supposed to be at one and the same time abstractions and determinations of

⁵⁰⁷ Enz §119: 184, 185.

⁵⁰⁸ PR §26 remark: 45.

the will, which can be known only as something concrete, and so they lead by themselves to their identity and to the confusion of their meanings—a confusion into which the understanding slips quite unconsciously.”⁵⁰⁹

In the case of the *will*, it is thus impossible to know any of its determinations as merely objective or as merely subjective, nor do their roles in the conceptualisation of thinking remain clear and distinct. This is partly due to the will’s function as conceptual ‘bridge’ between Geist’s subjective, internal realm of ‘thought’ and its external, objective realm of ‘determined reality’ or ‘second nature’. With pure or abstract thought on the one hand and the material reality of the world on the other, willing belongs to both of these — it is the externalisation of Geist’s inwardness and therefore the objectification of its subjectivity.

II. 4.6.6.1. The confusion of the determinations

For Hegel, the will’s subjective and objective dimensions court the respective other in virtue of their implicit identity: “Thus, for example, the will as inward freedom is subjectivity itself; subjectivity therefore is the concept of the will and so its objectivity. But its subjectivity contrasted with objectivity is finitude, and yet, because of this very contrast, the will is not with itself but is entangled with its object, and so its finitude consists quite as much in the fact that it is not subjective—and so on.”⁵¹⁰

Freedom or self-determination is accordingly the mark of subjectivity. A subject is a subject because it is self-determining. On its own, this is *inward* freedom and has no objective or external manifestation. However, insofar as subjectivity is the *concept* of the will rather than its mere representation, so Hegel, this is also how the will is ‘objectively’ or ‘truly’. If the truly infinite concept of the will constitutes its objectivity, then its *appearance* or manifestation as finite, arbitrary subjects is its subjectivity. However, this subjectivity is limited since it has the content as object. The finite willing subject needs a given object to will and so it depends on this objectivity

⁵⁰⁹ PR §26 remark: 45.

⁵¹⁰ PR §26 remark: 45.

since its very subjectivity implies it — even the arbitrary subject is only a ‘subject’ because it has an ‘object’.

For Hegel, the very sense of ‘subjective’ thus courts a corresponding sense of ‘objective’ and vice versa. Since these determinations do not carry their meaning independently within themselves, their meaning depends on the context: “Hence the meaning to be attributed in what follows to ‘subjective’ or ‘objective’ in respect of the will must each time appear from the context, which defines their position in relation to the will as a whole.”⁵¹¹

II. 4.6.7. §26 Addition: The ‘Subjective’ in bad art and action

The addition to §26 describes some negative senses of the term ‘subjective’: “Consider first the word ‘subjective’. We may call ‘subjective’ an end which is only the end of one specific subject. In this sense a very bad work of art, one which is not quite the thing, is purely ‘subjective’.”⁵¹²

To illustrate this point, it mentions the example of how a good piece of art approximates the unity of form and content and appears necessary in this way. A bad piece of art fails insofar as the artist’s subjectivity is visible — the form does not match the content, the thing in question [*die Sache*] — what is objective about it — is not allowed to express itself fully. With regards to the will, an action that is subjective in this sense is limited to the particular agent that commits it: “The word may also be applied, however, to the content of the will, and it is then almost synonymous with ‘arbitrary’; a ‘subjective’ content is that which belongs to the subject alone. Hence bad actions, for example, are purely ‘subjective’.”⁵¹³

Hegel thus suggests that if I pursue an end that merely benefits me as particular agent rather than a universal and necessary purpose such as universal self-determination, then I will subjectively and arbitrarily. Similar to the artist who is unable to leave his particularity behind in the depicted content, the bad agent is unable to lose his own particular interest in the pursuit of ends. He wills a content that is alien or unnecessary to him as a self-determining being and he

⁵¹¹ PR §26 remark: 45.

⁵¹² PR §26 addition: 45.

⁵¹³ PR §26 addition: 45.

wants, for example, intoxication, the greedy amassing of purposeless material wealth or he undermines those institutions that are requirements for self-determining action in general.

II. 4.6.8. Subjective willing as rational appropriation

Hegel goes on to claim that another sense of subjectivity reduces willing to the indeterminate and purely universal ‘I’ that accompanies all acts of willing: “But, further, it is just that pure empty I which may be called ‘subjective’, the I which has itself alone for its object and possesses the power to abstract from any other content. Thus subjectivity sometimes means something wholly particular”.⁵¹⁴

In this case, ‘subjectivity’ reductively describes one single aspect of the will. Hegel argues that although it is associated with undetermined universality, this aspect is only particular and fails to constitute the whole of willing. While merely subjective willing can be unjustified in virtue of being merely egotistical or emptily self-referential, so Hegel, it can also describe a specific feature of the will that is equivalent with justification itself: “[A]t other times [subjectivity means] something with the highest justification, since everything which I am to recognize has also the task of becoming mine and attaining its validity in me. Subjectivity is insatiably greedy to concentrate and drown everything in this simple spring of the pure I.”⁵¹⁵

This kind of subjectivity, so Hegel, refers to the ‘I’'s demand to understand and comprehend all institutions, practices, actions etc. that it is supposed to value or respect. According to Hegel, this rational drive to assert and do only things that I have rationally appropriated is the origin of subjective justification — I only do or accept what is justified to *me*. As opposed to the will of the child, the slave, the superstitious person or the merely objectively acting ethical subject, this dimension of subjectivity demands that I can give reasons for everything I believe or do. However, Hegel warns that such desire for total subjective justification is not inherently good as it might lead to a fragmentation of society — for example the emergence of a plurality of hardly

⁵¹⁴ PR §26 addition: 45.

⁵¹⁵ PR §26 addition: 45.

distinct political parties, an undermining of pragmatically justified institutions — for example the cars driving on a specific side of the road — and the disruption of spiritual unity — for example ever more intricate divisions within on religion that fail to agree on a common denominator.

II. 4.6.9. Reason and reasons

Does this mean that *any* willing is justified as long as one can give reasons for it? Is there no difference between good and bad reasons for willing something? Hegel argues that while some subjectively held reasons are better than others, having subjective reasons alone is insufficient for establishing the rationality of an action. What's more, it might not even be necessary — ethical action can be ethical without the subject's being able to give reasons for its behaviour. I might thus commit the rational action of marrying and having children without being able to explain *why* I did or ought to do it. While reasons that reveal a concern for the support of rational institutions are better reasons for action than those that aim at the achievement of merely subjective ends, being able to give them is not a necessary condition for the action's quality.

Rather than considering whether the reasons for an action are good or bad, so Hegel, 'subjectivity' also consists in the very fact of wanting to have reasons for action. Its 'greed' is the demand that the subject *knows* that the willed content is good or ethical. The 'I' demands that all its willed content ought to be justified in the light of its alternatives. In comparison to the unquestioning devotion of a dedicated believer, this might appear as a 'weakness of faith', potential blasphemy or as a kind of individual hybris that tempts the individual to refuse obedience to something inherently right. It might appear 'erratic', 'greedy' or 'sinful' in contrast to a world of perfect harmony where struggle and negation are not necessary for an agent that follows divine or ethical demands unquestioningly. Although Hegel's use of the name 'greed' for this phenomenon suggests a negative connotation, this demand of the 'I' is as indispensable as subjectivity itself.

II. 4.6.10. Additional senses of objectivity

The addition to §26 discusses some other senses of ‘objectivity’ that were not mentioned in §25:

“No less varied are the ways in which we may take ‘objective’. We may understand by it everything which we make an object to ourselves, whether actual existences or mere thoughts which we bring before our spirits.”⁵¹⁶ Hegel thus suggests that assuming ‘us’ as self-conscious agents, objectivity is also whatever describes the entities ‘we’ confront. Again, so he reminds, objectivity can refer to the dimension of subject-external manifestation *in the world*: “We also include under this category the immediacy of existence in which the end is to be realized; even if the end is itself wholly particular and subjective, we nonetheless call it ‘objective’ on its appearance.”⁵¹⁷

This suggests that irrespective of whether the ends I achieve are *truly* ethical, as long as they are achieved, they are in some sense objective. However, so Hegel, the notion ‘objective’ can also carry a normative connotation: “But the ‘objective’ will is also that in which truth lies, and thus God’s will, the ethical will, is an ‘objective’ one.”⁵¹⁸ Insofar as the true will is the unity of subject and object, it *has* to be objective and is objective in contrast to the mere subjectivity of individual and particular goals. While the will of God or the ethical will has to be objectively manifest, so Hegel suggests, it is also objective in contrast to the contingency and arbitrariness of subjective and particular willing. This contradicts those accounts that ascribe an otherworldly or transcendental quality to the ethical — on Hegel’s view, ethical norms have to be real institutions and practices that are present in actuality and incorporate the dimension of ‘being-there’.

II. 4.7. §27

II. 4.7.1. The impulse to objectivity

After discussing the Idea of the will’s subjective and objective dimensions in isolation in paragraphs 25 and 26, Hegel once more turns to their unity in §27: “The absolute determination, or,

⁵¹⁶ PR §26 addition: 45.

⁵¹⁷ PR §26 addition: 45.

⁵¹⁸ PR §26 addition: 45.

if you like, the absolute impulse, of the free [Geist] [...] is to make its freedom its object, i.e. to make freedom objective”.⁵¹⁹

This parallels Hegel’s discussion of the will in the *Encyclopedia*. He there analyses the Idea of the will under the heading ‘free Geist’: “The actual free will [...] is *for itself as free will*, now that the formalism, the contingency and limitedness of the previous practical content [of Willkür] have sublated themselves. [...] [The free] will is the *immediate individuality* posited by itself, but an individuality that is also purified to *universal* determination, to freedom itself. The [free] will has this *universal* determination as its object and purpose”.⁵²⁰ And... “The [Geist] which is aware of itself as free and wills itself as this object of itself, i.e. has its essence as its determination and purpose, is first of all *in general* the rational will, or *in itself* the Idea”.⁵²¹

Hegel thus argues that free Geist as subject wills itself as object and that this is equivalent to the negative, objectivity-overreaching unity of the Idea of the will. For him, the Idea of the will *is* free Geist — it is the concept of the will’s reference to itself as object, its alienation from this objectivity and its subsequent rejoining with it to form a single concept.

II. 4.7.2. Two senses of objectivity

In §27, Hegel accordingly identifies two senses in which freedom as ‘free Geist’ makes itself its own object: “[Free Geist makes its freedom its object] [...] in the sense that freedom is to be the rational system of Geist”.⁵²² This suggests that Hegel takes the architectonic of the philosophical account of the Idea of the will or ‘free Geist’ to be a rational and systematic abstraction. It is an ‘object’ for free Geist because Geist as subject of thinking confronts it as a product of its own thought — the philosopher is the instrument of Geist and his account is Geist’s product. This entails that the *Philosophy of Right* can be described as Hegel’s attempt to give an abstract, systematic account of the Idea of right’s rational structure.

⁵¹⁹ PR §27: 46.

⁵²⁰ Enz §481: 214.

⁵²¹ Enz §481: 214 (‘mind’ replaced by ‘spirit’).

⁵²² PR §27: 46.

II. 4.7.3. The second sense of objective

Secondly, Hegel argues that free Geist objectifies itself in form of an existing world of institutions and practices that articulate and enable self-determination: “[Free Geist makes its freedom its object] in the sense that this system is to be the world of immediate actuality”.⁵²³ Since Geist’s ‘immediate actuality’ is product and part of free Geist, so Hegel claims, it is Geist-internal. However, insofar as it opposes Geist as external objectivity, it is immediate and not yet comprehended to be Geist’s own. This corresponds to the sense of objectivity (γ) that Hegel discusses in §26: “immediacy of existence as external reality”⁵²⁴ — free Geist’s self-determination is supposed to be ‘embodied’ in institutions, norms and practices that shape a seemingly Geist-external, material world.

II. 4.7.4. Idea and in-itself

According to Hegel, the purpose behind Geist’s drive to objectification is thus the acquisition of the dimension of ‘for itself’. At the stage of Willkür, so Hegel, the will is merely ‘in-itself’ since the external reality and its determinations are not mediated to the level of being an objective expression of the will. Consequently, the will relates to them as something other than itself. This, so Hegel suggests, changes with the transition to the Idea — here, the world becomes the embodiment of the will itself. By referring to the world, the will refers to itself — it is for-itself. The Idea thus combines both dimensions — it is the will that is ‘in-and-for-itself’: “In making freedom its object, [Geist’s] purpose is to be for itself, as Idea, what the will is in itself.”⁵²⁵

The structure of the Idea of the will, so Hegel, can be abstractly described in terms of a self-referential entity: “The abstract concept of the Idea of the will is in general *the free will which wills the free will*.”⁵²⁶ By willing self-determination, the concept of the free will as subject wills

⁵²³ PR §27: 46.

⁵²⁴ PR §26: 44.

⁵²⁵ PR §27: 46.

⁵²⁶ PR §27: 46.

itself as object. The institutions, practices and norms of a free society — a society that embodies self-determination — are the objective dimension of the truly universal concept of the will and result from Geist's drive to objectification. Although they appear as 'determinateness' or 'second nature', they are as spiritual as the activity of self-determination that brings them forth. According to Hegel, this means that the self-willing concept of the will manifests itself in the rational actions of finite subjects and in the support they give to institutions, norms and practices that articulate and further self-determination.

II. 4.8. Chapter Conclusion

For Hegel, the Idea of the will constitutes the highest possible form of rational willing. It is more universal than the pursuit of happiness and its character is true infinity. This Idea *contains* particularity and thereby avoids the emptiness of Willkür's 'I'. However, it is only accessible to speculative thought — the faculty of mere understanding is neither able to explicitly appreciate the Idea's presence in finite activity nor can it comprehend the fact that the Idea has always already achieved itself as purpose. On their own, the Idea's subjective and objective dimensions are untrue or lacking and the Idea is only truth because it constitutes their unity.

II. 5. Chapter 5

The logical analysis of the Idea of the will that Hegel undertakes in §§21-27 results in the claim that he advances in §28: The Idea manifests itself as Geist's rational and systematic totality. According to Hegel, this totality is 'right' (§29) and he treats it as equivalent to the Idea of freedom, objective Geist, the will that is in-and-for-itself and the mediated will. For Hegel, this Idea has true infinity and universality and while finite activity is its appearance, it is actual and objective.

II. 5.1. §28

II. 5.1.1. Idea as sublation

In §28, Hegel thus returns to the discussion of the Idea of the will as the *unity* of the will's subjective and objective dimensions. Since the Idea is the ultimate origin of all reality, it is the first condition and necessary presupposition of actuality, finite agency and freedom.⁵²⁷ In the Idea, the will's subjective and objective dimensions unite in the conception, pursuit and the reality of rational action. According to this view, the self-determining behaviour of particular subjects and socially embodied norms, practices and institutions that promote and condition self-determination are part of the Idea's internal and continuous self-alienation and - reconciliation.

Hegel goes on to claim that the unification of the concept of the will *as subject* with itself *as object* is the 'sublation' or 'annulling' of the contradiction between its two moments: "The will's activity consists in annulling [*aufzuheben*] the contradiction between subjectivity and objectivity and giving its aims an objective instead of a subjective character, while at the same time remaining with itself even in objectivity."⁵²⁸ This also means that the Idea's subjective side — the concept of the will — is never *entirely* objectified:

"Objectivity, taken by itself, is therefore nothing but the *reality* of the Concept, but the Concept in the form of independent particularization and the *real* distinguishing of all the factors of which the Concept as subjective was the *ideal* unity. But, since it is only the *Concept* which has to

⁵²⁷ See e.g. Burbidge 2006: 103.

⁵²⁸ PR §28: 46.

give itself existence and reality in objectivity, objectivity will have to bring the Concept to actuality in objectivity itself. [...] [A]lthough the difference of the particulars is *real*, their *ideal* conceptually adequate unity must all the same be restored within them; they are particularized in *reality* but their unity, mediated into *ideality*, must also exist in them. This is the power of the Concept which does not abandon or lose its universality in the dispersed objective world, but reveals this its unity precisely through and in reality.”⁵²⁹

Although it changes from subjective to objective in order to appear as *content*, so Hegel, the concept remains the same in both guises: “[The Idea’s] real content is only the presentation that the Concept gives itself in the form of external thereness; and since this figure is included in the ideality of the Concept, or in its might, the Concept preserves itself in it.”⁵³⁰

This description also applies to the Idea of the *will* that Hegel describes as the procedural unity of the subjective and objective dimension of the concept of the will: “[T]he purposive activity of this will is to realize its concept, freedom, in the externally objective realm, making it a world determined by the will, so that in it, the will is at home with itself, joined together with itself, the concept accordingly completed to the Idea.”⁵³¹

II. 5.1.2. Idea and process

Insofar as the subject-object relationship is dynamic and mutually alienating, the Idea as this relationship is never ‘closed’ or ‘static’: “The Idea is essentially *process*, because its identity is only the absolute and free identity of the Concept, because this identity is the absolute negativity and hence dialectical. The Idea is the course in which the Concept (as the universality that is singularity) determines itself both to objectivity and to the antithesis against it, and in which this externality,

⁵²⁹ Aesth: 109-110.

⁵³⁰ Enz §213: 286.

⁵³¹ Enz §484: 217. cf. “This totality is the *Idea*, i.e. it is not only the ideal unity and subjectivity of the Concept, but likewise its objectivity—the objectivity which does not stand over against the Concept as something merely opposed to it but, on the contrary, the objectivity in which the Concept relates itself to itself. On both sides, subjective and objective, of the Concept, the Idea is a whole, but at the same time it is the eternally completing and completed correspondence and mediated unity of these totalities. Only so is the Idea truth and all truth.” (Aesth: 110).

which the Concept has with regards to its substance, leads itself back again, through its immanent dialectic, into *subjectivity*.”⁵³²

This suggests that the concept as subject never *remains* objective once it has objectified itself. Instead, its subjectivity is alienated from itself, turns into objectivity, is alienated from this objectivity, returns back into itself, objectifies itself again etc.. Every objective and every subjective form that the concept assumes is thus the result and origin of another self-alienation and Hegel argues that this activity is virtuously circular or ‘truly’ infinite rather than linearly infinite insofar as it takes place *within* the negative unity of the Idea that is a self-contained *movement*:

“Since the Idea is (a) *process*, the expression of the Absolute as “the *unity* of the finite and infinite, of thinking and being, etc.” is false [...]; for “unity” expresses an abstract, *quietly* persisting identity. [...] [T]he infinite only appears to be *neutralised* with the objective, and thinking with being. But in the *negative* unity of the *Idea*, the infinite overgrasps the finite, thinking overgrasps being, subjectivity overgrasps objectivity. The unity of the Idea is subjectivity, of thinking, or infinity, and therefore it has to be essentially distinguished from the Idea as *substance*, just as this *overgrasping* subjectivity, thinking, or infinity has to be distinguished from the one-sided subjectivity, thinking, or infinity, to which it reduces itself in judging and determining.”⁵³³

Hegel thus argues that like the living organism that is body and soul *together*, is constituted by their interaction and has no ‘Ideal end-state’, so the Idea is not statically perfect — neither from the perspective of the concept or that of appearance. Nevertheless, it is *one* category

⁵³² Enz §215: 290. cf. “Now the Idea as such is nothing but the Concept, the real existence of the Concept, and the unity of the two. For the Concept as such is not yet the Idea, although ‘Concept’ and ‘Idea’ are often used without being distinguished. But it is only when it is present in its real existence and placed in unity therewith that the Concept is the Idea. Yet this unity ought not to be represented, as might be supposed, as a mere neutralization of Concept and Reality, as if both lost their peculiar and special qualities, in the way in which caustic potash and acid interact to form a salt, and, combining, neutralize their contrasting properties.’ On the contrary, in this unity the Concept is predominant. For, in accordance with its own nature, it is this identity implicitly already, and therefore generates reality out of itself as its own; therefore, since this reality is its own self-development, it sacrifices nothing of itself in it, but therein simply realizes itself, the Concept, and therefore remains one with itself in its objectivity. This unity of Concept and Reality is the abstract definition of the Idea.” (Aesth: 106).

⁵³³ Enz §215 remark: 290.

that — like the notion of an internally dialectical democratic process⁵³⁴ — is articulated *in* the interaction of its elements and is not comparable to an abstractly perfect utopia.

II. 5.1.3. The Idea appears: finitude

Insofar as individual rational willing creates and sustains rational institutions, so Hegel, it is an embodiment of the Idea: “[T]he Idea is again existent only in the *immediate* will, it is the side of reason’s *reality*, the *individual* will as knowledge of that determination of itself which constitutes its content and purpose [...] The Idea thus appears only in the will that is a finite will, but which is the *activity* of developing the Idea and of positing the Idea’s self-unfolding content as reality”.⁵³⁵

This reiterates the point that the appearance of the Idea takes the form of the actions of particular subjects and insofar as these act rationally and create and sustain institutions, practices and norms that embody self-determination, their behaviour is ‘ideal’.⁵³⁶

According to Hegel, this notion applies to the whole of social reality: whatever is supremely rational in society, history and action is the *presence* of the Idea of the will. Insofar as behaviour falls short of the Idea, it ‘is merely there’ or ‘is mere appearance’. In that case, it is not the ‘Idea that appears’ but ‘appearance that is’.⁵³⁷ Criminal behaviour, the blind satisfaction of basic instincts for their own sake and unsuccessful attempts to self-determine all lack ideality.

Nevertheless, insofar as they are the ‘negation’ or ‘shortfall’ of the Idea, also they originate *in* the idea. One obvious example of this seems to be the case of crime. Hegel treats it as an explicit part of the Idea’s moment of abstract right — as a negation of property, personhood and contract, it is needed to maintain these institutions.

⁵³⁴ Given Hegel’s reservations about democracy this might not be the most suitable metaphor.

⁵³⁵ Enz §482: 214.

⁵³⁶ For the relationship between history and Idea see Houlgate 2005: 25.

⁵³⁷ cf. “If this identity [between reality and Concept] is not established, then the existent is only an appearance in which, not the total Concept, but only one abstract side of it is objectified; and that side, if it establishes itself in itself independently against the totality and unity, may fade away into opposition to the true Concept. Thus it is only the reality which is adequate to the Concept which is a true reality, true indeed because in it the Idea itself brings itself into existence.” (Aesth: 111).

II. 5.1.4. Consciousness and the division of subject and object

Hegel thus argues that the self-objectification and simultaneous resting-with-itself of the concept of the will takes place *within* the identity of the Idea. However, this is not the only notion of the concept of the will's self-objectification on offer. Hegel furthermore argues that the Idea's subjective and the objective dimension can be described in terms of the opposition between self-conscious agents and an external world: "[The will's activity of giving its aims an objective instead of a subjective character is also] [...] the formal mode of consciousness [...], where objectivity is present only as immediate actuality".⁵³⁸ This description parallels the Idea's — or objective Geist's — *appearance* as the willing of finite, conscious subjects: "*Consciousness* constitutes the stage of the [Geist's] reflexion or *relationship*, of [Geist] as *appearance*."⁵³⁹

This suggests that the particular agents that are part of the concept of the will face an external world that is immediately 'given' to them and translate their subjective ends into objective reality. Insofar as their ends are rational and express self-determination, they constitute actuality. Although *in truth* or *as Idea*, willing subject and objective world are negatively united, they *appear* to be separated. The *formality* of this separation between self-consciousness as subject and the world as object, so Hegel, contrasts with the *concrete* unity of the Idea.

II. 5.1.5. Idea and development

In *truth* rather than appearance, so Hegel, the concept of the will's translation of its subjectivity into objectivity is the Idea's *immanent development*. Insofar as the Idea is 'objective Geist', this notion parallels Hegel's claim in §8 that the activity of self-conscious agents is but the appearance of Geist in its truth.⁵⁴⁰ While framing activity in terms of the pursuits of self-conscious agents suggests that the subject-object split is *absolute*, Hegel's notion of the Idea's internal development sees these

⁵³⁸ PR §28: 46.

⁵³⁹ Enz §413: 142.

⁵⁴⁰ "As individuality returning in its determinacy into itself, this will is the process of *translating the subjective purpose* into *objectivity* through the mediation of its own activity and some external means. In [Geist] as it is in and for itself [*wie er an und für sich ist*], in which its determinacy is true and simply its *own*, the relation of consciousness constitutes only the *appearance* of the will". (PR §8: 33).

dimensions united: “[The will’s] activity is in essence the development of the substantial content of the Idea [...] — a development through which the concept determines the *Idea, itself* at first *abstract*, until it becomes a systematized whole. This whole, as what is substantial, is independent of the opposition between a merely subjective aim and its realization and is the same in both despite their difference in form.”⁵⁴¹

Hegel thus suggests that since subjectivity and objectivity are both expressions of the concept that relates to itself *within* the Idea, the concept’s actuality or objective reality is Idea-internal — it is the Idea’s *content*. While this content is initially only abstract and thus *contingent* actuality, it eventually manifests as ‘actual’ or ‘developed’ actuality.⁵⁴² This also entails that the Idea as a developed actual, systematic whole of different moments is independent of the difference between subject and object that characterises actuality — the Idea is one ‘self-determining substance’ rather than a relationship between substantiality and activity. Consequently, ‘thinking’ the Idea means to grasp socio-political reality and all its norms and institutions as an articulation of a single entity — the concept that produces its own reality and is itself *in* this reality.

II. 5.1.6. §28 Notes: Geist and Dasein

In his notes to §§26-28, Hegel describes the concept of the will as ‘Geist’ that wants to join its concept and its Dasein in order to become Idea: “[S]pirit wants to be *Idea*”.⁵⁴³ He suggests that Geist’s Dasein is the externality [*Äusserlichkeit*] that the concept acquires in the process of its realisation and is identified with ‘particularity’.⁵⁴⁴ Like universality and particularity unite in singularity, so Hegel suggests, the concept and its external reality form the Idea.

This also entails that for Hegel, the lack of the Idea’s presence in a given socio-political reality is a mark of a people’s immaturity.⁵⁴⁵ For him, the Idea is manifest and a people is mature when its institutions, norms and practices allow, further and encourage self-determination. Like the

⁵⁴¹ PR §28: 46.

⁵⁴² See the discussion of actuality in PR §3.

⁵⁴³ PR §28 notes: 79 (Suhrkamp).

⁵⁴⁴ PR §28 notes: 79 (Suhrkamp).

⁵⁴⁵ PR §28 notes: 79 (Suhrkamp).

adult is more self-determining and freer than the child, so Hegel, given societies and peoples vary in their degree of self-determination that is subject to the Idea's presence.

II. 5.2. §29

II. 5.2.1. Right

While Hegel describes the Idea of the will as a negative unity of abstract Idea and substance in §28, he identifies it with the notion of 'right' in §29: "Right [*Recht*] is any existence at all which is the *existence [Dasein] of the free will*. Right therefore is by definition freedom as Idea."⁵⁴⁶ Similarly, in the *Encyclopedia*, Hegel claims: "This reality in general, as *embodiment* of the free will, is *right*, which is [...] the embodiment of *all* determinations of freedom."⁵⁴⁷ Hegel thus takes self-determination to be the defining moment of right. For him, right's subjective dimension is the activity of self-determination and its objective existence are institutions, practices and norms that embody this self-determination.

II. 5.2.2. Right, objective and absolute Geist

In the *Encyclopedia*, Hegel describes the 'Idea of the will' or 'right' as 'objective Geist'.⁵⁴⁸ He thus takes the objective dimension that Geist acquires in the course of its self-development to be the same reality that results from the concept of the will's self-determination. While Geist is initially 'inward' or merely subjective for Hegel — for example it articulates itself in form of categories like 'soul', 'consciousness' and 'theoretical' and 'practical Geist' —, it acquires an external or 'objective' dimension by means of willing. This means that willing translates thinking's inwardness into external presence — 'objective Geist' is material(-ised) thinking.

Just like right, so Hegel, Geist is objective because the norms and institutions it embodies appear to be Geist-*external* phenomena. While Geist's objective dimension initially seems to be distinct from its subjective one, this changes with absolute Geist and its spheres of art,

⁵⁴⁶ PR §29: 46.

⁵⁴⁷ Enz §486: 218.

⁵⁴⁸ Enz §485, §486: 217, 218.

religion and philosophy.⁵⁴⁹ Here, the internal dimension is united and reconciled with the objective dimension. Geist now confronts its own inner life as external *and* at the same time internalises its externality.⁵⁵⁰ As absolute Geist, Geist is with itself how it truly is — the unity of its concept and reality. In absolute Geist, Geist as intelligence reaches the stage of conceptual and thus true thought: “The *concept* of [Geist] has its *reality* in the [Geist]. That this reality be *knowledge* of the absolute Idea and thus in identity with the concept, involves the necessary aspect that the *implicitly* free intelligence be in its actuality liberated to its concept, in order to be the *shape* worthy of the concept.”⁵⁵¹

Hegel thus argues that while Geist’s thinking is adequate to its own rational structure proper — its concept — in absolute Geist, also its reality expresses this structure. This means that subjective Geist and objective Geist are aspects and initial stages of this development towards the unity of Geist’s concept and reality: “The subjective and the objective [Geist] are to be regarded as the way on which this aspect of *reality* or existence develops itself”.⁵⁵² In art, religion and philosophy, Geist shows itself to itself how it *really* is — as absolute, subjective *and* objective unity. This absolute relation includes the philosophical account of right as part of absolute Geist — Geist confronts itself in abstract systematic form through the work of the philosopher.

In contrast to absolute Geist, so Hegel, the Idea of right is the objective dimension of Geist in relation to its subjective dimension. This means that right is both: 1) the self-objectification of Geist and 2) the result of the self-objectification of the concept of the free will. Consequently, the ‘concept of the will’ is equivalent to ‘Geist’ at the stage of ‘objective Geist’ — the former is the most concrete available form of the latter.

⁵⁴⁹ See Enz §553 ff.

⁵⁵⁰ See Enz §554 ff.

⁵⁵¹ Enz §553: 257.

⁵⁵² Enz §553: 257.

II. 5.2.3. Remark: Kant's notion of right

Hegel stresses that his account of right as *Idea* differs from Kant's notion of 'universal right': "The crucial point in both the Kantian and the generally accepted definition of right (see the Introduction to Kant's Doctrine of Right) is the 'restriction which makes it possible for my freedom or self-will to coexist with the self-will of each and all according to a universal law'. On the one hand, this definition contains only a negative determination, that of restriction, while on the other hand the positive factor—the universal law or the so-called 'law of reason', the correspondence of the [Willkür] of one individual with that of another—is tantamount to the principle of contradiction and the familiar notion of formal identity."⁵⁵³

Hegel thus takes his *Idea* of right to have a concrete and actual presence and that stands in contrast with Kant's so called 'abstract' notion of right according to which every particular agent's action has to be compatible with those of all others. According to Hegel, this 'definition' of right is 'merely negative' insofar as it functions as a restriction of behaviour that is assumed as 'given' or 'positive' — on Hegel's reading, Willkür is Kant's *content* of right while its abstract restriction is its 'form'. For Hegel, Kant's right thus consists in the demand that individual actions ought to be identical in the sense of 'not being at odds with each other'. This, so Hegel thinks, entails that the *content* of Kant's notion of right is as arbitrary as the actions it originates from:

"The definition of right which I have quoted involves that way of looking at the matter, especially popular since Rousseau, according to which what is fundamental, substantial, and primary is supposed to be the will of an individual in his own arbitrary self-will, not the rational will in and for itself, and [Geist] as a particular individual, not [Geist] as it is in its truth. Once this principle is adopted, of course the rational can come on the scene only as a restriction on the type of freedom which this principle involves, and so also not as something immanently rational but only as an external, formal universal."⁵⁵⁴

⁵⁵³ PR §29 remark: 46, 47.

⁵⁵⁴ PR §29 remark: 46, 47.

For Hegel, Kant's right is *external* to action insofar as he defines action as arbitrary, particular and contentful. For Hegel, this entails that Kant's rational right is but a superimposed restriction that is added to contentful action — right is not action-*immanent*.

II. 5.2.4. Hegel's Idea of right

In contrast, Hegel argues that his own notion of right as *Idea* is not 'based' on arbitrary behaviour but rather *encompasses* and contains the activity of the self-actualising concept of the will. This entails that rational individual behaviour is part and *appearance* of the concrete concept of right while less rational or just arbitrary behaviour is *mere* appearance. In all instances of action, so Hegel, it is the Idea that appears in form of rational, self-determining action — the Idea is action-immanent. Since the Idea is the embodiment of rational behaviour, it is not 'added', 'extra' or dependent on particular agents — it is not a restriction of their action but rather its origin.

This point can be illustrated with reference to language. One might thus argue that like a language — for example Saussurian 'langue' — that manifests itself in the form of speaking individuals — for example Saussurian 'parole' — and is presupposed for communication to be possible at all, so the Idea as a common notion of self-determination is 'presupposed' in the sense of 'being implicit in' the rational actions of particular subjects. While a language cannot be explained in terms of the arbitrary linguistic practice of individuals alone — this would entail as many private languages as there are speakers — right is what has to be presupposed so that individual self-determining activity can take place at all.

Hegel expresses this thought when he argues that right is *true* universality — the 'origin' and the immanent condition of the possibility of particular actions' existence. For him, right articulates itself *in* rational individual action — like 'courage' manifests itself in the actions of heroic persons, so the Idea of right manifests itself in actions of self-determination. This means that the 'content' — objectivity — of right is as rational as the 'form' — the concept — that creates it. In contrast to Kant's notion of right, so Hegel argues, the *Idea* of right is contentful and thus has a

positive existence. It is universal and ‘rational’ since it contains the concept that objectifies itself to become Idea.

Hegel’s Idea of right is thus able to accommodate universality — form — *and* objectivity — content — as opposed to Kant’s notion of right that absolutely *differentiates* between particular action — content — on the one side and universal rule — form — on the other. For Hegel, Kant’s absolute differentiation between these dimensions is the result of ‘reflection’ or ‘understanding’ — it is thus *not* speculative — and contradicts Hegel’s concept’s unity of universal and particular: “[Kant’s] view is devoid of any speculative thinking and is repudiated by the philosophical concept.”⁵⁵⁵

II. 5.2.5. Moral nihilism

According to Hegel’s view, Kant’s and Rousseau’s failure to unify form and content also entails that they cannot distinguish between rational and irrational behaviour. On Hegel’s reading, Kant and Rousseau suggest that as long as the actions of individuals are *formally* compatible with each other, they are rightful or rational, irrespective of what their *content* is. In the case of a conflict of different contents of behaviour, so Hegel, it is impossible for Kant or Rousseau to tell which ‘content’ is compatible with the ‘formal’ standard. Since on their view, content and form are absolutely different, no content or all content is formally acceptable. This entails that the content of any action could be made compatible with that of corresponding others — when everybody oppresses, no-one does.

Hegel thus thinks that according to Kant and Rousseau, any agent is able take the content of his action to represent right — any behaviour can be generalised or ‘formalised’. In the lack of substantive requirements, any course of action can be used to force other arbitrary agents to conform with its requirements in the name of right’s demand of non-contradiction and

⁵⁵⁵ PR §29 remark: 47.

compatibility. Without content, so Hegel, right is ‘empty’ or ‘nothing determinate’ — unwittingly, Kant and Rousseau become vulnerable to the charge of moral nihilism.

In practice — so Hegel suggests — such lack of a universal and *contentful* criterion for action often collapses into the right of the action of the most powerful or the most popular — often with catastrophic consequences: “And the phenomena which it has produced both in people’s heads and in the world are of a frightfulness parallel only to the superficiality of the thoughts on which they are based.”⁵⁵⁶

Although Kant and Rousseau would explicitly deny the validity of Hegel’s interpretation, Hegel argues that their commitment to arbitrary actions as ‘providers of right’s content’ commits them to it. In spite of Rousseau’s insistence that the universal will is not just the will of all, of anyone particular or of the most powerful, and although Kant claims that the demands of right are grounded in the same rational and categorical universality as morality, Hegel thinks their failure to conceptualise the congruence of form and content, universality and particularity and of the relationship between individual willing — Willkür — and the Idea of right means that they fall short of their own aspiration.

II. 5.3. Chapter Conclusion

In §§28 and 29, Hegel argues that the result of the Idea of the will’s procedural activity is the actuality of right. Finite, self-conscious agents are at best the Idea’s appearance and at worst ‘merely arbitrary’. As opposed to what Hegel calls formal accounts of right, his Idea of right is substantive and is manifest in rational, individual behaviour.

⁵⁵⁶ PR §29 remark: 47.

II. 6. Chapter 6

In the final paragraphs of the *Philosophy of Right*, Hegel argues that the Idea of right is organised into individual determinations that form a hierarchically ordered whole (§30). Insofar as these are all products of the same concept's development (§32), philosophy has to describe them as immanently universal, differentiated *and* identical (§31). He calls their specific determinations 'abstract right', 'morality' and 'Sittlichkeit' (§33).

II. 6.1. §30

II. 6.1.1. Self-conscious freedom

For Hegel, right is — like every Idea — 'sacrosanct' because it is the physical presence of the concept that is with itself [bei sich]: "It is precisely because right is the existence of the absolute concept or of self-conscious freedom that it is something *sacrosanct* [*heilig*]." ⁵⁵⁷

This reiterates his previous point that in contrast to 'existence' or 'appearance', Hegel takes the concept to be defined by 'freedom' rather than by contingency or arbitrariness. For Hegel, the concept is not 'what happens to be done' but what freedom demands to be done. For him, the Idea of right as 'true freedom' embodies itself in those institutions and practices that express the concept's self-referential or absolute freedom. This entails that only those actions, institutions and norms that qualify as an instance of self-determination are part of 'right' and thus 'sacrosanct'. Again, the objective dimension of right as Idea means that right is objectively manifest *in the world*.

II. 6.1.2. The formalism of right

Since the Idea of right is the unity of 'form' and 'content' and of 'particular' and 'universal', it is concrete. However, despite its overarching identity, so Hegel, it contains differences or 'moments' within. Since all of these are forms of the same thing— viz. right — they can conflict with each other. The right-internal differentiation into various forms is the product of what Hegel calls the

⁵⁵⁷ PR §30: 47. cf. "Right is sacrosanct because it rests on the freedom of the will; and this also follows from the basic determination of the essence of God. What is free—pure [Geist]—is the basic concept of God." (LNR §8 remark: 56).

tier- or step-like development of ‘freedom’ as self-particularising concept of the will or ‘self-determination’: “The *formalism* of right [...] arises, however, out of differences in the development of the concept of freedom.”⁵⁵⁸

For Hegel, the different forms in which right presents itself are hierarchically ordered. In the *Encyclopedia*, he thus describes the moments’ relationship in terms of ‘circles’ — the overarching circle of the Idea contains the smaller circles of the moments which are themselves circles: “Each of the parts of philosophy is a philosophical whole, a circle that closes upon itself; but in each of them the philosophical Idea is in a particular determinacy or element. Every single circle also breaks through the restriction of its element as well, precisely because it is inwardly [the] totality, and it grounds a further sphere. The whole presents itself therefore as a circle of circles, each of which is a necessary moment, so that the system of its peculiar elements constitutes the whole Idea — which equally appears in each single one of them.”⁵⁵⁹

Within the Idea of right, the moments ‘abstract right’, ‘morality’ and ‘ethical life’ are accordingly made up of smaller moments and ‘later’ or ‘higher’ moments have a ‘higher right’ — they are more ‘concrete’ and ‘universal’ than ‘lower’ ones: “By contrast with the right which is more formal (i.e. more abstract) and so more restricted, a higher right belongs to the sphere and stage of [Geist] in which [Geist] has determined and actualized within itself the further moments contained in its Idea; and it belongs to this sphere as the sphere which is more concrete, intrinsically richer, and more genuinely universal.”⁵⁶⁰

Although Hegel argues that the different forms of right differ and oppose each other — this is what he refers to with the claim that right ‘formally’ differs — they are part of the same overarching Idea and thus one. While every form of right bestows its own rights and brings with it its own duties, the conflicts that arise between the different forms of right and their corresponding rights- and duty claims take place *within* right. Insofar as these claims rely on the notion that there

⁵⁵⁸ PR §30: 47.

⁵⁵⁹ Enz §15: 39.

⁵⁶⁰ PR §30: 47.

are *absolutely different* agents, norms and practices, they presuppose an opposition that Hegel considers to be untrue to the Idea's ultimate reality of difference-accommodating identity.

One can argue that in this context, 'right' has two different meanings for Hegel. Firstly, it means 'the right of someone' or of an institution. Such a right is held in the face of others or of an institution. Secondly, it refers to the overarching Idea of right, the source and condition of all individual rights. According to Hegel, the latter is the more concrete notion and the ultimate condition for all forms of right and their corresponding claims. As Idea, it is present in all subjectively held motivations and attitudes *and* in the objective manifestation of institutions and practices.

II. 6.1.3. §30 Remark: The different spheres of right

For Hegel, right's lowest form, viz. 'abstract right' consists of 'personality', 'property', 'contract' and 'wrong'.⁵⁶¹ Right's second form is 'morality' — the subjective pursuit of the good in face of an external world — and its final, most concrete form is 'ethical life' [*Sittlichkeit*], which represents the interests and rights of family life, civil society — roughly the economic sphere — and finally the state.⁵⁶² Each form presents the different interests, rights and duties that are specific to its domain: "Every stage in the development of the Idea of freedom has its own special right, since it is the existence of freedom in one of its own determinations. When there is said to be a clash between the moral or the ethical and right, the right in question is only the initial, formal, right of abstract personality. Morality, ethical life, the interest of the state, each of these is a distinctive right because each of them is a specific determination and existence of freedom."⁵⁶³

According to Hegel, later stages of right 'contain' and can consequently overrule lower stages and their claims. While morally motivated actions can conflict with appeals to the possession of abstract personhood, property and contract, ethical concerns may outrival both of these. For example, it might be deemed 'immoral' that a wealthy man does not share his riches with the

⁵⁶¹ See e.g. Enz §487.

⁵⁶² PR: v, vi.

⁵⁶³ PR §30 remark: 47.

starving masses in times of need. Stealing from such a man might then be morally justified.

However, if doing so contradicts the interests of the state, it is illegitimate.

Although it might be the case that a violation of abstract right such as stealing someone's property furthers the interests of ethical life's 'state' — for example private fortune might be appropriated to buy weapons for national defence — the moral motivation for denying someone's right to property has to be at least neutral with regards to the interest of ethical life in order to be morally excusable. This means that moral concerns might override abstract right but not ethical life. Although such acts would still be considered wrong and deserve punishment, they can simultaneously be considered morally permissible or even morally valuable. Similarly, ensuring the continuation of the institution of family life, civil society or the state might justify the breaking of a contract or an action against one's moral conscience.

While higher forms of right might overrule lower ones, so Hegel seems to suggest, one always needs to comprehend lower forms in order to grasp what a higher form means. In order to apprehend what 'morality' is, one needs to grasp 'abstract right'. That means that one only knows what a moral subject and its reasoning is, because one knows 'abstract right' and its notion of 'personhood'. From the perspective of abstract right, morality is 'what goes beyond' abstract right's own claims.⁵⁶⁴

Accordingly, for Hegel, the moral 'subject' is more than the 'person' of abstract right and its property. Insofar as the moral sphere contains abstract right, moral considerations take place against the background of the abstract notions of personhood, property and contract. Moral deliberation considers these lower forms when it makes its judgements, it is aware of their claim to rightfulness and decides to support or overrule them.

The same goes for considerations of ethical life, where the fact of moral considerations and motivation has to be taken into account before it is supported or overruled in the interest of

⁵⁶⁴ Hegel uses these moments to build up an increasingly complex notion of 'human being'. Unlike theorists like Hobbes, Hegel conceives of human beings in a state as quite different from their natural aspects: With regards to willing, he differentiates the following dimensions: 1. Person (abstract right) 2. moral subject (morality) 3. family member (family) 4. civilian/bourgeois (civil society) 5. Citizen (state)

family, civil society or state. While a moral agent might thus disagree with a course of action that furthers the interests of the state, it is legitimate for him to overrule his reservations in the name of the state's interest. This might even be done with the agent's consent: Although I as a member of parliament think that greater restrictions on foreign investment are immoral because they contradict my belief in fair international economic competition, I can still vote in their favour if doing so promotes the state's interest. However, if I rate international economic competition higher than the state's right, I might vote against the state's interest on moral grounds. My motive might be to support the state-trumping world Geist or my own belief in competition. Nevertheless, my rational reflection might also lead me to think that my individual moral perspective is not absolute and ought to be trumped by the state's interest.

However, if I think that it is impossible to tell whether a policy promotes the state's interest *and* I morally disagree with it, I might be inclined to reject it. Naturally, I might be unaware of a policy's ethical import and erroneously vote against it on moral grounds. In that case, I might be right as *moral subject* but err as ethical subject — I mistake my subjective notion of the good for what is truly right.

Although previous forms of right are more abstract, so Hegel, they are indispensable for moving on to higher forms. While the state's interest trumps all other interests and the lower spheres of abstract right and morality have a 'duty' towards the state's interest, the state has a duty of subsistence towards the lower stages. By being part of right, they are also part of the 'state' as right's most concrete determination — they contribute to its constitution. A state is only complete or 'healthy', if it maintains the institutions of abstract right, protects moral and enables moral deliberation, the family and civil society. By pursuing its own interest, the state inevitably pursues the lower spheres' interest since they are part of it.

According to Hegel, it might well be the case that more abstract forms appear historically later, for example, modern morality might historically emerge *after* certain forms of ancient Greek ethical life, ethical life is 'ontologically prior' to morality and is the condition of the

possibility for morality's emergence. Nevertheless, the historical appearance of the more abstract form of 'morality' might modify the already present form of 'ethical life' and thereby contribute to its own development. For example, ancient Greece lacked morality but had *Sittlichkeit* whereas revolutionary France arguably had morality but lacked *Sittlichkeit*.⁵⁶⁵

II. 6.1.4. The collision of forms

Hegel stresses that despite their mutual dependency, the forms of the Idea can collide with each other because they express the same content, namely right or 'freedom'. Without this 'common denominator' they could not even be compared: "[The forms of right] can come into collision with each other only insofar as they are all equally rights. If [Geist's] moral standpoint were not also a right, or freedom in one of its forms, it could not possibly come into collision with the right of personality or with any other right, because any right whatever has inherent in it the concept of freedom, i.e. the highest category of [Geist], in contrast with which anything else is without substance."⁵⁶⁶

While all forms of right as articulations of 'objective freedom' share this determination, so Hegel, their different levels of concreteness entail a hierarchical ordering: "Yet at the same time collision involves another moment, namely the fact that it is restrictive, and so if two rights collide one is subordinated to the other. It is only the right of the world-spirit [*Weltgeist*] which is absolute without qualification."⁵⁶⁷

This suggests that every form of right is subdued by another form and even the final form of ethical life, namely the state, is subordinated to the right and interest of world spirit. While each form of right has a right against another form, so Hegel, each form defines a right that can be possessed by an individual. Insofar as a citizen participates in abstract right, he has the right to recognition as a person, to hold property, to enter contracts and to be punished for doing wrong.

⁵⁶⁵ Michael Inwood, oral exchange.

⁵⁶⁶ PR §30 remark: 47.

⁵⁶⁷ PR §30 remark: 47, 48.

Likewise, he has a right to make his own moral decisions and to act on these even in the light of contradicting considerations of abstract right.

Hegel suggests that insofar as every form of right constitutes a corresponding duty, the individual has the duty to maintain these institutions and to abide by their requirements. As self-determining individuals we *ought to* participate in abstract right, moral deliberation and ethical life — we ought to be a member of a family and begin a new family, we ought to participate in the economic sphere and we ought to support the rational state and its institutions.

While all forms of right that are more abstract than the state presuppose the state for their own existence — for example, there can only be abstract right if there is a motivation for cooperation and mutual respect, there can only be morality if the state ensures the development of moral conscience by for example education — the state itself is at the mercy of world-Geist. In a sense, so Hegel suggests, the state ‘presupposes’ world spirit — had it not been for world Geist’s development, the state would not exist. Since the state owes its existence to world Geist, so Hegel, world Geist has the right to overrule the state’s interest. Consequently, world historical individuals are justified in their actions even if these conflict with all the other forms of right — insofar as they are a *means* for world Geist, their right is absolute. Although such individuals’ rights are not grounded in a particular state’s institutions but go beyond it by definition, so Hegel, they are still ‘rights’ insofar as they embody an interest and while serving the interest of world Geist is often not to the individuals’ benefit, so Hegel argues, it is beyond reproach.⁵⁶⁸

⁵⁶⁸ Whether an individual is of world-historical importance has to be decided by thinking through history — do the actions of particular individuals entail more freedom in the world?

II. 6.2. §31

After he argues in §30 that right's 'forms' or 'moments' stand in a hierarchical relationship that allows for competition, Hegel returns to the question of method in §31. He there claims that the moments of right are the product of the concept's immanent development.

II. 6.2.1. Logic and right

So far, Hegel has argued that the forms of right — that is the moments of the Idea of the will — are the result of the concept of the will's development.⁵⁶⁹ In the *Philosophy of Right's* introduction, he describes this development in three stages: 1. the abstract concept of the will (§§5, 6, 7, 8, 9) 2. the immediate concept of the will [*Willkür*] (§§10-20) and 3. the mediated concept or the Idea of the will (§§ 21, 22, 23, 24, 27, 28, 29). Hegel gives a more detailed description of the general concept's transition from abstraction to immediacy to Idea in the *Science of Logic* and the *Encyclopedia Logic* and insofar as the concept of the will is a *concept*, the development Hegel describes in the *Logic* applies to it like to all other concepts: "The method whereby, in philosophical science, the concept develops itself out of itself is expounded in logic and is here likewise presupposed."⁵⁷⁰

For Hegel, all forms of right thus result from a concept-internal development and they are all determinations of the same entity to which nothing is externally added: "Its development is a purely *immanent* progress and engendering of its determinations. Its advance is not effected by the assertion that various things 'exist' and then by the 'application' of the universal to extraneous material of that sort culled from elsewhere."⁵⁷¹

⁵⁶⁹ See e.g. PR §§1 and 2.

⁵⁷⁰ PR §31: 48.

⁵⁷¹ PR §31: 48.

II. 6.2.2. Concept and method

This parallels Hegel's notion of the logical concept in general: "One must thus be reminded, first and foremost, that presupposed here is that the division [of the concept] must be connected with the concept, or rather must lie in the concept itself. The concept is not indeterminate but is determinate within; the division, however, expresses this determinateness of the concept in developed form; it is the parting of the concept in judgment, not a judgment about some subject matter or other picked out externally, but the judging, that is, the determining, of the concept within it."⁵⁷² [...] In the philosophical treatment of division, the concept must show that it itself holds the source of the determinations."⁵⁷³

According to Hegel, the concept thus divides itself into different determinations by means of judgement. The question for the 'first determination' or 'beginning of all determinations' arises once the concept's development reaches the final stage of the *Idea*. There, the question 'Of what is the Idea the final determination of?' or 'What is the Idea the ultimate condition of?' reconnects the Idea with the concept's most abstract form — in the case of the abstract logical Idea, this is the beginning of the *Logic* — 'undetermined being':⁵⁷⁴ "[P]rogression is a retreat to the ground, to the origin and the truth on which that with which the beginning was made, and from which it is in fact produced, depends."⁵⁷⁵

...and...

"This truth, the ground, is then also that from which the original first proceeds, the same first which at the beginning came on the scene as something immediate. — It is most of all in this way that absolute [Geist] [...] comes to be known, as at the end of the development it freely externalizes itself, letting itself go into the shape of an immediate being — resolving itself into the creation of a world which contains all that fell within the development preceding that result and which, through this reversal of position with its beginning, is converted into something dependent

⁵⁷² SL: 38.

⁵⁷³ SL: 38.

⁵⁷⁴ In virtue of its immediacy, 'abstract right' might be more successfully likened to the *Logic*'s general 'being' instead of 'pure being'.

⁵⁷⁵ SL: 49.

on the result as principle. Essential to science is [...] that the whole of science is in itself a circle in which the first becomes also the last, and the last also the first. [...] Thus the beginning of philosophy is the ever present and self-preserving foundation of all subsequent developments, remaining everywhere immanent in its further determinations. In this advance the beginning thus loses the one-sidedness that it has when determined simply as something immediate and abstract; it becomes mediated, and the line of scientific forward movement consequently turns into a circle.”⁵⁷⁶

This suggests that ‘earlier’ stages of the Idea, for example ‘Dasein’, ‘existence’, ‘appearance’, ‘actuality’ are determinations of the Idea that in virtue of their own internal contradiction lead to other determinations until the thinker arrives at the Idea as highest manifestation or ultimate origin of all determinations. In the context of the will, the claim that the Idea reconnects to the first determination of the concept’s development means that ‘right’ is the product of the concept of the will’s self-development *and* that it contains all of the will’s determinations. The most abstract determination or ‘beginning’ of this development — the abstract will — is thus justified by the course that it takes and by the result that reconnects with it.

This also means that the development of the abstract or logical Idea is paralleled by the path along which the concept of right develops to form the Idea of right. Although the determinations of the Idea of right are more concrete and specific than those of the abstract concept, the overall structure of the Idea of right’s determinacy is akin to the *Logic*’s abstract Idea — while the will is a *specific* concept, it is a *concept* nevertheless. Insofar as Hegel thinks of the concept like a body-animating soul, the logical determinacy of the logical concept animates right: “When, in accordance with what has been said so far, we consider the Logic as the system of *pure* thought-determinations, the other philosophical sciences—the Philosophy of Nature, and the Philosophy of Spirit—appear, in contrast, as applied logic, so to speak, for the Logic is their animating soul. Thus, the concern of those other sciences is only to [re]cognise the logical forms in the shapes of nature and [Geist], shapes that are only a particular mode of expression of the forms of pure thinking.”⁵⁷⁷

⁵⁷⁶ SL: 49, 50.

⁵⁷⁷ Enz §24 addition 2: 58.

This suggests that the *Philosophy of Right* is a description of the specific forms that these logical transitions take in the context of objective Geist. To a degree, the philosophical validity of the descriptions provided in the *Philosophy of Right* or the *Encyclopedia's* section on *objective Geist* thus relies on the *Science of Logic* and the *Encyclopedia Logic*. While the *Logic* describes the activity of the logical concept that brings forth its own determinations and thereby 'judges' or differentiates itself in a specific way, so the *Philosophy of Right* describes the different determinations of the Idea of right as the product of a concept-internal self-judging. In both cases, the concept is its own motivation, is independent from externalities and the justification for the concept's development lies in the transitions discussed in the *Logic*.

II. 6.2.3. Immanent development vs. external association

Hegel thus argues that one cannot grasp the Idea of right by simply acknowledging the existence of the institutions of abstract right, morality and ethical life and by then declaring them to be universally valid. Such a procedure, so Hegel, suggests that the institutions are not *inherently* universal but that they are particular determinations that *happen to exist* in a specific way. Their subsequently 'added' or 'abstract' universality is as arbitrary as their existence.

In contrast, Hegel's philosophical description of 'right' aims to portray right's determinations as moments of what it takes to be the truly or inherently universal self-determining concept. This method takes the moments' universality to originate in the concept and insofar as the concept is 'truly' universal and the moments are determinations of this concept, the determinations participate in this universality. This also implies that it is the concept of right that determines individual philosophical thought, not the thinker.

According to this method, to think philosophically means to 'argue' along with the concept and to describe the concept and its structure rather than to merely assert certain particular convictions.⁵⁷⁸ The proposition 'morality exists, therefore it is universally valid' is an assertion

⁵⁷⁸ On Hegel's notion of thinking see e.g. Houlgate 2005: 40.

rather than a proof. In order to philosophically *prove* the universal validity of morality, so Hegel, one has to show how morality and its ontological structure forms part of the larger account of the Idea of the will, and ultimately how this account fits into a philosophical system that describes the whole of being *as it is by its own power*.

Throughout, Hegel stresses that the mere *coherence* of an account is not sufficient to warrant its truth. Rather, the philosophical account is valid because it provides an abstract description of truth as it ‘truly is’ and thereby forms part of truth’s own articulation.⁵⁷⁹ This means that truth — or Geist — becomes conspicuous to itself through philosophy and the criterion for the philosophical account’s correctness does not lie outside of the account — although the truth is concrete and the philosophical account is abstract, the philosophical account forms part of what it describes.⁵⁸⁰

For Hegel, this also means that philosophy forms part of this striving of Geist. Geist — including right as objective Geist — is revealed as the truth of nature and of subjective Geist *thanks to philosophy* and Hegel’s philosophical account of Geist is just as much product and part of Geist like the previous, potentially less adequate philosophical accounts that make up the history of philosophy.

II. 6.2.4. §31 Remark: Objective and subjective dialectics

For Hegel, the Idea of right’s self-differentiating development or ‘judging’ that philosophy describes is ‘*dialectic*’. Its different determinations — such as ‘abstract right’, ‘morality’ and ‘ethical life’ — are the product of a concept-internal, conflictious and alienation-driven process. In the course of this process, the lower determinations are sublated in their transition to higher determinations *whilst retaining their distinct characteristics*. One might equally describe this process as an internal negation of the lower determinations, which reveals that their claim to representing right is not absolute. For example, ‘abstract right’ and its claim to ‘being all there is

⁵⁷⁹ Enz §572 ff.

⁵⁸⁰ Enz §577: 276.

about right' is relativized by the contradiction-driven movement that brings forth 'morality'. In other words, so Hegel, the concept of the will overcomes abstract right's claim to being its *highest* or *most concrete* determination. Similarly, the concept of the will brings forth the next higher determination 'ethical life' by negating morality's claim to absoluteness.⁵⁸¹

As long as abstract right is the highest available determination of the concept, so Hegel, the concept *is* 'abstract right' — abstract right's self-negation is the self-negation of the concept's most concrete form. This also applies to morality and to the early determinations of ethical life and the 'dialectic' of the concept is the process of productively self-negating its determinations' claim to absoluteness. Hegel emphasizes that this is not the rhetorical dialectic that is concerned with subjective, mental representations but it is rather the activity of the universal concept that incorporates its objective dimension and is constitutive of world *and* thought: "The concept's moving principle, which alike engenders and dissolves the particularizations of the universal, I call '*dialectic*', though I do not mean that dialectic which takes an object, proposition, and so on, given to feeling or, in general, to immediate consciousness, and explains it away, confuses it, pursues it this way and that, and has as its sole task the deduction of the contrary of that with which it starts—a negative type of dialectic commonly appearing even in Plato."⁵⁸²

In contrast to Hegel's world-immanent, 'real' or materially present dialectics of the concept, Plato's Socratic dialogues often begin with a certain proposition or representation — for example 'justice' — and then demonstrate how any definition fails to sufficiently capture its meaning. According to Hegel, such a negative analysis of a given mental content can have different results: "Dialectic of this kind may regard as its final result either the contrary of the [notion] with which it begins, or, if it is as incisive as the scepticism of the ancients, the contradictory of this [notion], or again, it may be feeble enough to be content with an 'approximation' to the truth, a modern half-measure."⁵⁸³

⁵⁸¹ See e.g. Enz §487.

⁵⁸² PR §31 remark: 48.

⁵⁸³ PR §31 remark: 48. ('idea' replaced by 'notion')

For Hegel, an individual thinker might thus take a given notion, for example ‘justice’, and then search his own intuitions, convictions, habits, sentiments and observations about this notion in order to produce its definition or representation. Alternatively, the thinker might come to the conclusion that because of the mere subjectivity of such foundations, it is impossible to come to a suitably universal definition of ‘justice’. According to Hegel, such a way of merely ‘dialectical thinking’ is an ultimately futile pursuit insofar as its very methodological commitment prevents it from finding any *positive* content or reliable foundation with regards to the notion it tries to define — as long as it is *just* a subjective thinker who determines what the definition is, the definition is always only subjective or fallible. Furthermore, Hegel argues that insofar as the dialectic shows the inadequacy of all subjective representations or opinions, it fails to describe *objectivity*. Rather than finding ‘truth’, such a subjective dialectical method results usually in one of four conclusions: 1. it takes the opposite of its starting point to be true 2. it takes its contradiction to be true 3. it concludes that starting point and opposite are equally probable 4. it establishes just a part of the truth.

For example, one might define ‘right’ as ‘abstract right’ and by way of negating and counter-negating come to the conclusion that it is rather ‘morality’ that determines what right is. Alternatively, one might come to think that ‘abstract right’ itself is self-contradictory and that there is therefore no ‘right’ at all. Or one might simply conclude that the moments of abstract right, ‘property’, ‘personhood’, ‘contract’ and ‘wrong’ are not all that there is to right, without attempting to give a complete account of what right is in totality.

For instance, one can claim: ‘Right is property. However, do we not know of many instances where it is not right to claim one’s property? Is the rich man not supposed to help the poor and would the right thing not to be to take part of the rich man’s property and give it to the poor?’ The conclusion here seems to be that property is not right. Alternatively, one could argue that it is only because of property that people fight, kill and waste resources and therefore, that right would be the complete absence of property. Or, one might argue that the institution of property is wrong, but that the absence of property is also wrong and that therefore, there is no right.

Alternatively, Hegel proposes that one might settle for what he calls a ‘modern half-measure’ and think that there are instances where property is a condition for right but that it does not *exhaust* right, or that there are cases where right demands something else than just ‘property’. One might stop at this stage and leave the question what else ‘right’ might consist in unanswered, claiming that the attempt to provide a ‘complete’ or ‘systematic’ account of right would be futile or megalomaniac. In either of these cases, the inquiry into the nature of right at the stage of abstract right comes to a halt and concludes that abstract right seems to be a necessary or at least important part of right but that right could consist in other aspects, as well.

II. 6.2.5. Positive dialectics

As opposed to what he considers a merely destructive, one-sidedly analytic and sophistic practise of arguing dialectically, Hegel claims that his concept’s *true* dialectic yields the determinations as *positive* content: “The higher dialectic of the concept consists not simply in producing the determination as a contrary and a restriction, but in producing and seizing upon the *positive* content and outcome of the determination, because it is this which makes it solely a *development* and an immanent progress.”⁵⁸⁴

While for example ‘abstract right’ is opposed to ‘morality’ and seemingly limits it, it also has a positive content that forms the basis for moral considerations. Morality presupposes personhood, property and contract insofar as the moral decision that a subject takes is different from the decision that is based on abstract right. While a moral decision might overrule abstract right, it relies on abstract right to either establish its difference or to manifest itself as more important. Although a moral decision might contradict the arrangements of ‘abstract right’, it needs the determinations of ‘abstract right’ as a starting point or ‘given’ to reflect upon. For example, I might decide that it is immoral that a corrupt politician is wealthy and an honest man poor, steal some of

⁵⁸⁴ PR §31 remark: 48. (‘idea’ replaced by ‘notion’)

the politician's money and give it to the honest man. However, I was only able to think that the said arrangement was immoral in the light of the concept of property.⁵⁸⁵

Or I might come to the conclusion that exclusive adherence to the principles of property, contract and its respective jurisdiction illegitimately abstracts from other relevant aspects of socio-political reality. This means that I deny abstract right's claim to represent *all* that there is to right — abstract right is necessary but insufficient. Consequently, I might come to think that morality is needed to counteract the negative effects of abstract right and it is abstract right's insufficiency that necessitates moral reflection.

According to Hegel, the twofold process of grasping firstly, why and how single determinations are an insufficient basis for all of right and secondly, that there is always something to be taken away even from a determination's failure teaches the thinker that right as an overall structure is developmental and consists in the organic and mutually dependent relationships of its moments. However, so Hegel argues, the subjective thinker's representation-based, abstract dialectic of right, must not be confused with the Idea of right's concrete dialectic. The thinker has to follow right's development, not vice versa:

“Moreover, this dialectic is not an activity of subjective thinking applied to some matter externally, but is rather the matter's *very soul* putting forth its branches and fruit organically. This development of the Idea is the proper activity of its rationality, and thinking, as something subjective, merely looks on at it without for its part adding to it any ingredient of its own. To consider a thing rationally means not to bring reason to bear on the object from the outside and so to work on it, but to find that the object is rational on its own account [*für sich*]; here it is [Geist] in its freedom, the culmination of self-conscious reason, which gives itself actuality and engenders itself

⁵⁸⁵ cf. “Morality and right are often mutually opposed. There are, however, also moral points of view that limit abstract right; for example, if a debtor would be ruined by paying his debts, the right that strictly accrues to the creditors is limited by point of view. The artisan must be allowed to keep his tools; and so right in the strict sense recognizes morality, and strictly, formally conceived right is not deemed sacrosanct.” (LNR §8 remark: 57).

as an existing world. The sole task of philosophical science is to bring into consciousness this proper work of the reason of the thing itself.”⁵⁸⁶

Apart from arguing for the primacy of the conceptual structure over the individual consciousness, Hegel further suggests that the concept as thinking subject and the thinking particular individual become ‘identical’ once the individual thinker gives up his particular opinions and beliefs and mirrors the dialectical movement of the concept in his thought. This entails that the articulation of Geist that determines itself *to itself* and that is therefore self-conscious takes place *as an activity of objective reason*, not merely as an activity of individual subjects. For Hegel, the actions and thoughts of individuals are never the ground of such activity but rather its *consequence*. It is thus not the individuals that develop the Idea but that the Idea develops itself through the individuals and their thoughts. The Idea ‘uses’ individuals to bring forth the ‘second nature’ that is the world of right.⁵⁸⁷

II. 6.3. §32

Hegel’s remarks on philosophical method in §31 are followed by an emphasis on the right’s moments’ Dasein in §32. Hegel there argues that the moments of right are not merely abstract but rather concrete manifestations of the overarching Idea of right.

II. 6.3.1. Determinations as sub-concepts

Like the concept that engenders them, the moments of right are thus not merely abstract but have ‘Dasein’ insofar as they are manifest objectively: “The determinations of the concept in the course of its development are from one point of view themselves concepts, but from another they take the form of existents, since the concept is in essence Idea. The series of concepts which this

⁵⁸⁶ PR: §31 remark: 48, 49.

⁵⁸⁷ One might interpret Hegel’s position as combining the dynamic dimension of constructivism with the objective dimension of the realist position into a notion according to which objective reality constructs itself and the thinker is witness to and part of this construction.

development yields is therefore at the same time a series of shapes [*Gestaltungen*], and philosophical science must treat them accordingly.”⁵⁸⁸

Hegel thus suggests that the socio-political reality of institutions, practices and norms that results from the concept’s activity is formed by the concept of the will’s ‘sub-concepts’ of ‘abstract right’, ‘morality’ and ‘ethical life’. These are part of the Idea and are therefore also *objectively* manifest — they determine thought *and* reality. According to Hegel’s method, philosophy has to describe these moments as interdependent parts of the Idea’s greater whole and while they are all different shapes, they remain shapes of the same entity — the Idea of right.

Since they are concepts themselves, so Hegel, the determinations ‘abstract right’, ‘morality’ and ‘ethical life’ ought to be structured like a logical concept and contain immediate and mediated forms. The concept’s tripartite form of ‘for-itself’, ‘in-itself’ and ‘in-and-for-itself’ accordingly frames the descriptions of the single determinations or sub-concepts. ‘Abstract right’, ‘morality’ and ‘ethical life’ are all divided into three subsections or ‘moments’ respectively and are themselves the three determinations of the overarching concept of right. Sometimes this tripartition stops earlier than other times. For example, abstract right has three moments — property, contract and wrong — but only two of these are subdivided into three smaller units — contract is not subdivided.⁵⁸⁹

II. 6.3.2. §32 Remark: Ontology and history

Although Hegel considers the specific moments to be parts of the concept and thus to differ from it, for him they *are* the concept insofar as the concept consists *of* them —Hegel employs the metaphor that each part contains the whole as is the case with the organs and limbs in a living organism. In the Idea, so Hegel, there is no difference between how a concept exists and how it determines itself. The concept’s determinations and their Dasein are united in the Idea: “In a more speculative sense,

⁵⁸⁸ PR §32: 49.

⁵⁸⁹ See e.g. PR §33.

a concept's determinacy [*Bestimmtheit*] and its mode of existence [*Dasein*] are one and the same thing."⁵⁹⁰

This suggests that the sub-determinations of the concept are prior to it from Hegel's philosophical point of view. From a temporal or historical perspective, however, they might *result* from it — they can be its 'consequence': "Yet it is to be noticed that the moments, whose result is a further determined form of the concept, precede it in the philosophical development of the Idea as determinations of the concept, but they do not come before it in its temporal development as shapes."⁵⁹¹

From a philosophical point of view, so Hegel, the determinations of the concept 'are prior to' the concept as a whole insofar as they are its constituents and the concept is the sum of its determinations. However, as existing shapes *in the spatio-temporal world*, the determinations of the concept *follow* the concept — the abstract concept is prior to its historical manifestation. This also means that more concrete determinations can come into *Dasein before* more abstract determinations do: "Thus, for instance, the Idea determined as the family, presupposes the determinations of the concept from which the family will later on in this work be shown to result. But the explicit existence of these inner presuppositions as shapes also, e.g. as the right of property, contract, morality, and so forth, is the other aspect of the development, and it is only in a higher and more complete civilization that the development has gone so far as to endow its moments with this distinctively shaped existence."⁵⁹²

This suggests that while Hegel's philosophical description of the Idea's architecture might place certain moments before others, the *historical* manifestation of the Idea, its spatio-temporal existence, might not parallel this architecture. For Hegel, this lack of congruence between the perspectives has its roots in the role that space and time as conditions of historical accounts play.

⁵⁹⁰ PR §32: 49.

⁵⁹¹ PR §32: 49.

⁵⁹² PR §32 remark: 49.

II. 6.3.3. Geist, history, space, time and nature

Hegel thus argues that the concept of ‘Geist’ *contains* the notions of space and time in sublated form since he associates these with nature, which in turn is contained in Geist. While Geist might *appear* in space and time, so Hegel, this is not how it is in-and-for-itself. Rather, Geist is a *condition* of space and time and not bound by, grounded in or supervenient on them.⁵⁹³ Insofar as right as Idea is ‘objective Geist’, this also applies to right and its determinations and while the Idea ontologically *precedes* history, the historical articulation of the Idea might at times not live up to its structural requirements. For example, while the determination ‘family’ is more concrete than ‘abstract right’ and ‘morality’ and thus *conceptually* presupposes them, it might historically manifest itself *before* them.

Hegel further suggests that the more determinations of the Idea of right are present in a given historical context, the more civilised or cultivated is a society. For example, societies in which family structures dominate and which have no explicit culture of abstract right or morality are inferior to societies where these moments have been articulated. The more concrete the concept of right has become or the more differentiated the Idea historically is, so Hegel, the more complex and advanced is its Dasein. For Hegel, the determinations of the concept ‘have always been there’ and only their ‘appearance’ in space and time is subject to history and change.

Although the historically situated philosophical thinker can only recognize and describe moments of the concept as soon as they have acquired historical Dasein, so Hegel, the philosopher’s description should ignore the temporal sequence of the moments’ manifestation and focus on the timeless structure of the Idea he aims to describe. Such a description ought to logically look ‘before’ or ‘beyond’ time. This entails that the temporally situated thinker has to try to categorially capture *in time* what is intrinsically timeless.

Hegel thus suggests that the ever more developed emergence of the atemporal concept in history can be described as ‘the making explicit of what is implicitly always atemporally already

⁵⁹³ This can be derived from the position of the discussion of Geist in the philosophical system. In it, Geist follows nature, meaning that Geist is more concrete than nature and that nature is sublated in the concept of Geist.

present.⁵⁹⁴ This means that the concept is always abstractly there, albeit its concrete, historical manifestation might take detours and regress temporally. Hegel gives the example of slavery and man's becoming aware of his own individual and socio-political freedom: "All men are rational, and the formal side of this history arises from and depends on this difference. All men are rational, and the formal side of this rationality is that man is free; this is his nature, inherent in the essence of man. And yet there has been, and in some cases still is, slavery in many lands, and the population is content with this. [...] The tremendous difference in the world-historical situation is whether men are only implicitly free or whether they know that it is their fundamental truth, nature or vocation to live as free individuals."⁵⁹⁵

II. 6.3.4. Addition §32: Abstract concept and Dasein

Although the concept becomes increasingly concrete in the process of manifesting itself spatio-temporally and thereby forms the Idea, so Hegel, the Idea remains indebted to the abstract concept: "The Idea must further determine itself within itself continually, since in the beginning it is no more than an abstract concept. But this original abstract concept is never abandoned. It merely becomes continually richer in itself and the final determination is therefore the richest."⁵⁹⁶

Temporally speaking, so Hegel suggests, this means that the Idea's dimension of 'Dasein' comes *after* its dimension of the concept. The abstract concept is what is 'always already there' and its ever-richer spatio-temporal manifestation follows its pattern. This does not mean that 'Dasein' *as category* depends on time, but that the Idea's manifestation is *temporal*. By becoming manifest, Hegel suggests, the concept's determinations or 'sub-concepts' reach a state of relative independence from the abstract concept insofar as they are not *just* parts of the abstract concept anymore but *also* have a 'Dasein'. For example, by assuming 'Dasein', the abstract concept's

⁵⁹⁴ Avinieri calls the Geist 'behind' history its 'hidden meaning': "It is the gradual progress towards the realization of [the unity of essence and existence] which constitutes the meaning of history for Hegel. Out of what appears as incomprehensible chaos, the philosopher has to distill the hidden meaning written into it by reason." (Avinieri 1972: 221)

⁵⁹⁵ HP: 74-75. Quoted in Houlgate 2005: 17.

⁵⁹⁶ PR §32 addition: 49.

determination of ‘family’ becomes *more* than merely a part of the abstract concept — it is *also* an existing determination. Nevertheless, despite this categorial difference the abstract concept remains the ‘soul’ of the existing determinations, which are the result of the concept’s inner development: “In this process its earlier determinations, which exist only in themselves [*an sich*], attain their free self-subsistence but in such a way that the concept remains the soul which holds everything together and attains its own proper differentiation only through an immanent process.”⁵⁹⁷

II. 6.3.5. No novelty

Since it is always the same abstract concept that manifests itself and since all the existing determinations are already implicitly *in* the concept as abstract potentials, so Hegel, there is nothing ‘new’ added to the concept in the course of its manifestation: “It therefore cannot be said that the concept reaches anything new; on the contrary, its final determination coincides with its first.”⁵⁹⁸

Although the concept’s individual determinations are different from each other, they still share the same origin and the same ‘goal’ — the embodiment of the concept and its highest determination. From a historical perspective, so Hegel, certain determinations of the abstract concept may thus acquire Dasein and seem to be ‘new’ ‘to us’ as historically situated individuals. However, insofar as they were ‘always already’ contained in the concept, they are not ‘new to the concept’. For Hegel, the notion of ‘novelty’ thus only applies to a perspective that is embedded in time and that conceptualises change as world-inherent. In contrast, insofar as the concept is ontologically ‘prior’ to time and change — it is itself the condition of time’s possibility — its truth cannot be grasped in terms of time.

⁵⁹⁷ PR §32 addition: 49.

⁵⁹⁸ PR §32 addition: 49.

II. 6.3.6. Beginning and end

Hegel suggest that this ‘simultaneity’ of the determinations *in the abstract concept* is the reason for the first and last moment’s connection. For example in the case of Idea of right, the ‘state’ as final determination coincides with the first determination of ‘abstract right’ — abstract right is contained in the determination of the state like the bud continues to live in the tree. However, the state is also the condition of the possibility of abstract right. And still, in a sense, the state is also contained in the determination of abstract right since abstract right develops into the state. For Hegel this means that the state is contained *in* abstract right *as potential* and abstract right is its presupposition. And since all the determinations are connected in virtue of being parts of the same abstract concept, so Hegel, their separation is mere ‘semblance’: “Even if the concept seems in its existence to have fallen apart, this is nothing but a semblance [*Schein*] revealing itself in due course as a semblance, because all details revert at last to the concept of the universal.”⁵⁹⁹

Hegel thus argues that a philosophical account of the concept of right must show that and how the concept contains and *unites* all its different individual moments and ought to portray the right’s determinations in their mutual relation and overarching unity. According to Hegel, this is different from the method of the empirical sciences, where the concept is derived from particular determinations: “In the empirical sciences one usually analyses what is found in representation [*Vorstellung*], and when the single instance has been brought back to the common character, the latter is then called the concept. This is not our procedure; we only wish to look on at the way in which the concept determines itself and to restrain ourselves from adding thereto anything of our thoughts and opinions.”⁶⁰⁰

Since it begins thinking with representations and their content, so Hegel suggests, the empirical method makes the concept dependent on ‘given’, individual instances. This contradicts his own philosophical method, which is at first instance not concerned with ‘our’ thoughts and opinions — the mental representations of individual, self-conscious thinkers — but rather with what

⁵⁹⁹ PR Houlgate §32 addition: 49.

⁶⁰⁰ PR §32 addition: 49, 50.

Hegel calls the concept itself. Although the concept can be *in* the individual thinker's consciousness, Hegel takes it to be ontologically 'prior' to the thinker and therefore to constitute the criterion for the thinker. He stresses that the structure of the concept might not correspond to the what is temporally found in the empirically accessed world: "What we acquire in this way, however, is a series of thoughts and another series of existent shapes; to which I may add that the time order in which the latter actually appear is other than the logical order. Thus, for example, we cannot say that property *existed* before the family, yet, in spite of that, property must be dealt with first."⁶⁰¹

II. 6.3.7. Actuality and abstraction

Given Hegel's notion that the Idea and thus the concrete existence of the abstract concept is truth itself while the abstract concept is merely its untrue abstraction, one might wonder why thinking should not start with the most concrete and derive the abstract concept from it. Hegel addresses this worry: "Consequently you might raise here the question why we do not begin at the highest point, i.e. with the concretely true. The answer is that it is precisely the truth in the form of a result that we are looking for, and for this purpose it is essential to start by grasping the abstract concept itself. What is actual, the shape in which the concept is embodied, is for us therefore the further thing and the sequel, even if it were itself first in the actual world. The development we are studying is that whereby the abstract forms reveal themselves not as existing for themselves but as untrue."⁶⁰²

This suggests that although actuality is what 'we' are confronted with directly, 'we' need to grasp it as a *result* of the abstract concept's development. The concept-shaped actuality is thus the consequence and what 'follows' the abstract concept. The Idea as unity of concept and Dasein is ontologically prior to concept and Dasein, even if we only grasp it as the result of the abstract concept's embodiment or manifestation. Once the Idea is comprehended, so Hegel, pthe

⁶⁰¹ PR §32 addition: 50.

⁶⁰² PR §32 addition: 50.

one-sidedness of ‘concept’ and ‘Dasein’ on their own is available to thought and their lack of truth has become perspicuous.

With regards to ‘right’, it would thus be equally valid to begin with the ‘state’ and then present all the other determinations as its components. However, Hegel argues that we need to grasp the more abstract determinations first in order to comprehend how the ‘state’ resulted from their development and sublation. Although the state is prior to all other determinations insofar as it contains them and they are mere aspects of it, ‘we’ want to see why every single of these determinations is insufficient as an account of the whole of right, that is, why every determination fails the standard of being the most developed aspect. Only then, so Hegel suggests can ‘we’ accept the state’s claim to being the most developed determination. Similarly, ‘we’ might begin with thinking the state and follow thought’s ‘regress’ into abstract right. While this is logically equivalent to the move from abstract right to the state, Hegel worries that its presentation might appear peculiar to us.

For Hegel, this entails that the state can only be ‘justified’ as soon as one has grasped why the other determinations fail to live up to the state’s standards. Being the most developed form of the concept of the will, the state is also most *true*, while all the other, less complex determinations are less so. This means that instead of having no part in truth at all, the sublated lower determinations still *participate* in truth, albeit not as absolute manifestation but as one of its moments.

II. 6.4. §33

After discussing right’s moments and their relation in abstraction in §32, Hegel outlines their determinate content in more detail and gives a justification of the *Philosophy of Right*’s overall structure in the introduction’s final §33.

II. 6.4.1. Abstract right

Hegel begins the analysis of right's forms by specifying right's most abstract and immediate determination — 'abstract right': "According to the stages in the development of the Idea of the absolutely free will, the will is: A. immediate; its concept therefore is abstract, namely personality, and its existence [*Dasein*] is an immediate external thing—the sphere of *abstract* or *formal right*".⁶⁰³

For Hegel, abstract right consists of the determinations 'personhood' 'property', 'contract' and 'wrong'.⁶⁰⁴ In virtue of its *immediacy*, so Hegel, it corresponds to the general concept's stage of 'being'.⁶⁰⁵ Abstract being as well as abstract right are the first and most immediate forms of a three-fold ontological sequence. While 'abstract right' is followed by 'morality' and 'ethical life', 'being' is followed by 'essence' and 'the concept'.⁶⁰⁶ According to Hegel, being's immediacy is most obvious in its first and pure form: "Being is the indeterminate immediate; it is free of determinateness with respect to essence, just as it is still free of any determinateness that it can receive within itself. This reflectionless being is being as it immediately is only within. Since it is immediate, it is being without quality".⁶⁰⁷

Since abstract right is immediate right, it parallels undetermined being and its immediacy: "The fact that when a thing or a content is posited first of all in accordance with its *concept* or as it is in *itself*, it then has the form of *immediacy* or *pure being*".⁶⁰⁸ The ontological dimensions that Hegel labels 'immediacy', 'being' and 'being in accordance with its concept' all refer to the most basic level of an Idea's development — and the *Logic*'s account of the general Idea's determinacy accordingly applies also to the *Philosophy of Right*'s Idea of right. In the *Logic*,

⁶⁰³ PR §33: 50.

⁶⁰⁴ PR: v.

⁶⁰⁵ See e.g. Enz §84.

⁶⁰⁶ See e.g. Enz §84, §112 and §160.

⁶⁰⁷ SL: 58.

⁶⁰⁸ PR §33 remark: 51.

‘being’ precedes ‘essence’ and ‘the concept’⁶⁰⁹ and paralleling this structure, ‘abstract right’ precedes ‘morality’ and ‘ethical life’.

Hegel thus considers the Idea’s first moment of abstract right to be a rather immediate determination and warns not to confuse it with right’s totality: “In speaking of right [*Recht*] here, we mean not merely what is generally understood by the word, namely civil right, but also morality, ethical life, and world-history; these belong just as much to our topic, because the concept brings thoughts together into a true system. If the free will is not to remain abstract, it must in the first place give itself an existence, and the first sensuous material available for such existence are things, i.e. objects outside us. This primary mode of freedom is the one which we are to become acquainted with as *property*, the sphere of formal and abstract right. To this sphere there also belong property in its mediated form as contract, and right in its infringement as *crime and punishment*. The freedom which we have here is what is called a person, i.e. the subject who is free, free indeed for himself, and who gives himself an existence in things.”⁶¹⁰

Hegel analyses abstract right in terms of the institutions of legal personhood, the corresponding entitlement to property, participation in contractual agreements and the system of punishment for the negation of these institutions.⁶¹¹ According to this notion, the subject is free when it owns a thing, when it is recognised as owner, when it can transfer or receive things and when it participates in the legal institutions that guard this right and punish deviance.

The duties that correspond to these rights, so Hegel, are the duty to recognise others as persons, to respect their property, to honour contracts and to recognise legal institutions. While there is also a duty to own property, Hegel does not elaborate on how much property is required for a person to be called free or how relative amounts of property ownership within one society are to be evaluated. Presumably, a society that is free in Hegel’s sense enables citizens to strive for an amount of property that renders their freedom meaningful and accommodates individual differences in ability and wealth within an overarching identity of shared socio-political belonging. While he

⁶⁰⁹ SL: vii.

⁶¹⁰ PR §33 addition: 51, 52.

⁶¹¹ See PR §34ff.

thinks that the norms, practices and institutions of right remain the standard of a society's rationality, the specific distribution of property that best serves the functioning of these institutions will be the most appropriate for a given society. If it turns out to be the case that the sustenance of abstract right, moral deliberation, family life, civil society and the state is more easily effected in a society without large differences in wealth, a degree of state-administered redistribution of wealth is commendable.⁶¹²

However, while he considers abstract right to be part of the truth about freedom, Hegel also thinks that it fails to do justice to all of freedom's requirements. He thus maintains that being externally recognised and owning external things neglects the free subject's *internal* dimension of intentionality and conscience. He thus suggests that a more developed understanding of freedom also accounts for the importance of the subject's motivation to act in a certain way and the importance of world-independent, subjective self-determination:

"The sheer immediacy of existence, however, is not adequate to freedom, and the negation of this determination is the sphere of *morality*. I am now free, not merely in this immediate thing, but also after the immediacy has been superseded, i.e. I am free in myself, in my subjectivity. In this sphere the main thing is my insight, my intention, my purpose, because externality has now been posited as indifferent."⁶¹³

II. 6.4.2. Morality

For Hegel, morality is thus the *reflected* concept of the will — it is a reflected version of abstract right and he takes it to correspond to the general concept's stage of 'essence', which is marked by relationality: "Essence issues from being; hence it is not immediately in and for itself but is a result of that movement. Or, since essence is taken at first as something immediate, it is a determinate

⁶¹² For a summary of abstract right, see e.g. Houlgate 2005: 85-86.

⁶¹³ PR §33 addition: 52.

existence to which another stands opposed; it is only *essential* existence, as against the *unessential*.”⁶¹⁴

Just like essence issues from being, so Hegel, morality issues from abstract right. While essence opposes the essential with the unessential, so morality opposes subject and world: for Hegel’s ‘morality’, the self-determining subject is essential and the world is unessential: “[At the stage of morality, the will is] reflected from its external existence into itself — it is then characterized as subjective individuality in opposition to the universal. The universal here is characterized as something inward, the good, and also as something outward, a world presented to the will; both these sides of the Idea are here mediated only by each other. This is the Idea in its division or in its existence [*Existenz*] as particular; and here we have the right of the subjective will in relation to the right of the world and the right of the Idea, though only the Idea *in itself* — the sphere of *morality* [*Moralität*]”.⁶¹⁵

Hegel thus argues that right’s second stage — its ‘essence’ or its ‘being in itself’ — contrasts a freely self-determining subject with an external world *and* puts the subject in relation to a conception of the good. Both world and good are universal or ‘objective’, while ‘subjectivity’ is represented by the moral subject that relates to them. On this view, world and good are thus mutually limiting — the objective dimension of the world is ‘what is not the good’ and the objective dimension of the good is ‘what is not the world’. Hegel thinks that according to morality, this difference between good and world is absolute and the subject’s task is to translate the requirements of the good into the world. This means that the subject wants to form one universal — the world — in the light of the other universal — the good. However, since good and world are absolutely separated, they *cannot* be united — their unity is always an ‘ought’, rather than an ‘is’.⁶¹⁶

The separation of subject, good and world that Hegel takes to be part of morality also entails that all three elements have relative claims against each other. The good needs to be translated into the external world, the world needs to be transformed in the image of the good and

⁶¹⁴ SL: 340.

⁶¹⁵ PR §33: 50.

⁶¹⁶ See e.g. PR §108.

the subject has the right and duty to act in accordance with the requirements of the good. While the three moments differ absolutely, so Hegel, the good belongs to the subject rather than the world since it is inherently *in* the subject. What seems to be three moments are actually just two — on the one hand the moral subject that has a certain notion of the good and on the other hand the world that is opposed to this notion. Since Hegel's moral subject still opposes the world, the concept of freedom is not yet 'for itself' — it does not have itself *as object* or as a world it is part of.

II. 6.4.3. Morality and abstract right

In contrast, so Hegel, abstract right claims that the concept of the will is an external object only — it is *merely* 'for-itself'. While its freedom lacks a division between subject and object, it also lacks a substantial notion of subjectivity. Consequently, so Hegel, in abstract right, freedom is only manifest in externalities like recognition and objects — self-determination depends on the objects one possesses and on being recognised as a rights-bearing person. For Hegel this dependency on objects or externality constitutes a lack of subjectivity — the concept's lack of subjectivity at the stage of abstract right prevents it from being 'in-itself'.

In contrast, Hegel's notion of morality's freedom is only 'in-itself' because it is entirely subject-internal. It does not have itself as external object since everything external is by definition unfree. Since freedom does not relate to itself as object, so Hegel, it is reduced to subjectivity. Although 'morality' is the transition of freedom from something *external* — the form of property and recognition — to something *internal* — moral conscience — Hegel argues that this inwardness 'longs' for 'being for itself' and thus for manifesting itself in the external world: "I am free in myself, in my subjectivity. In this sphere the main thing is my insight, my intention, my purpose, because externality has now been posited as indifferent. Good, however, which here is the universal end, should not simply remain in my inner life; it should realize itself. That is to say, the subjective

will demands that what is internal to it, i.e. its end, shall acquire an external existence, that the good shall in this way be consummated in the external world.”⁶¹⁷

However, Hegel suggests that irrespective of how successful the moral subject is at engaging with the external world, subject and the good remain different from it. Consequently, the subject’s moral ‘work’ is never over or truly ‘done’ — while the subject is ‘self-determination’, the world is ‘determination’ and if the subject is determined, it is not moral or free while the world cannot be self-determining.⁶¹⁸

II. 6.4.4. Ethical life

This absolute separation between subject, world and good, so Hegel, constitutes morality’s inadequacy. In an effort to overcome these differences, so Hegel, the concept of the will brings forth its third and final determination — the realm of ‘ethical life’ [*Sittlichkeit*].⁶¹⁹ This most concrete form of right is the unity of the previous determinations and while morality and abstract right are not the absolute truth about freedom, so Hegel, they are part of this truth.

While the ‘will in its concept’ or ‘the will for-itself’ is abstract right’s external freedom of recognised personhood and property, the internal freedom of the moral subject is the concept of the will’s ‘in-itself’. In contrast, ethical life is both — freedom as internal *and* external and concept of the free will is now subject *and* its own object: “[The true will is] the unity and truth of both these abstract moments—the Idea of the good not only apprehended in thought but so realized both in the will reflected into itself and in the external world that freedom exists as *substance*, as actuality and necessity, no less than as *subjective* will; this is the Idea in its universal existence in and for itself—*ethical life* [*Sittlichkeit*].”⁶²⁰

⁶¹⁷ PR §33 addition: 52.

⁶¹⁸ For a discussion of the relationship between abstract right and morality, see e.g. Houlgate 2005: 189.

⁶¹⁹ For an illuminating discussion of Hegel’s view ancient Greek *Sittlichkeit*, see Inwood 1984.

⁶²⁰ PR §33: 50.

II. 6.4.5. Abstract right, morality and ethical life

For Hegel, abstract right implies that freedom is outside of the subject — it resides in the possession and in being recognised as a person. In morality, freedom is realised *within* the world-opposing subject's good will. In ethical life, freedom and the good will is manifest in the subject *and* the world. In ethical life, the difference between good-willing subject and world is thus overcome and it *is* the unity of self-determining subject and determined world. At this stage, good-willing subject and world are but moments of the same entity and the will as subject — the drive towards realisation of the good — has itself as object — the actuality of the good. This means that for Hegel, the ethical world of rational norms, institutions and practices determines itself freely *via* self-determining subjects. This 'active objectivity' is 'in-itself' — it is the reflective subject of morality — *and* it is 'for-itself' — as external world of abstract right — as an internally differentiated identity.⁶²¹

According to Hegel, 'ethical life' thus relates to 'abstract right' as the mere *objectivity* of freedom. Meanwhile, ethical life also relates to morality as freedom's mere *subjectivity*, similar to how the concept relates to 'being' and 'essence' — ethical life unites immediacy — being, abstract right — and mediation — essence, morality — into a single structure of self-mediation: "The progression of the Concept is no longer either passing-over or shining into another, but *development*; for the [moments] that are distinguished are immediately posited at the same time as identical with one another and with the whole, and [each] determinacy is as a free being of the whole Concept."⁶²²

While abstract right — undetermined being — and morality — essence — are *contained* in ethical life — the concept —, the moments of Hegel's right relate to the overall Idea of right like the moments of ethical life relate to its Idea — they differ from each other and the whole *whilst* they are identical with each and the whole.

⁶²¹ Houlgate describes it as a unity of subjects, laws and institutions Houlgate 2005: 195.

⁶²² Enz §161: 237.

II. 6.4.5.1. Stages of ethical life

Like right as a whole, so Hegel also analyses ethical life into three conceptual moments: “But the ethical substance is likewise (a) natural [Geist], the *family*; (b) in its division and appearance, *civil society*; (c) the state as freedom, freedom universal and objective even in the free self-subsistence of the particular will. This [is] the actual and organic [Geist] [...] of a people [*Volk*].”⁶²³

II. 6.4.5.2. Morality and ethics

By distinguishing between ‘morality’ and ‘ethics’, Hegel deviates from a well-established tradition in the history of philosophy that uses these terms synonymously. Pre-empting conservative criticisms, Hegel discusses this difference in the remark to §33:

“‘Morality’ [*Moralität*] and ‘ethical life’ [*Sittlichkeit*], which are perhaps usually regarded as synonyms, are taken here in essentially different senses. Yet even commonplace thinking seems now to be distinguishing them; Kant generally prefers to use the word ‘morality’ and, since the principles of action in his philosophy are always limited to this conception, they make the standpoint of ethical life completely impossible, in fact they explicitly nullify and spurn it. But even if ‘moral’ and ‘ethical’ meant the same thing etymologically, that would in no way hinder them, once they had become different words, from being used for different conceptions.”⁶²⁴

According to Hegel, Kant thus declares ‘morality’ and its divisions to be absolute and thereby falls short of ethical life’s unity of world, subject and the good. By so doing, Hegel argues, Kant implies that the world cannot *be* good since it is by definition ‘determined’ and thus unfree. According to Hegel’s Kant, the good can thus only be realised by means of *self-determination* and this is only possible for the moral subject. This entails that in the face of the world, Kant’s good is always an ‘ought’ that is confined to the *inner* life of the world-opposing subject, or so Hegel claims. Kant’s view renders Hegel’s ethical life ‘impossible’ insofar as ethical life claims that ‘family’, ‘civil society’ and ‘state’ are the objective, *actual presence* of the good *in* the world.

⁶²³ PR §33: 50-51.

⁶²⁴ PR §33 remark: 51. While morality and ethics mean the same etymologically (‘morality’ comes from the Latin *mos*, *mores* - customs) this is not important for Hegel’s argument.

Hegel accordingly argues that Kant's focus on morality 'destroys' the notion of this presence by claiming that no part of the world can be inherently good. Paralleling the critique of Kant's notion of right as abstract restriction on arbitrary action,⁶²⁵ Hegel thus reads Kant to involuntarily advocate a 'nihilism of right' — nothing in or about the world is right.

II. 6.4.5.3. Family

Hegel's determinations of ethical life thus contradict what Hegel takes to be morality's world-excluding focus on the moral subject's inner life. By *embodying* the good, so Hegel, they articulate abstract right's externality of freedom. Once more, Hegel associates ethical life's determinations with different stages of the concept and argues that the *immediacy* of the concept that defines 'the family' is 'feeling': "Its first existence is again something natural, whose form is love and feeling—the *family*. Here the individual has transcended his self-enclosed personality and finds himself and his consciousness of himself in a whole."⁶²⁶

While the moral subject considers itself to be different from the external world, so Hegel, this changes at the stage of family. Based on a feeling of affectionate belonging, the subject here recognises itself as a part of a greater whole that is present *in the world*. This entails that the subject realises that there is something more important or 'objective' than his merely moral and subjective notion of the good — the family is the good in the form of objective actuality *and* the emotional attitude of its members. In virtue of being a family-member, the subject is therefore part of the good's *undifferentiated* reality and does not distinguish its own interest from that of the other family members. Similar to the abstract logical determination of 'being', so Hegel, there is no internal division or relationality between elements and the family's unity is *immediate*.⁶²⁷

⁶²⁵ see discussion of §29

⁶²⁶ PR §33 addition: 52.

⁶²⁷ Houlgate discusses it as a form of freedom in Houlgate 2005: 197-198.

II. 6.4.5.4. Civil Society

Hegel continues with the claim that the family's undivided, simple unity is challenged at ethical life's next stage. Like 'civil society', ethical life manifests itself as a manifold of separate individuals that are different from and at odds with each other: "At the next stage, however, we see substantial unity disappearing along with ethical life proper; the family falls asunder and its members relate themselves to each other as self-subsistent, since their only bond of connection is reciprocal need."⁶²⁸

Civil society thus splits up the family's unity and the formerly undifferentiated subjects regain their self-awareness as individuals. Similar to moral subjects, they are now subjects that differ from the world and each other. However, instead of the moral 'good', they pursue self-formulated interests and — corresponding to 'essence' in general — the reality of social life contains 'reflection' and is *relational*. It thus consists of *relations* between different entities rather than the unity of a singular entity. Since the ultimate nature of ethical life is the Idea as a singular, unified subject, so Hegel, the second stage of the concept of ethical life is its 'division' or 'appearance'. This entails that the 'reason' or 'ground' of individual action in civil society is beyond the agents' behaviour — ethical life *appears* in form of interest-pursuing individual subjects and thereby points beyond itself just like 'appearance' points to 'that which appears'.⁶²⁹ For Hegel, the 'truth' and thus 'the ground for' the coordinated, self-oriented behaviour is ethical life's third and final stage: It contains all other determinations and functions as their ultimate condition while embodying ethical life's highest degree of concreteness — Hegel's 'state'.

⁶²⁸ PR §33 addition: 52.

⁶²⁹ E.g. PR §131 ff.

II. 6.4.5.5. The state

For Hegel, the ‘state’ is thus the final moment of the concept of the will — it unites the immediate unity of the family and the divisions and antagonisms of ‘civil society’ into a concrete whole.⁶³⁰ It embodies the unity of the competing individual interests and mutual needs and forms an individual-surpassing universal interest. Similar to the ‘family’, so Hegel, the ‘state’ is thus a unity but unlike the family, the state accommodates civil society’s elements of separation and constitutes an internally differentiated unity.

In contrast to ‘civil society’, Hegel’s state is thus not *just* relational or fragmented into a plurality of entities. Although civil society contains cooperations and estates as supra-individual collectives, these resemble individual economic agents in their pursuit of a specific, particular interest. In contrast, the state incorporates this diversity within an overarching identity — the pursuit of truly universal ends. This renders Hegel’s state to be the ‘ground’ or ‘reason’ that civil society’s coordinated behaviour implies — it is the condition of the possibility of civil society’s existence. Unlike civil society, Hegel’s state can thus not be explained in terms of individual behaviour alone and in virtue of being ethical life’s most concrete determination, the state is the condition for the coordination and pursuit of individual interests as well as for the existence of the family and the institutions of morality and abstract right. One thus needs the state to ‘make sense’ of the activity of civil society’s interest-pursuing individuals and of ‘family’s’ immediate unity.⁶³¹

Hegel accordingly argues that the union that the state represents is freedom’s most concrete manifestation: “[C]ivil society—has often been looked upon as the state, but the *state* is first present at the third stage, the stage of ethical life and of [Geist] in which the prodigious

⁶³⁰ Cullen calls this “Hegel’s criterion for rationality” (Cullen 1979: 99): “[A] way must be found of integrating all the competing elements of civil society—the realm of particularity—into the structure of the state. [...] Hegel’s ‘criterion of rationality’, in his social and political philosophy, is harmony between the particular and universal aspects of human nature”. (Cullen 1979: 99).

⁶³¹ See e.g. Houlgate 2005: 207.

unification of self-subsistent individuality with universal substantiality has been achieved. The right of the state therefore stands above the preceding stages; it is freedom in its most concrete shape”.⁶³²

II. 6.4.5.6. State and the lower spheres

For Hegel, this also entails that the right of the state trumps the rights of all other spheres — since the rational state is truly the overarching embodiment of universal interest, it rightfully suspends the rights of legal persons, moral subjects, the family and of civil society. However, while Hegel thinks that families and the individual members of civil society have a duty towards the state and its interest, he also argues that the state has the duty to guarantee the existence of the institutions of property, exercise of moral subjectivity, family and civil society. In its role as their overarching condition, Hegel’s state thus has a right over the other determinations and a duty of subsistence towards them.⁶³³

Since the state is the unity of all the previous determinations, it cannot suspend these and their claims to rightfulness without suspending itself. For example, the drafting of young family members into mandatory military service — which might contradict the interest of the family — or measures that intervene with corporate interest — for example when the state breaks a private company’s monopoly or when the state forces a company to produce weapons instead of cars, cases of corruption etc. — are only justified when the state’s survival is at risk or when families or corporations undermine the state as an institution, replacing universal interest with family- or corporate interest.

⁶³² PR §33 addition: 52. McTaggart fails to appreciate the ideal unity of citizens and state and describes one as a means to the other: “[Hegel’s] system of metaphysics involves the view that the present condition of society, and any possible form of the state, can only be looked on as means to the welfare of the individuals who compose them. That welfare, indeed, can never be found in isolation, but may be found in very different combinations.” (McTaggart 1901: 178).

⁶³³ Houlgate describes this in terms of the state’s duty to protect the citizens’ freedom in Houlgate 2005: 190.

Since Hegel's state as universal interest can only exist if there are families and civil society in the first place, it cannot abolish these institutions without abolishing itself. For Hegel, any ongoing suspension of family- or civil-society interest opposes the state's differentiated unity.⁶³⁴

II. 6.4.5.7. Other states and world spirit

Hegel further argues that in relation to other states, each particular, empirically existing state receives its character from the people that form it. All particular states thus stand in some relation to each other and they and their relationship are in turn the product of the self-realisation of an overarching subject that Hegel calls 'Weltgeist' — world-spirit or world Geist: "[The state] [...] reveals and actualizes itself through the interrelation of the particular national spirits until [...] in the process of world-history it reveals and actualizes itself as the universal [Weltgeist] whose right is supreme".⁶³⁵ Similarly, the addition to §33 states: "The right of the state therefore stands above the preceding stages; it is freedom in its most concrete shape and as such is subordinate to one thing alone—the supreme absolute truth of the [Weltgeist]".⁶³⁶

Similar to the way in which the individuals of civil society are encompassed by the state, so Hegel, the particular states are united in the overarching subjectivity of Weltgeist. For Hegel, Weltgeist is thus the ultimate manifestation of objective Geist and right. Its immanent self-development results in the creation of the international political sphere and its occurrences and Hegel argues that in the actions of the Weltgeist, all lower determinations of objective Geist and right are united into a whole. Weltgeist is thus the condition of all the other, more abstract

⁶³⁴ Ilting describes this as union of the general and the particular: "So we arrive at the conclusion that the core of the Hegelian conception of the state lies in the peculiarly Hegelian union of the general with the particular, of substantiality with subjectivity. This union is to be achieved in such a way that both principles are fully developed and yet complement each other. In Hegel's state, then, the claim of individuals to their free development and self-determination is fully satisfied; on the other hand, the political community is also recognized as something which may not be reduced to individual and private interests alone." (Ilting 1971: 104).

⁶³⁵ PR §33: 51.

⁶³⁶ PR §33 addition: 52. cf. "[S]till higher than the [Geist] or the right of one people is the right of the universal state, the [Geist] of the world, which strikes down the inferior spirits when they oppose it or stand in its way. [...] For example, there was no greater right than that Rome should be a republic; but for the sake of the [Geist] of the world, whose tool he was, Caesar had the right to overturn the republic, yet Brutus meted out justice, his right deserts, to Caesar as an individual. The single individual who sets himself up as the embodiment of the will of the world ends by being destroyed." (LNR §8 remark: 57).

determinations and the right of Weltgeist trumps all other entities' rights.⁶³⁷ This entails that individuals of world-historical importance legitimately overrule the interests of particular states. According to Hegel, Weltgeist's completely 'objective' freedom is only surpassed by absolute Geist's independent self-recognition in art, religion and philosophy — while world history goes on in terms of individual states' relations, the forms of absolute Geist's self-recognition are not confined to the boundaries of *particular* manifestations of abstract right, morality and ethical life.⁶³⁸

II. 6.5. Chapter Conclusion

For Hegel, right's determinations of abstract right, morality and ethical life parallel freedom's conceptual stages of 'being-for-itself', 'being-in-itself' and 'being-in-and-for-itself' as well as the general logical determinations of 'being', 'essence' and 'concept'. While abstract right is freedom as externality, morality is its mere inwardness. Ethical life unites these into the concept of a self-determining world — it is freedom's presence in an external world's institutions and in subject-internalised norms and practices. As ethical life's ultimate condition and most concrete determination, 'the state' contains the more abstract determinations of family and civil society and its right is only overruled by Weltgeist.

⁶³⁷ PR §341 ff.

⁶³⁸ See e.g. Enz §553ff.

III. Conclusion

A systematic reading of the *Philosophy of Right*'s introduction reveals that Hegel's architecture of 'the concept of the will' parallels that of his general logical concept. Like the concept in general, also Hegel's concept of the will is 'truly universal' since its singularity *contains* particularity and universality. This also entails that the activity of particular subjects is but an aspect of the will and not its ontological 'ground', 'origin' or 'foundation'. Instead, for Hegel, the concept of the will is the active principle of reality that is *manifest* in the form of individual subjects and their activity as a result of its 'decision' or 'judgement'.

The concept of the will is a form of Geist and as such, it contains nature within and is therefore not limited by it. The tension between spiritual [*geistig*] 'I' and natural impulses that defines the concept of the will's immediate stage of Willkür therefore falls short of Geist's truth — it constitutes merely the will's *appearance*. Like appearance in general, also Willkür is marked by a difference between entities or agents — the 'I' — and their ends. According to Hegel, this renders it *finite* since like 'form' and 'content' relate to each other *and* mutually exclude each other, so the 'I' relates to *and* limits the content and vice versa. Hegel's Willkür is also finite in another sense: the particular individuals' actions limit each other and thereby render each other finite. For Hegel, this entails that the continuous pursuit of ever different determinate ends cannot escape the limitation that the ends have in the face of the acting subject and consequently, he thinks of Willkür as spuriously infinite.

The division between subject and object also renders Hegel's Willkür 'arbitrary' and 'contingent' because the relationship between willing subject and willed end 'could not have been' or 'could have been otherwise' insofar as Willkür's 'I' determines itself to a certain content but does not determine itself to *itself*. Parallel to how the finite and limited entity of 'appearance' points to a 'ground' — the reason for its existence — beyond itself, so the identity between Willkür's agent and its end remains beyond conceptual reach.

For Hegel, it is this contradiction between agent and end that motivates an ontological revision of Willkür's structural assumptions and which guides the thinker to the category of 'actuality': here, agent and end are united by an implicit identity. At this stage, agent and end are both equally rational and the agent *must* will the end: agents that *actually* will, will what is necessary and they act in accordance with the requirements of rational duty.

However, so Hegel argues, also actuality's rendering of the agent-end relationship is contradictory since it still differentiates between two entities — 'agent' and 'end' — *and then*⁶³⁹ claims that they are implicitly identical. Although the actually willing agents are 'free' insofar as they will 'themselves' —that is their own rationality — in the ends, for Hegel there remains a freedom-contradicting element of dependency insofar as agent and end still differ. Since the end is 'other' than the agent, the agent still depends on something 'else' than himself in the act of willing.

According to the argument that Hegel provides in the *Science of Logic*, actuality's implicit identity of agent and end becomes explicit as a result of an ontological reconceptualization that gives rise to the structure of 'the concept' and its truly universal freedom. Now, particular agents and their ends are both the product of the same singular and universal activity that Hegel calls 'the concept'. Unlike Willkür's impulse-dependent subject, this universal subject is 'free' because it does not depend on anything but itself and it conceptualises the difference between subject and end as a *result* of the concept's identity.

For Hegel, the concept as universal agent 'decides' or 'judges' and thereby brings forth the activities of particular individual agents. The apparent divisions within the singular universal subject that this effects are overcome by the 'syllogism' which unites the universality of the concept with the individuality of the particular agents that are the result of its judging in a variety of different ways. The syllogism's activity results in what Hegel calls 'objectivity' — and it is this objectivity that forms a negative unity with the concept and thereby gives rise to what Hegel considers the supreme manifestation of rationality — 'the Idea'.

⁶³⁹ In the logical, not the temporal sense of the word 'then'.

This Idea of the will articulates itself in the acts of particular individuals that will what is rational and in the norms, institutions, practices that condition and are maintained by their actions. It is the ontological unity of all rational actions and all aspects of reality that articulate self-determination objectively and Hegel accordingly labels it ‘right’ or ‘objective Geist’.⁶⁴⁰

This reading contradicts the mainstream of contemporary Hegel scholarship. In comparison, the accounts of individualist interpreters like Patten, Neuhouser, Hardimon and Pippin fall short of appropriately describing the concept’s unity of agent and end and consequently fail to conceptually unite the Idea’s objective dimension with its subjective aspect. By exclusively associating ‘activity’ with particular individual agents and by distinguishing these from norms, practices and institutions, they fail to capture their underlying identity. Although some commentators go as far as claiming that agents and their context stand in a mutually conditioning relationship — they approximate actuality’s ‘necessity’ —, they do not conceptualise the explicit freedom of the concept that Hegel describes as the animating principle of particular individual subjects and their ends.

For the individualist, ‘self-determination’ in the sense of ‘self-determination to itself’ is either 1. empty — for example in the case of Kant and Patten or 2. takes place in an institutional or historical context — for example Pippin, Neuhouser. In the case of the former, ‘freedom’ remains ‘undetermined self-determination’ and falls short of actual or contentful willing because the particular individual merely wills its own self-willing and therefore wills nothing determinate. In the case of the latter, there is no ‘true’ freedom because the subject’s self-determination depends on something else, namely historically developed norms, institutions and practices. This view courts the question for the justification of such contextualised, rational action since it seems that rational action remains as contingent and arbitrary as the ‘given’ norms, institutions and practices that define it. Claiming that the context of action is a product of a historical process — for example

⁶⁴⁰ In a sense, even ‘mere’ appearance or simply arbitrary behaviour (e.g. crime, egotistical and subjective action) is part of the Idea: It is what the Idea is not, a negation of the Idea which depends on and originates in the Idea — it presupposes it.

Pippin — does nothing to alleviate this worry since such a process itself is arbitrary or contingent unless it is proven to articulate the development of an *ahistorical* ideal.

Hegel's notion of the Idea is an attempt to avoid such arbitrariness with regards to the ends and norms that determine rational action. It is designed to encompass all the rational activity and its institutional, normative and practical context and in virtue of its exclusive self-reference, it is independent from anything 'else'. In contrast to the action of particular individuals that pursue ends that radically differ from them, Hegel's Idea is thus always already 'achieved' — it is its own purpose. This means that for Hegel, particular actions *and* their institutional context are right because they manifest the Idea, not vice versa.

The introduction to the *Philosophy of Right* is exclusively dedicated to an analysis of the achievement of the Idea of the will's ontological structure by means of the concept of the will's development. While initially, the concept is in the abstract form of 'pure' singularity, it consequently develops into the stage of immediacy where it becomes an indeterminate subject that determines itself to a particular content — Willkür. Finally, the concept refers to itself by forming the Idea, which incorporates determination in a way that the first two stages were incapable of. For Hegel, what is true of the concept of the will's forms also applies to the concept in general — it is defined by the same freedom that functions as its animating and engendering principle of thought and being.

The present commentary argues for this interpretation on the basis of textual evidence. It is another matter whether such a description is a reasonable one. An adequate answer to this question would have to be informed by a more extensive discussion of Hegel's method and his systematic connections — with a more thorough analysis of the *Logic* — than the present work is able to supply. However, in the light of this commentary's findings, it can be argued that most contemporary discussions distort what has been labelled Hegel's 'practical philosophy' by failing to adequately consider the *Philosophy of Right* and the other parts of the *Realphilosophie* in the ontological context they are embedded in. This commentary illustrates what such a

contextualisation might look like by committing itself to the method of a *systematic* interpretation that attempts to avoid the superimposition of an alternative ontological commitment. By so doing, it aspires to and aims to instantiate the ideal of presuppositionless thinking.

Bibliography

Works cited

- Avinieri, Shlomo (1972), *Hegel's Theory of the Modern State*, Cambridge: Cambridge University Press.
- Brooks, Thom (2009), *Hegel's Political Philosophy: A Systematic Reading of the Philosophy of Right*, Edinburgh: Edinburgh University Press.
- Burbidge, John. W. (2006), *The Logic of Hegel's Logic: An Introduction*, Peterborough, Ont.: Broadview Press.
- Caird, Edward (2002), *Hegel*, London: Cambridge Scholars Press.
- Carlson, D. G. (2007), *A Commentary to Hegel's Science of Logic*, New York: Palgrave Macmillan.
- Cullen, Bernard (1979), *Hegel's Social and Political Thought: An Introduction*, Dublin: Gill and Macmillan Inc..
- Findlay, J. N. (1970), *Hegel: A Re-Examination*, London: George Allen and Unwin Ltd..
- Forster, M. N. (1998), *Hegel's Idea of a Phenomenology of Spirit*. Chicago, Chicago University Press.
- Franco, Paul (1999), *Hegel's Philosophy of Freedom*, New Haven: Yale University Press.
- Gadamer, Hans Georg, (1976) *Hegel's Dialectic: Five Hermeneutical Studies*, trans. Christopher Smith, New Haven: Yale University Press.
- Hardimon, Michael O. (1994), *Hegel's Social Philosophy: The Project of Reconciliation*, Cambridge, Cambridge University Press.
- Hegel, G. W. F. (1964), *Hegel's Political Writings*, trans. T. M. Knox, Oxford: Oxford University Press.
- (1975), *Lectures on the Philosophy of World History (1822-1830)*, ed. Johannes Hoffmeister, trans. H. B. Nisbet, Cambridge: Cambridge University Press.
- (1985), *Introduction to the Lectures on the History of Philosophy*, Oxford: Clarendon Press.
- (1988), *Aesthetics: Lectures on Fine Art*, trans. T. M. Knox, Oxford: Clarendon Press.
- (1991) *The Encyclopaedia Logic, with the Zusätze : Part I of the Encyclopaedia of Philosophical Sciences with the Zusätze*, trans. T. F. Geraets, et al., Indianapolis: Hackett.
- (1995) *Lectures on Natural Right and Political Science: The First Philosophy of Right: Heidelberg, 1817-1818, With Additions from the Lectures of 1818-1819*, trans. J. M. Stewart and P. C. Hodgson, Berkeley: University of California Press.
- (2007) *Hegel's Philosophy of Mind*, trans. W. Wallace, A. V. Miller, rev., intro., commentary by M. Inwood, Oxford: Clarendon Press.

—— (2008) *Outlines of the Philosophy of Right*, trans., ed., T. M. Knox, Stephen Houlgate, Oxford, Oxford University Press.

Houlgate, Stephen (1998), *Hegel and the Philosophy of Nature*, Albany, State: University of New York Press.

—— (2005), *An Introduction to Hegel: Freedom, Truth and History*, Oxford: Blackwell.

—— (2006), *The Opening of Hegel's Logic: From Being to Infinity*, Indiana, Ind.: Purdue University Press.

Inwood, Michael J., ed. (1983), *Hegel*, London: Routledge & Kegan Paul.

—— (1984) *Hegel, Plato and Greek 'Sittlichkeit'* in Pelczynski, Z. A. ed. (1984) *The State and Civil Society: Studies in Hegel's Political Philosophy*, Cambridge: Cambridge University Press.

—— (1985), *Hegel*, Oxford: Oxford University Press.

—— (1992), *A Hegel Dictionary*, Oxford: Blackwell.

—— ed. (1998), *Hegel*, London: Routledge & Kegan Paul.

Hartmann, Klaus (1984), *Towards a New Systematic Reading of Hegel's Philosophy of Right* in Pelczynski, Z. A., ed. (1984), *The State and Civil Society: Studies in Hegel's Political Philosophy*, Cambridge: Cambridge University Press, pp. 114-136.

Ilting, K.-H. (1971), *The Structure of Hegel's 'Philosophy of Right'* in Pelczynski, Z. A. ed. (1971), *Hegel's Political Philosophy: Problems and Perspectives*, Cambridge: Cambridge University Press, pp. 90-110.

Kant, Immanuel (1997), *Groundwork of the Metaphysics of Morals*, Mary Gregor trans., ed., Cambridge: Cambridge University Press.

Knowles, D. (2002), *Routledge Philosophy Guidebook to Hegel and the Philosophy of Right*, London: Routledge.

Longuenesse, Béatrice (2007), *Hegel's Critique of Metaphysics*, Cambridge: Cambridge University Press.

Mc Taggart (1901), John, *Studies in Hegelian Cosmology*, Cambridge: Cambridge University Press.

Neuhouser, F. (2000), *Foundations of Hegel's Social Theory: Actualizing Freedom*, Cambridge Mass.: Harvard University Press.

Patten, Alan (1999), *Hegel's Idea of Freedom*, Oxford: Oxford University Press.

Parkinson, G. H. R. (1985), *Hegel's Concept of Freedom* in Inwood, M. J. ed. (1985), *Hegel*, Oxford: Oxford University Press.

Pelczynski, Z. A. (1964), *An Introductory Essay in Hegel*, G. W. F., *Hegel's Political Writings*, trans. T. M. Knox, Oxford: Oxford University Press, pp. 1-137.

—— ed. (1971), *Hegel's Political Philosophy: Problems and Perspectives*, Cambridge: Cambridge University Press.

—— ed. (1984), *The State and Civil Society: Studies in Hegel's Political Philosophy*, Cambridge: Cambridge University Press.

Peperzak, A. T. (2001), *Modern Freedom: Hegel's Legal, Moral and Political Philosophy*, Dordrecht: Kluwer Academic Publishers.

Plamenatz, John (1971), *History as the Realization of Freedom* in Pelczynski, Z. A. ed. (1971), *Hegel's Political Philosophy: Problems and Perspectives*, Cambridge: Cambridge University Press, pp. 30-51.

Pippin, R. B. (1989), *Hegel's Idealism: The Satisfactions of Self-Consciousness*, Cambridge: Cambridge University Press.

—— and O. Höffe eds. (2004), *Hegel on ethics and politics*, Cambridge: Cambridge University Press.

—— (2008), *Hegel's Practical Philosophy: Rational Agency as Ethical Life*, Cambridge: Cambridge University Press.

Quante, M. (2004), *Hegel's Concept of Action*, Cambridge: Cambridge University Press.

Smith, Steven B. (1989), *Hegel's Critique of Liberalism: Rights in Context*, Chicago IL: Chicago University Press.

Steinberger, P. J. (1988), *Logic and Politics: Hegel's Philosophy of Right*, New Haven CT: Yale University Press.

Stern, Robert (2009), *Hegelian Metaphysics*, Oxford: Oxford University Press.

Taylor, Charles (1975), *Hegel*, Cambridge: Cambridge University Press.

—— (1979), *Hegel and Modern Society*, Cambridge: Cambridge University Press.

Weber, Max (1964), *Basic Concepts in Sociology*, New York, Citadel.

Weil, Eric (1998), *Hegel and the State*, Baltimore: The Johns Hopkins University Press.

Winfield, Richard Dien (2006), *From Concept to Objectivity*, Aldershot Hants, Ashgate Publishing Limited.

Wood, A. W. (1990), *Hegel's Ethical Thought*, Cambridge: Cambridge University Press.

Works consulted

Allison, Henry (1983), *Kant's Transcendental Idealism: An Interpretation and Defense*, New Haven: Yale University Press.

- Ameriks, Karl (1991), *Hegel and Idealism*, *Monist* 74, pp. 386–402.
- Augustinus (1982), *Bekenntnisse*, Stuttgart: Reclam.
- Aurelius, Marcus (2011), *Meditations*, London: Collector's Library.
- Beiser, Frederick (2005), *Hegel*, London: Routledge.
- Beiser, Frederick ed. (1993), *The Cambridge Companion to Hegel*, Cambridge: Cambridge University Press, 1993.
- Bellamy, Richard (1987), *Hegel and Liberalism*, *History of European Ideas* 8, pp. 693–708.
- Bencivenga, Ermanno (2000), *Hegel's Dialectical Logic*, New York: Oxford University Press.
- Brandom, Robert (2002), *Tales of the Mighty Dead*, Cambridge, MA: Harvard University Press.
- Brod, Harry (1992), *Hegel's Philosophy of Politics*, Boulder CO: Westview Press.
- Browning, Gary, (1999), *Hegel and the History of Political Philosophy*, New York: St. Martin's Press.
- and Kilmister, Andrew (2006), *Critical and Post-Critical Political Economy*, Basingstoke: Palgrave Macmillan.
- Burbidge, John W. (1992), *Hegel on Logic and Religion*, Albany: SUNY Press.
- (1993), *Hegel's Conception of Logic*, in Frederick Beiser (ed.), *The Cambridge Companion to Hegel*, Cambridge: Cambridge University Press, pp. 86–101.
- (2006), *The Logic of Hegel's Logic: An Introduction*, Peterborough, Ontario: Broadview Press.
- Burns, Tony (1996), *Natural Law and Political Ideology in the Philosophy of Hegel*, Brookfield VT: Avebury.
- Butler, Clark (1996), *Hegel's Logic: Between Dialectic and History*, Evanston, IL: Northwestern University Press.
- Carlson, David (2007), *A Commentary to Hegel's Science of Logic*, New York: Palgrave Macmillan.
- Carlyle, Thomas (2002), *Sartor Resartus: The Life and Times of Herr Teufelsdröckh*, Edinburgh: Canongate.
- Cirulli, Franco (2006), *Hegel's Critique of Essence: A Reading of the Wesenslogik*, New York: Routledge.
- Cohen, Gerald (2008), *Rescuing Justice and Equality*, Cambridge MA: Harvard University Press.
- Collins, Ardis B. ed. (1995), *Hegel and the Modern World*, Albany: SUNY Press.

- Collins, Ardis B. (2001), *Hegel's Critical Appropriation of Kantian Morality*, in Robert R. Williams ed. (2001), *Beyond Liberalism and Communitarianism: Studies in Hegel's Philosophy of Right*, Albany, NY: State University of New York Press,, pp. 21–39.
- Cristi, Renato (2005), *Hegel on Freedom and Authority*, Cardiff: University of Wales Press.
- Croce, Benedetto (1915), *What is Living and What is Dead of the Philosophy of Hegel*, trans. Douglas Ainslie, London: Macmillan.
- Dallmayr, Fred (1993), *Hegel: Modernity and Politics*, Newbury Park, CA: Sage Publications.
- Deligiorgi, Katerina ed. (2006), *Hegel: New Directions*, Chesham: Acumen.
- Dudley, Will (2002), *Hegel, Nietzsche, and Philosophy*, Cambridge: Cambridge University Press.
- Fichte, Johann Gottlieb (1970/1982), *The Science of Knowledge*, ed. and trans. Peter Heath and John Lachs, Cambridge: Cambridge University Press.
- (1994) *Introductions to the Wissenschaftslehre and Other Writings*, trans. D. Breazeale (Indianapolis: Hackett,).
- (2000), *Foundations of Natural Right According to the Principle of the Wissenschaftslehre*, ed. Frederick Neuhouser, trans. Michael Bauer, Cambridge: Cambridge University Press.
- Franco, Paul (1999), *Hegel's Philosophy of Freedom*, New Haven, CT: Yale University Press.
- Gallagher, Shaun (1997), *Hegel, History and Interpretation*, Albany: SUNY Press.
- Gauthier, Jeffrey (1997), *Hegel and Feminist Social Criticism*, Albany: SUNY Press.
- Geiger, Ido (2007), *The Founding Act of Ethical Life: Hegel's Critique of Kant's Moral and Political Philosophy*, Palo Alto, CA: Stanford University Press.
- Goldstein, Joshua (2005), *Hegel's Idea of the Good Life*, Dordrecht: Springer.
- Hegel, G. W. F. (1956), *The Philosophy of History*, trans. J. Sibree, New York: Dover.
- (1969) *Hegel's Science of Logic*, trans. A. V. Miller. Amherst, NY: Humanity Books.
- (1970) *Philosophy of Nature: Part Two of the Encyclopaedia of the Philosophical Sciences (1830) Translated from Nicolin and Pöggeler's Edition (1959) and from the Zusätze in Michelet's Text (1847)*, trans. A. V. Miller, Oxford: Clarendon.
- (1975) *Natural Law: The Scientific Ways of Treating Natural Law, Its Place in Moral Philosophy, and Its Relation to the Positive Sciences of Law*, trans. T. M. Knox, Philadelphia, PA: University of Pennsylvania Press.
- (1975a), *Reason in History*, trans. H. B. Nisbet, Cambridge: Cambridge University Press
- (1977), *Phenomenology of Spirit*, trans. A. V. Miller, Oxford: Oxford University Press.

- (1979) *Hegel's System of Ethical Life and First Philosophy of Spirit*, eds. and trans. H. S. Harris and T. M. Knox, Albany, NY: State University of New York.
- Hartnack, Justus (1998), *An Introduction to Hegel's Logic*, Indianapolis: Hackett.
- Hobbes, Thomas (1996), *Leviathan*, ed. Richard Tuck, Cambridge: Cambridge University Press.
- Hoffheimer, Michael (1995), *Edward Gans and the Hegelian Philosophy of Law*, Dordrecht, The Netherlands: Kluwer.
- Hoffmeyer, John (1994), *The Advent of Freedom: The Presence of the Future in Hegel's Logic*, Rutherford, NJ: Fairleigh Dickinson University Press.
- Houlgate, Stephen (1986), *Hegel, Nietzsche and the Criticism of Metaphysics*, Cambridge: Cambridge University Press.
- (1994), *Hegel and Fichte: Recognition, Otherness, and Absolute Knowing*, in *The Owl of Minerva* 26, 1 (Fall 1994): 3–19.
- (1995), *Hegel, Kant and the Formal Distinctions of Reflective Understanding*, in *Hegel on the Modern World*, ed. A. Collins, Albany: SUNY Press, 1995, pp. 125–41.
- (1995a), *Necessity and Contingency in Hegel's Science of Logic*, in *The Owl of Minerva* 27, 1 (Fall 1995): 37–49.
- (1995b), *The Unity of Theoretical and Practical Spirit in Hegel's Concept of Freedom*, in *Review of Metaphysics* 48, (1995), pp. 859–81.
- (1998), *Absolute Knowing Revisited*, in *The Owl of Minerva* 30, 1 (Fall 1998): 51–67.
- ed. (1998a), *Hegel and the Philosophy of Nature*, Albany: SUNY Press.
- (1999), *Schelling's Critique of Hegel's Science of Logic*, in *The Review of Metaphysics* 53.1 (September, 1999): 99–128.
- (2001), *G.W.F. Hegel*, in *The Blackwell Guide to the Modern Philosophers: From Descartes to Nietzsche*, ed. S.M. Emmanuel, Oxford: Blackwell, 2001, pp. 278–305.
- ed. (2007), *Hegel and the Arts*, Evanston, IL: Northwestern University Press.
- Hoy, David Couzens (1989), *Hegel's Critique of Kantian Morality*, in *History of Philosophy Quarterly* 6 (1989), pp. 207–32.
- Hutchings, Kimberly (2003), *Hegel and Feminist Philosophy*, Malden, MA: Blackwell.
- Hyppolite, Jean (1996), *Introduction to Hegel's Philosophy of History*, Gainesville: University of Florida Press.
- Inwood, Michael (1985), *Introduction*, in Michael Inwood ed., *Hegel*, Oxford: Oxford University Press, 1985, pp. 1–12.

Jaeschke, Walter (1998), *Reason in Religion: The Foundation of Hegel's Philosophy of Religion*, Berkeley: University of California Press.

James, David (2007), *Hegel's Philosophy of Right: Subjectivity and Ethical Life*, London: Continuum.

Jaspers, Karl, *Von Der Wahrheit*, München: Piper, 1947.

Kant, Immanuel (1957) Kant, Immanuel, *Perpetual Peace: A Philosophical Sketch*, ed. and trans. Lewis White Beck, Indianapolis IN: Bobbs-Merrill.

—— (1987), *Critique of Judgment*, trans. W.S. Pluhar, Indianapolis: Hackett.

—— (1990), *Kritik der reinen Vernunft*, ed. R. Schmidt, Hamburg: Felix Meiner Verlag.

—— (1996) *The Metaphysics of Morals*, trans. Mary Gregor, Cambridge: Cambridge University Press.

—— (1997), *Critique of Pure Reason*, trans. P. Guyer and A. Wood, Cambridge: Cambridge University Press.

—— (1997a), *Critique of Practical Reason*, trans. Mary Gregor, Cambridge: Cambridge University Press.

—— (1998) Kant, Immanuel, *Religion Within the Boundaries of Mere Reason and Other Writings*, eds and trans. Allen Wood and George di Giovanni, Cambridge: Cambridge University Press.

Kaufmann, Walter ed. (1970), *Hegel's Political Philosophy*, New York: Atherton Press.

Korsgaard, Christine (1996), *Creating the Kingdom of Ends*, Cambridge: Cambridge University Press.

Lasurdo, Domenico (2004), *Hegel and the Freedom of Moderns*, Durham, NC: Duke University Press.

Leopold, David, Stears, Marc eds. (2008), *Political Theory: Methods and Approaches*, Oxford ; New York : Oxford University Press.

Leopold, David (2007), *The Young Karl Marx: German philosophy, Modern Politics, and Human Flourishing*, Cambridge: Cambridge University Press.

Lewis, Thomas (2005), *Freedom and Tradition in Hegel*, Notre Dame, IN: University of Notre Dame Press.

Locke, John (1988), *Two Treatises on Government*, ed. Peter Laslett, Cambridge: Cambridge University Press.

MacCarney, Joe (2000), *Hegel on History*. London: Routledge.

MacIntyre, A. ed. (1976), *Hegel: A Collection of Critical Essays*, Notre Dame: University of Notre Dame Press.

- Maker, William ed. (2000), *Hegel and Aesthetics*, Albany; SUNY Press.
- Maker, William (1970), *Hegel's Phenomenological Method*, in *Review of Metaphysics*, 23, 4 (June 1970).
- Maker, William (1994), *Philosophy without Foundations: Rethinking Hegel*, Albany: State University of New York Press.
- Marcuse, Herbert (1955), *Reason and Revolution: Hegel and the Rise of Social Theory* (2nd edn), London: Routledge & Kegan Paul.
- Melville, Herman (1994), *Moby Dick*, London: Penguin.
- Michael Forster (1993), *Hegel's Dialectical Method*, in *The Cambridge Companion to Hegel*, ed. F.C. Beiser, Cambridge: Cambridge University Press, 1993, pp. 130–70.
- Mills, Patricia, (1996) *Feminist Interpretations of G.W. F. Hegel*, University Park PA: Penn State Press.
- Moggach, Douglas ed. (2006), *The New Hegelians: Politics and Philosophy in the Hegelian School*, Cambridge: Cambridge University Press.
- Pelczynski, Zbigniew Andrzej ed. (1971), *Hegel's Political Philosophy: Problems and Perspectives*. Cambridge: Cambridge University Press.
- (1971a), *Hegel's Political Philosophy: Some Thoughts on its Contemporary Relevance*, in Z. A. Pelczynski ed., *Hegel's Political Philosophy: Problems and Perspectives*, Cambridge: Cambridge University Press, 1971, pp. 230–41.
- Peperzak, Adriaan (1994), *Hegel Contra Hegel in his Philosophy of Right: The Contradictions of International Politics*, in *Journal of the History of Philosophy* 32 (1994), pp. 241–63.
- Pippin, Robert (2004) *Hegel on Ethics and Politics*, Cambridge, UK: Cambridge University Press, 2004.
- (2005), *Brandom's Hegel*, in *European Journal of Philosophy* Vol. 13 Issue 3 (December 2005), pp 381–408.
- Plant, Raymond (1972), *Hegel*, London: George Allen & Unwin.
- Plant, Raymond (1983), *Hegel: An Introduction* (2nd edn), Oxford: Blackwell.
- Plato (1997), *Complete Works*, ed. John M. Cooper, Indianapolis IN: Hackett.
- Plato (1993), *Phaedo*, trans. D. Gallop, Oxford: Oxford University Press.
- Pinkard, Terry (1985), *The Logic of Hegel's Logic*, in Michael Inwood (ed.), *Hegel*, Oxford: Oxford University Press, 1985, pp. 85–109.
- (1991), *The Successor to Metaphysics: Absolute Idea and Absolute Spirit*, in *Monist* 74 (1991), pp. 295–328.

- (1994), *Hegel's Phenomenology: The Sociality of Reason*, Cambridge: Cambridge University Press.
- (2000), *Hegel: A Biography*, Cambridge: Cambridge University Press.
- Popper, Karl (1966), *The Open Society and Its Enemies. Vol. II: The High Tide of Prophecy: Hegel, Marx, and the Aftermath* (5th edn), London: Routledge & Kegan Paul.
- Rawls, John (1999), *Collected Papers*, ed. Samuel Freeman, Cambridge, MA: Harvard University Press.
- (2000), *Lectures on the History of Moral Philosophy*, ed. Barbara Herman, Cambridge, MA: Harvard University Press, 2000.
- (2001), *Justice as Fairness: A Restatement*, Cambridge MA: Harvard University Press.
- Richardson, Henry S. (1989), *The Logical Structure of Sittlichkeit: A Reading of Hegel's Philosophy of Right*, in *Idealistic Studies* 19 (1989), pp. 62–78.
- Redding, Paul, (1996) *Hegel's Hermeneutics*, Ithaca, NY: Cornell University Press.
- Rose, David (2007), *Hegel's Philosophy of Right: A Reader's Guide*, London: Continuum.
- Rosen, Michael (1982), *Hegel's Dialectic and Its Criticism*, Cambridge: Cambridge University Press.
- Rinaldi, Giacomo (1992), *A History and Interpretation of the Logic of Hegel*, Lewiston, NJ: E. Mellen Press.
- Rumi (1995), *Selected Poems*, London: Penguin.
- Russell, Bertrand, *A History of Western Philosophy*, New York: Simon & Schuster, 1945.
- Schopenhauer, Arthur (1969), *The World as Will and Representation*, trans. E.F.J. Payne, 2 vols., New York: Dover Publications.
- Sedgwick, Sally ed. (2000), *The Reception of Kant's Critical Philosophy: Fichte, Schelling and Hegel*, Cambridge: Cambridge University Press.
- Shanks, Andrew (1991), *Hegel's Political Theology*, Cambridge, UK: Cambridge University Press.
- Spinoza, Baruch (1982), *Ethik*, Frankfurt: Röderberg.
- Stern, Robert ed. (1993), *G.W. F. Hegel: Critical Assessments*, 4 vols. London: Routledge.
- Stern, Robert (1990), *Hegel, Kant and the Structure of the Object*, London: Routledge.
- The Dhammapada* (1987), trans. Carter John Ross and Mahinda Palihawadana, Oxford: Oxford University Press,
- The New English Bible with the Apocrypha* (1970), Oxford and Cambridge: Oxford University Press and Cambridge University Press.

Tunick, Mark (1992), *Hegel's Political Philosophy*, Princeton: Princeton University Press.

Westphal, Kenneth R. (1991), *Hegel's Critique of Kant's Moral World View*, in *Philosophical Topics* 19 (1991), pp. 133–76.

Westphal, Kenneth R. (1993), *The Basic Context and Structure of Hegel's Philosophy of Right*, in Frederick Beiser ed., *The Cambridge Companion to Hegel*, Cambridge: Cambridge University Press, 1993, pp. 234–69.

Williams, Robert (1992), *Recognition: Fichte and Hegel on the Other*, Albany: SUN, 1992.

—— (1997), *Hegel's Ethics of Recognition*, Berkeley: University of California Press.

—— ed. (2001), *Beyond Liberalism and Communitarianism: Studies in Hegel's Philosophy of Right*, Albany NY: State University of New York Press.

Winfield, Richard (1988), *Reason and Justice*, Albany: SUNY Press.

—— (1989), *Overcoming Foundations: Studies in Systematic Philosophy*, New York: Columbia University Press.

—— (1998), *The Just Family*, Albany: State University of New York Press.

—— (2005), *The Just State: Rethinking Self-Government*, Amherst, N.Y. : Humanity Books.

Wood, Allen W. (1989), 'The Emptiness of the Moral Will', *Monist* 72 (1989), pp. 454–83.

—— (1993), *Hegel's Ethics*, in Frederick Beiser (ed.), *The Cambridge Companion to Hegel*, Cambridge: Cambridge University Press, 1993, pp. 211–33.