

HEGEL'S LOGIC OF ABSOLUTE IDEALISM AND HIS POLITICAL ARGUMENT:  
THE CONCEPTUALITY OF ACTUALITY

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## ABSTRACT

Title: Hegel's Logic of Absolute Idealism and his Political Argument:  
The Conceptuality of Actuality

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This dissertation is about the theoretical foundation of Hegel's political argument.

Its goal is to comprehend the basic structure of that argument by articulating the conceptual framework Hegel employs when he asserts that the particular set of political institutions he is arguing for is rational. Its argument is that the criterion Hegel employs in his conception of rationality is that an object is rational if and only if it is comprehended by thought in and through the holistic inferential system of concepts he refers to as the Concept (*der Begriff*). Hegel's final argument in the *Science of Logic* is that there can be no actual object that is not "rational," i.e., that is not constituted, in all of its determinations, by the unified activity of thinking that is the Concept. Consequently, it is argued that the rationality, and therewith the actuality, of Hegel's rational state depicted in the *Philosophy of Right* derives from the fact that it is comprehended by thought in and through the totality as thought that is the Concept. Further, because the *Science of Logic* demonstrates the totality of actuality to be the constituted reflection of the Concept itself to itself, and because the *Philosophy of Right* depicts the objective-mental form of actuality in particular, it is argued that the *Philosophy of Right* is nothing more than the determinate reflection of the *Science of Logic*, the repetition of the movement of the pure logical Concept depicted therein at its highest level of determinateness. The comprehension by thought of the object of right in and through the Concept in the *Philosophy of Right* is therefore the Concept's comprehension of itself,

and this rational comprehension is indicated by Hegel through his presentation of the *Philosophy of Right* as the determinate reflection of the *Science of Logic*. This unified logical interpretation of Hegel's political philosophy is opposed not only to recent "practical" interpretations which dispense entirely with Hegel's theoretical philosophy, but also to recent transcendental interpretations which incorrectly attribute to Hegel the position that the determining activity of thought is limited to the form of the object of its cognition.

## DEDICATION

To my wife, Susan Smetona, who not only tolerates the time I spend with German philosophical texts when there is so much else to do with one's life, but also provides me with loving support and encouragement.

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## ABBREVIATIONS

The original German will be cited along with the standard English translations, with German pagination followed by English pagination, separated by a slash (/). In works cited by section (§), remarks (*Anmerkungen*) are indicated by “A” and additions (*Zusätze*) by “Z.” Translations of previously untranslated writings are my own.

Writings of G. W. F. Hegel (1770-1831)

- BA *Rede zum Antritt des philosophischen Lehramtes an der Universität Berlin* (1818). In GW XVIII, pp. 9-31. “Inaugural Address, Delivered at the University of Berlin (22 October 1818).” In *Hegel: Political Writings*, pp. 181-185. Translated by H. B. Nisbet. Cambridge: Cambridge University Press, 1999.
- EG *Enzyklopädie der philosophischen Wissenschaften III* (1817, rev. 1827, 1830). TW X. Cited by section (§) number. *Hegel’s Philosophy of Mind*. Translated by William Wallace and A. V. Miller. Oxford: Oxford University Press, 1971.
- EL *Enzyklopädie der philosophischen Wissenschaften I* (1817, rev. 1827, 1830). TW VIII. Cited by section (§) number. *Hegel’s Logic*. Translated by William Wallace. Oxford: Oxford University Press, 1975.
- EN *Enzyklopädie der philosophischen Wissenschaften II* (1817, rev. 1827, 1830). TW IX. Cited by section (§) number. *Hegel’s Philosophy of Nature*. Translated by A. V. Miller. Oxford: Oxford University Press, 1970.
- ER *Über die englische Reformbill* (1831). In GW XVI, pp. 323-404. “On the English Reform Bill.” In *Hegel: Political Writings*, pp. 234-270.
- GW *Gesammelte Werke*. Edited by the Nordrhein-Westfälischen Akademie der Wissenschaften. Hamburg: Felix Meiner Verlag, 1968-. Cited by volume and page number.
- PG1 *Jenaer Systementwürfe I: Philosophie des Geistes* (1803-1804). In GW VI, pp. 265-326.
- PG2 *Jenaer Systementwürfe III: Philosophie des Geistes* (1805-1806). In GW VIII, pp. 185-288.
- PhG *Phänomenologie des Geistes* (1807). GW IX. Cited by page number. *Hegel’s Phenomenology of Spirit*. Translated by A. V. Miller. Oxford: Oxford University Press, 1977. Cited by paragraph (§) number.

- PR *Grundlinien der Philosophie des Rechts* (1821). TW VII. Cited by (§) number. Preface cited by page number. *Hegel: Elements of the Philosophy of Right*. Translated by H. B. Nisbet. Edited by Allen W. Wood. Cambridge: Cambridge University Press, 1991.
- TW *Werke Theorie Werkausgabe*. Frankfurt am Main: Suhrkamp Verlag, 1970. Cited by volume and page number.
- VA *Vorlesungen über die Ästhetik*. 3 vols. TW XIII-XV. Cited by volume and page number. *Aesthetics: Lectures on Fine Art*. Translated by T. M. Knox. 2 vols. Oxford: Oxford University Press, 1975.
- VGP *Vorlesungen über die Geschichte der Philosophie*. 3 vols. TW XVIII-XX. Cited by volume and page number. *Hegel's Lectures on the History of Philosophy*. 3 vols. Translated by Elizabeth Haldane. New York: Humanities Press, 1968.
- VPG *Vorlesungen über die Philosophie der Geschichte*. TW XII. *The Philosophy of History*. Translated by J. Sibree. New York: Dover, 1956.
- VPR1 *Vorlesungen über Rechtsphilosophie* (1818-1831). vol. 1: *Der objektive Geist aus der Heidelberger Enzyklopädie 1817 mit Hegels Vorlesungsnotizen 1818-1819. Naturrecht und Staatswissenschaft nach der Vorlesungsnachschrift von C. G. Homeyer 1818/19. Zeitgenössische Rezensionen der Rechtsphilosophie*. Edited by K.-H. Ilting. Stuttgart: Frommann Verlag, 1973.
- VPR2 *Vorlesungen über Rechtsphilosophie* (1818-1831). vol. 2: *Die Rechtsphilosophie von 1820 mit Hegels Vorlesungsnotizen 1821-1825*. Edited by K.-H. Ilting. Stuttgart: Frommann Verlag, 1973.
- VPR3 *Vorlesungen über Rechtsphilosophie* (1818-1831). vol. 3: *Philosophie des Rechts nach der Vorlesungsnachschrift von H. G. Hotho 1822/23*. Edited by K.-H. Ilting. Stuttgart: Frommann Verlag, 1973.
- VPR4 *Vorlesungen über Rechtsphilosophie* (1818-1831). vol. 4: *Philosophie des Rechts nach der Enzyklopädie zweite und dritte Auflage (1827 und 1830). Philosophie des Rechts nach der Vorlesungsnachschrift von D. F. Strauss 1831 mit Hegels Vorlesungsnotizen (Greisheim Nachschrift)*. Edited by K.-H. Ilting. Stuttgart: Frommann Verlag, 1973.
- VPW *Vorlesungen über die Philosophie der Weltgeschichte*. Edited by J. Hoffmeister. Hamburg: Felix Meiner Verlag, 1955. *Lectures on the Philosophy of World History*. "Introduction." Translated by H. B. Nisbet. Cambridge: Cambridge University Press, 1975.



- WBN *Über die wissenschaftliche Behandlungsarten des Naturrechts, seine Stelle in der praktischen Philosophie und sein Verhältnis zu den positiven Rechtswissenschaften* (1802-1803). In GW IV, pp. 417-485. “On the Scientific Ways of Treating Natural Law, on its Place in Practical Philosophy and its Relation to the Positive Sciences of Right.” In *Hegel: Political Writings*, pp. 102-180.
- WL *Wissenschaft der Logik* (1812-1816, bk. 1 rev. 1831). 3 bks. GW XXI (*erster Band, die objektive Logik: erstes Buch, die Lehre vom Sein*), GW XI (*erster Band, die objektive Logik: zweites Buch, die Lehre vom Wesen*), and GW XII (*zweiter Band, die subjektive Logik oder die Lehre vom Begriff*). Cited by volume and page number. *Hegel's Science of Logic*. Translated by A. V. Miller. New York: Humanity Books, 1999.
- Writings of Immanuel Kant (1724-1804)
- A/B *Kritik der reinen Vernunft* (1781/1787). Edited by R. Schmidt. Hamburg: Felix Meiner Verlag, 1998. Cited by reference to the 1781 edition (A) and 1787 edition (B). *Critique of Pure Reason*. Translated by Allen W. Wood and Paul Guyer. Cambridge: Cambridge University Press, 1998.
- EF *Zum ewigen Frieden: Ein philosophischer Entwurf* (1795). In GS VIII, pp. 1-116. “Toward Perpetual Peace: A Philosophical Project.” In *Kant: Political Writings*, pp. 93-130. Translated by H. B. Nisbet. 2nd ed. Cambridge: Cambridge University Press, 1991.
- GMS *Grundlegung der Metaphysik der Sitten* (1785). In GS IV, pp. 387-463. *Groundwork of the Metaphysics of Morals*. Translated by Mary J. Gregor. Cambridge: Cambridge University Press, 1998.
- GS *Gesammelte Schriften*. Edited by the Königlich Preußischen (later Deutschen) Akademie der Wissenschaften. Berlin: Walter de Gruyter Verlag, 1968-. Cited by volume and page number.
- KPV *Kritik der praktischen Vernunft* (1788). In GS V, pp. 1-163. *Critique of Practical Reason*. Translated by Mary J. Gregor. Cambridge: Cambridge University Press, 1997.
- MS *Die Metaphysik der Sitten* (1797). In GS VI, pp. 211-491. *The Metaphysics of Morals*. Translated by Mary J. Gregor. Cambridge: Cambridge University Press, 1996.
- SF *Der Streit der Facultäten* (1798). In GS VII, pp. 1-116. “The Conflict of the Faculties.” In *Kant: Political Writings*, pp. 176-190.

- TP *Über den Gemeinspruch: Das mag in der Theorie richtig sein, taugt aber nicht für die Praxis* (1793). In GS VIII, pp. 273-313. “On the common saying: That may be true in theory, but it is of no use in practice.” In *Kant: Political Writings*, pp. 61-92.
- WFM *Welches sind die wirklichen Fortschritte, die die Metaphysik seit Leibnizens und Wolf’s Zeiten in Deutschland gemacht hat?* (1793-1974/1804). In GS XX, pp. 259-351. “What Real Progress has Metaphysics Made in Germany since the Time of Leibniz and Wolff?” In *Theoretical Philosophy after 1781*, pp. 353-424. Translated by Peter Heath. Cambridge: Cambridge University Press, 2002.

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CHAPTER 1  
HEGEL'S CONCEPT OF THE POLITICAL: PRELIMINARIES

This dissertation is about the theoretical foundation of Hegel's political argument. Its goal is to comprehend the basic structure of that argument by articulating the conceptual framework Hegel employs when he asserts that the particular set of political institutions he is arguing for is rational. Its argument is that the criterion Hegel employs in his conception of rationality is that an object is rational if and only if it is comprehended by thought in and through the holistic inferential system of concepts he refers to as the Concept (*der Begriff*). Hegel's final argument in the *Science of Logic* is that there can be no actual object that is not "rational," i.e., that is not constituted, in all of its determinations, by the unified activity of thinking that is the Concept. Consequently, it is argued that the rationality, and therewith the actuality, of Hegel's rational state depicted in the *Philosophy of Right* derives from the fact that it is comprehended by thought in and through the totality as thought that is the Concept. Further, because the *Science of Logic* demonstrates the totality of actuality to be the constituted reflection of the Concept itself to itself, and because the *Philosophy of Right* depicts the objective-mental form of actuality in particular, it is argued that the *Philosophy of Right* is nothing more than the determinate reflection of the *Science of Logic*, the repetition of the movement of the pure logical Concept depicted therein at its highest level of determinateness. The comprehension by thought of the object of right in and through the Concept in the *Philosophy of Right* is therefore the Concept's comprehension of itself, and this rational comprehension is indicated by Hegel through his presentation of the *Philosophy of Right* as the determinate reflection of the *Science of Logic*. This unified logical interpretation of Hegel's political philosophy is opposed not only to recent

“practical” interpretations which dispense entirely with Hegel’s theoretical philosophy, but also to recent transcendental interpretations which incorrectly attribute to Hegel the position that the determining activity of thought is limited to the form of the object of its cognition.

This chapter proceeds according to a thematic presentation. First, I situate the argument of the present study in relation to other recent studies in the contemporary Hegel scholarship attempting to identify the normative or epistemic foundation of Hegel’s political philosophy. Second, I argue that the foundation identified in the present study is supported by Hegel’s argument in the PR not only for the inextricability of the theoretical and the practical, but more specifically for the derivative character of his practical argument in relation to his theoretical standpoint of absolute idealism. Third, I disclose my interpretation of the conceptual framework informing the basic structure of the PR. Fourth, I argue that the PR is presented in ontologically relativistic terms, and so Hegel’s philosophical project therein must be understood to be the a priori reconstruction of the conceptual conditions required for the object of right or freedom to be a determinate object of cognition. Fifth, I argue that Hegel’s idealism is foundational to his conception of freedom: Thought is affirmed in its self-conception as free only through its relation to the posited object it confronts, whereas consciousness is affirmed in its self-conception as free only through the recognition which must be freely given by an other consciousness. Sixth, I argue that a proper understanding of the organic character of Hegel’s rational state depicted in the PR requires reference back to his idealist doctrine of the Concept and more generally to his requirement that the object of any philosophical “science” be comprehended as a self-organizing whole. Seventh, I argue that the holistic

character of Hegel's political order in the PR is derived from the holistic system of concepts through which Hegel's idealist argument in the WL is articulated. Eighth, I describe the general development of postwar scholarship on Hegel's political philosophy and then delineate what I take to be Hegel's general political position. Finally, through a description of Hegel's critique of the concept of the state of nature, I provide an interpretation of Hegel's position on the distinction between nature and mind, arguing that the dialectical development of mind in each of Hegel's core philosophical works (the PhG, the WL, and the PR) should be interpreted in transcendental, rather than historical, terms.

#### The Search for the Foundation of Hegel's Political Argument

In my understanding, there are three central works in the contemporary Hegel scholarship which seek to articulate the "foundation" of Hegel's social and political argument as it is definitively stated in the PR: Allen Wood's *Hegel's Ethical Thought*, Michael Hardimon's *Hegel's Social Philosophy: The Project of Reconciliation*, and Frederick Neuhouser's *Foundations of Hegel's Social Theory: Actualizing Freedom*. In the following pages, I will describe the arguments contained within these works and explain how the argument of the present study is situated in relation to them.

Allen Wood argues that Hegel's ethical theory of self-actualization, rather than his theoretical argument (which he refers to as Hegel's "speculative metaphysics"), represents the philosophical foundation of his social and political argument. The basis for Wood's emphasis on Hegel's ethics as foundational is his open and categorical rejection of Hegel's theoretical philosophy as a failure. He acknowledges that this emphasis involves reading Hegel against his own intentions, but takes his position to be justified

based on his observation that “[i]f Hegel understood his philosophy as the activity of pure thought-thinking itself, its legacy has rather been that of enabling us to understand how all human thought expresses its concrete social and cultural context.”<sup>1</sup> In addition to following this expressivist interpretation of Hegel’s practical philosophy advanced by Charles Taylor,<sup>2</sup> Wood also follows Taylor’s “cosmic mind” interpretation of Hegel’s theoretical project, and so it is therefore entirely reasonable that he rejects Hegel’s theoretical philosophy, given the indefensibility of such an apparent project. However, as I will indicate in the following, I reject this precritical metaphysical interpretation of Hegel’s theoretical philosophy in favor of one that reads Hegel as extending and completing the critical idealist project of Kant. I therefore reject the presupposition which directs Wood to Hegel’s ethical theory as a foundation in the first place.

Michael Hardimon argues that the central concept of Hegel’s social philosophy is “reconciliation” (*Versöhnung*), and that Hegel’s social philosophy is in the most general sense a project of reconciling individuals to the modern social world—and in particular to the modern social institutions of the family, civil society, and the state—despite its apparently intractable problems of divorce, poverty, and war. The concept of reconciliation, which Hardimon demonstrates to be distinct from that of resignation, is Hegel’s solution to the problem of modern individuals’ alienation (*Entfremdung*) from their social world. While it is certainly true that reconciliation is one of the central concepts of Hegel’s social philosophy, it would seem problematic in my view to regard reconciliation as a non-question-begging foundation for his social philosophy. Hegel’s

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<sup>1</sup> Wood, *Hegel’s Ethical Thought*, p. 6.

<sup>2</sup> Cf. Taylor, “Hegel’s Philosophy of Mind,” pp. 77-96; Taylor, *Hegel*, pp. 3-50; Taylor, *Sources of the Self: The Making of the Modern Identity*, pp. 368-390.

argument is that the basic structure of the modern social world reflects the principle of rationality, and therefore individuals should reconcile themselves to that basic structure. The logically antecedent question, however, is the following: What is the criterion Hegel employs in his conception of rationality?

Frederick Neuhouser answers precisely this question through his argument that freedom is the normative criterion of rationality in Hegel's social philosophy, and so Hegel regards social institutions as rational only insofar as they embody and further the goal of practical freedom.<sup>3</sup> Central to Neuhouser's project is his presupposition that Hegel conceives of rationality in practical terms as that which is "good." From this view, Hegel is therefore arguing that the idealized political institutions depicted in the PR are rational or good, or, quite simply, he is arguing *for* those institutions. Because freedom is the criterion of rationality to Hegel, the movement of the PR—from abstract right to morality to ethical life, and then within ethical life from the family to civil society to the state—is rational because it is first and foremost the hierarchical progression of increasingly rich manifestations of practical freedom.

The present study attempts to provide a theoretical answer to this logically antecedent question revealed by Hardimon's reconstruction of Hegel's project of reconciliation: What are the criteria Hegel employs in his conception of rationality? While Neuhouser answers this question in normative terms, understanding Hegel's conception of the rational to be identical with that which is "good" and identifying the

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<sup>3</sup> "Hegel's answer to the question, What makes the rational social order rational? is surprisingly simple. It can be captured in a single word: *freedom*... [Therefore] the principal task of a project that aims to examine the normative standards at work in Hegel's social theory will be to articulate the conception of freedom the theory invokes and to show how that conception grounds Hegel's claims as to which institutions satisfy the demands of reason" (Neuhouser, *Foundations of Hegel's Social Theory: Actualizing Freedom*, p. 4).



criterion for such rationality or goodness to be the complete system of the forms of practical freedom, I attempt to answer to this question of the criterion of rationality in terms of Hegel's logic of absolute idealism.

My argument is that an object is rational to Hegel if and only if it is comprehended by thought in and through the holistic inferential system he refers to as the Concept (*der Begriff*). Consequently, Hegel's political order can be regarded as rational only because the structure of its institutions, as well as the structure of the correspondence between its institutions and the free will, is symmetrical to or reflective of the logical structure of the Concept. The logical structure of the Concept is a completed syllogism, the instantiation of universality by individuality through its particularity, which is presented by Hegel in the form of a logical movement from universality to particularity to individuality (or from immediate identity to difference to mediated identity). Hegel's final argument in the WL is that there can be no actual object that is not "rational," i.e., that is not constituted, in all of its determinations, by the unified activity of thinking that is the Concept. My argument is therefore that the rationality of Hegel's political order derives from the fact that it is comprehended by thought in and through the totality as thought that is the Concept.

This understanding of Hegel's conception of rationality in epistemic terms does not in any way imply that Neuhausser is incorrect in his understanding of Hegel's conception of rationality in normative terms. Hegel, of course, has both normative *and* epistemic foundations to his social and political philosophy. This should not be surprising, given the complexity and interdependence of his philosophical reflections. At the same time, however, I will now argue that the contemporary approach to Hegel's PR

as a work of practical philosophy fails to appreciate Hegel's argument not only for the inextricability of the theoretical and the practical, but more specifically for the derivative character of his practical argument in relation to the principles of his theoretical standpoint of absolute idealism.

### Theoretical Philosophy and Practical Philosophy

Scholars of Hegel's political philosophy in general fail to consider the basic question of whether the PR should be interpreted as a practical philosophy or a theoretical philosophy or some combination of the two. By "practical philosophy" I am referring to an account of the actions of human subjects, and in particular to the conditions required for any subject to be conscious of and responsible for such actions. More generally, the content of practical philosophy is typically regarded to include considerations of political, ethical, and social phenomena. These categories are problematic, as the social cannot be limited to exclude the political, the political cannot be limited to exclude the ethical, and so on. At any rate, it is a universal presupposition among scholars of Hegel's political philosophy that the PR is a practical philosophy, and so the question of whether the PR might be categorized in theoretical-philosophical terms is not even considered. At first glance, this seems to be an eminently reasonable position.

Yet in my view this presupposition is a serious limitation that has consigned political considerations of the PR to an apparently endless recitation of Hegel's practical positions contained therein. The notion that Hegel's PR should be interpreted, as I will argue in what follows, not only as a work of practical philosophy but also as a work of theoretical philosophy, whose theoretical-philosophical function transcends and determines its practical-philosophical content, seems at first glance to be a preposterous

position. “Theoretical philosophy” is a category typically employed to denote the fields of metaphysics, epistemology, and “philosophy of mind.” Hegel's basic argument in the PR, i.e., the state (*der Staat*) fulfills the criterion of “right” (*Recht*), seems to be a rather straightforward political argument. Yet it would be profitable at this point to take a step back and evaluate the place of the PR within Hegel's philosophical “system,” as well as the function he intends it to perform within that system. Implicit in the standard interpretation of the PR as a work of practical philosophy is the presupposition that it can be unproblematically separated from the “system” of which it is a part. This, I will argue, has occluded the possibility of a true understanding of Hegel's PR.

Consider first the basic terms Hegel employs to describe his intellectual project. Hegel does not refer to his major works—the PhG (1807), the WL (1812-1816, bk. 1 rev. 1831), the PR (1821), and the three volumes of the *Encyclopedia* (1817, rev. 1827, 1830)—as constituting “philosophy,” or the “love of knowledge.” Rather, the term Hegel employs to describe his project is “science” (*Wissenschaft*), or knowledge of “the Absolute.” Consequently, Hegel does not introduce the PR as a work of “political philosophy,” but rather as “the philosophical science of right” (*die philosophische Rechtswissenschaft*) (PR §1). More generally, his “philosophical science,” as is known, forms a “system,” and the truth of this science according to Hegel is fundamentally derived from its organization in the form of a “system.” “The truth,” after all, to Hegel must necessarily be “the whole” (“*Das Wahre ist das Ganze.*”) (PhG 19/¶20).

The PhG is not a part of this system, but rather performs the function of providing the “deduction” of the “standpoint of science.” The WL, considered by Hegel to be his greatest philosophical achievement, is the fundamental statement of the “standpoint of

science.” The *Encyclopedia* is a set of textbooks intended by Hegel to provide students with a clear presentation of the closed system of his philosophical science. The first part of the *Encyclopedia* is an abbreviated version of the WL, depicting the logical structure of the pure Concept. Its second part, the *Philosophy of Nature*, is the application of the Concept to the object of nature, or the realm of necessity, while its third and final part, the *Philosophy of Mind*, is the application of the Concept to the object of mind (both subjective and objective), or the realm of freedom.<sup>4</sup>

However, this characterization is somewhat misleading. Hegel’s argument is that is not logically possible for there to be any actual object independent of or external to the Concept, and so his examinations of nature and mind cannot be the “application” of the logical structure depicted in the WL to these forms of actuality, for the totality of actuality is determined in the WL to be nothing more than the reflection of the Concept itself to itself. Rather, these forms must be understood to be the content derived from the *repetition* of the WL at increasing levels of determinateness. At the conclusion of the WL, Hegel discloses that the structure of the WL is circular and that the immediacy reached by thought in its final form of the Absolute Idea is at the same time the return to the immediacy of the original thought of being, the thought with which the WL begins. This return to the beginning, to the original thought of immediate being, should be regarded as the beginning of nature. Nature is the movement of thought in accordance with the logical structure of the WL at a level of determinateness that is only possible

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<sup>4</sup> Cf. the following statement from Hegel’s Inaugural Address at the University of Berlin, 22 October 1818: “Nature is confined to implementing reason only by necessity; but the realm of mind is the realm of freedom. All that holds human life together, all that has value and validity, is mental in nature; and this realm of the mind exists solely through the consciousness of truth and right, through the comprehension of ideas” (BA18/185).

*after* the original logical movement of pure thought has been traversed. Mind is then the movement of thought in accordance with the logical structure of the WL at a level of determinateness that is only possible after the *second* logical movement has been traversed. So for Hegel, when thought is drawn away from itself to its object, it is critically important to note that its object is always itself a thought determination, a reflection *of itself to itself*. This is to say that that the totalities of the natural and mental forms of actuality are themselves determinations *of logic*, of the pure logical Concept depicted in the WL. It is not logically possible for there to be any actual object independent of thought, or the Concept, and so the PR—in a way that Hegel intended but that is not at all understood by contemporary commentators—“is” the WL.

This unified logical interpretation of Hegel’s mature philosophical project I am arguing for is antithetical to contemporary accounts of that project, a topic to which I will turn in the conclusion to this dissertation. Nevertheless, it is the only historically accurate, exegetically correct interpretation. For instance, the *Encyclopedia* project in general finds its completion in the following passage:

[T]he Idea of philosophy...divides itself into mind and nature, making the former its presupposition, as a process of the Idea’s subjective activity, and the latter its universal extreme, as process of the objectively and implicitly existing Idea. The self-judging of the Idea into its two appearances characterizes both as its manifestations, and in it there is a unification of the two aspects—it is the nature of the fact, the Concept, which causes the movement and development, yet this same movement is equally the action of cognition (EG §577).

More determinately, consider first Hegel’s description of nature in the *Encyclopedia*

*Philosophy of Nature*:

The division [of nature] is made from the standpoint of the Concept grasped in its totality, and it indicates the diremption of the Concept into its determinations; and since in this diremption the Concept explicates its

determinations and gives them a self-subsistence, though only as moments, the process is one of self-realization in which the Concept posits itself as Idea. But the Concept not only sets forth its moments, and not only articulates itself in its differences, but it also brings these apparently self-subsistent stages back to their ideality and unity, to itself; and only then, in fact, has it made itself the concrete Concept, the Idea and the truth (EN §252Z).

Now consider his description of mind in the Encyclopedia *Philosophy of Mind*:

The difficulty of the philosophy of mind consists in the fact that in this we are no longer dealing with the comparatively abstract, simple logical Idea, but with the most concrete, most developed form achieved by the Idea in its self-actualization. Even finite or subjective mind, not only the absolute mind, must be grasped as an actualization of the Idea. The treatment of mind is only truly philosophical when it cognizes the concept of mind in its living development and actualization, which simply means, when it comprehends mind as a type of the absolute Idea (§377Z).

Hegel's mature philosophical project is therefore a closed conceptual system, and his argument is that it is not logically possible for there to be any actual object independent of or external to this system.<sup>5</sup> The science of logic (the WL and its condensed version in the EL) contains within itself the philosophies of nature (the EN) and of mind (the EG). As many have noted, the structure of Hegel's project parallels the division of Kant's theoretical system, beginning with the *Critique of Pure Reason* and then continuing with the *Metaphysical Foundations of Natural Science* and the *Metaphysics of Morals*. It is upon its completed formation in the particular way described above that Hegel then intends for his philosophical system to form a closed circle, in which each term (logic, nature, and mind) presupposes its antecedent and implies its consequent.<sup>6</sup>

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<sup>5</sup> Cf. Halper, "The Idealism of Hegel's System," pp. 19-58.

<sup>6</sup> "[S]cience exhibits itself as a circle returning upon itself, the end being would back into the beginning, the simple ground, by the mediation; this circle is moreover a circle of circles and...[the] links of this chain are the individual sciences of logic, nature, and mind, each of which has an antecedent and a successor—or, expressed more accurately, has only the antecedent and indicates its successor in its conclusion" (WL XII 252/842).

From this view, the PR is an extension and elaboration of the treatment of objective mind contained in the third book of the *Encyclopedia*. The origin of the system consists precisely in Hegel's demonstration in the WL of the Conceptuality of actuality: there can be no actual object independent of its determination within the movement of the Concept. While the WL demonstrates the criterion of the rationality of actuality to be its comprehensibility in terms of the Concept, the PR then rationally comprehends the objective-mental form of actuality in particular by comprehending it in and through the Concept. Actuality is determined in the WL to be the constituted reflection of the Concept itself to itself, and so the comprehension by thought of the object of right depicted in the PR is thought's comprehension of itself.

Admittedly, this systemic-level justification for interpreting Hegel's PR to be a work of theoretical and practical philosophy at the same time (based on the sublation of the distinction between the theoretical and the practical in theoretical reason only) might not be convincing to those social and political theorists approaching the PR in practical terms independently of Hegel's theoretical system. However, in the PR itself Hegel provides an explicitly practical argument against the possibility of conceiving of the PR independently of his theoretical argument for absolute idealism. In what follows, I will provide an account of this argument as it is presented in a remarkably condensed form in the *Zusatz* to §4 of the PR. I interpret Hegel's argument in this section to be that the practical argument of the PR is derivative of the theoretical argument of the WL. First, Hegel identifies the practical with willing and the theoretical with thinking, explicitly arguing for their inextricability:

The distinction between thought and will is simply that between theoretical and practical attitudes. But they are not two separate faculties;

on the contrary, *the will is a particular way of thinking* – thinking translating itself into existence, thinking as the drive to give itself existence (emphasis added) (PR §4Z).

It can be deduced from this statement that the justification Hegel provides for the inseparability of the theoretical and the practical is derived from within his theoretical standpoint, given his characterization of the will as a “particular way” of thinking. Hegel’s language here parallels his idealist argument in the WL: The will is a form of thought that “translates itself” into existence, or “give[s] itself” existence. One of the central idealist principles of the WL is thought’s derivation of its own determinateness, actuality, and even objectivity from within its own internal movement.<sup>7</sup> Even in the PR itself, Hegel summarizes his basic theoretical position articulated in the WL in his statement that “it is the Concept alone which has actuality, and in such a way that it gives actuality to itself” (PR §1A). Finally, Hegel in the Preface to the PR *defines* the “the state” as “reason as it *actualizes itself* in the element of self-consciousness” (emphasis added) (PR 7/12). What the PR depicts therefore is the theoretical reason of pure logic, the Concept of the WL, but this Concept as actualized or objectivized, i.e., as mind, and this determinate reason or mind finds its complete actualization or objectivization in the rational state, the “Idea of the state,” or Hegel’s theory of the modern state.

This assignment by Hegel of logical priority to theoretical reason over practical reason directly opposes the contrary position adopted by Kant, namely, that the positive function of pure reason consists in its practical rather than theoretical application (cf.

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<sup>7</sup> The meaning of the Concept’s unity with objectivity as derived from within its own internal movement is that objectivity is itself a determination *of* the Concept. Consider Hegel’s statements in the conclusion to the subjective Concept section that “objective universality is no less *posited as* totality of the form determinations” (WL XII 125/703) (emphasis added) and that “this determination of the Concept [i.e., objectivity] which has been considered as reality, is, conversely, equally a *positedness*” (WL XII 125/703) (emphasis added).



Bxxiv-xxxvii).<sup>8</sup> The final passage of this section is critically important for the argument of this dissertation: Hegel first provides a remarkably clear one-sentence description of his idealist argument, which is then followed by a statement, *presented in explicitly derivative terms*, in which he posits the identification of the theoretical with the practical:

The content of what is thought certainly takes on the form of being; but this being is something mediated, something posited by our own activity. These distinct attitudes are *therefore* inseparable: they are one and the same thing, and both moments can be found in every activity, of thinking and willing alike (PR §4Z) (emphasis added).

It is upon this ground that I take the PR (1) to be based on the sublation of the theoretical-practical opposition in theoretical reason only, (2) to be inseparable from the theoretical system of pure logical reason of which it is the actualization or objectivization, and (3) to be inseparable from the determinate conceptual content of that pure logic: Hegel's argument for absolute idealism in the WL.

### The Logical Structure of the *Philosophy of Right*

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<sup>8</sup> The origin of this argument can be traced back to its development in Hegel's early WBN essay of 1802-1803. Consider the following passage: "This real opposition consists, on the one hand, of manifold being or finitude, and on the other, of infinity as the negation of multiplicity (or, in a positive sense, as pure unity); and the absolute concept which is thereby constituted supplies, within this unity what has been called 'pure reason.' But the relation of this pure unity to the manifold of being [*dem mannigfaltigen Seienden*] which is opposed to it is also itself a double relationship [*Beziehung*] – either the positive relationship of the subsistence of both, or the nullification of both...In the former, positive relationship, the pure unity is called theoretical reason, and in the negative relationship, practical reason; and since, in the latter, the negation of the opposition is primary (so that unity is more subsistent), whereas in the former, the subsistence of the opposition is primary (so that multiplicity [*Vielheit*] is primary and more subsistent), practical reason appears here as real, whereas theoretical reason appears as ideal. – One can see, however, that this definition is wholly concerned with opposition and appearance. For that pure unity which is posited as reason is, of course, negative and ideal if what is opposed to it, namely the many (which is accordingly the irrational), is purely and simply subsistent – just as it will appear more subsistent and real if the many is posited as negated (or rather as what should be negated). But if nature is posited in opposition to reason as pure unity, this irrational many is irrational only because it is posited as the non-essential [*wesenlose*] abstraction of the many, whereas reason is posited as the non-essential abstraction of the one. Regarded in itself, however, this many is just as much absolute unity of the one and the many as unity is; and nature, or theoretical reason (which is the many), must, as the absolute unity of the one and the many, conversely be defined rather as real reason. But ethical reason (which is unity) must, as the absolute unity of the one and the many, be defined as ideal reason, because in the opposition, reality belongs with multiplicity, while identity belongs with unity" (WBN 431-432/118-119).

I will now disclose my interpretation of the conceptual framework determining the form and content of the political argument of the PR. Hegel's final argument in the WL is that its entire content is nothing more than the movement of the pure Concept and that there can be nothing independent of this movement. Every syllogistic triad of logical categories in the WL—the most general syllogism from being to essence to the Concept, the more particular syllogisms within being (from quality to quantity to measure), essence (from essence as reflection within self to appearance to actuality), and the Concept (from subjectivity to objectivity to the Idea), and the even more particular syllogisms within each of these subcategories—is therefore at the same time the repeated exposition of the moments of the Concept itself. The formal logical moments of the pure Concept—universality (*Allgemeinheit*), particularity (*Besonderheit*), and individuality (*Einzelheit*)—are presented by Hegel either in the form of a completed syllogism, the instantiation of universality by individuality through its particularity, or in the form of a logical movement from universality to particularity to individuality.<sup>9</sup> The WL can only be properly comprehended if it considered in terms of both its determinate conceptual movement from being to essence to the Concept and its formal logical movement from universality to particularity to individuality. My argument is that the PR exhibits the same formal logical structure and determinate conceptual content as that depicted in the WL.

The ultimate justification for my argument is presented by Hegel in remarkably clear and concise terms in §§5-7 of the Introduction to the PR. In these three sections, Hegel explains how the movement of the free will—and therewith, I am arguing, of the

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<sup>9</sup> Cf. WL XII 33-37/601-605, XII 37-48/605-618, and XII 49-52/618-622; cf. also EL §163.

PR in its entirety—proceeds in accordance with the sequence of terms of the moments of the Concept.

The first moment, presented in §5, is universality (*Allgemeinheit*):

The will contains ( $\alpha$ ) the element of pure indeterminacy or of the I's pure reflection into itself, in which every limitation, every content, whether present immediately through nature, through needs, desires, and drives, or given and determined in some other way, is dissolved; this is the limitless infinity of absolute abstraction or universality, the pure thinking of oneself.

The second moment, presented in §6, is particularity (*Besonderheit*):

( $\beta$ ) In the same way, I is the transition from undifferentiated indeterminacy to differentiation, determination, and the positing of a determinacy as a content and object. – This content may further be given by nature, or generated by the concept of mind. Through this positing of itself as something determinate, I steps into existence [*Dasein*] in general – the absolute moment of the finitude or particularization of the I.

The third moment, presented in §7, is individuality (*Einzelheit*):

( $\gamma$ ) The will is the unity of both these moments – particularity reflected into itself and thereby restored to universality. It is individuality [*Einzelheit*], the self-determination of the I, in that it posits itself as the negative of itself, that is, as determinate and limited, and at the same time remains with itself [*bei sich*], that is, in its identity with itself and alone. – I determines itself insofar as it is the self-reference of negativity. As this reference to itself, it is likewise indifferent to this determinacy; it knows the latter as its own and as ideal, as a mere possibility by which it is not restricted but in which it finds itself merely because it posits itself in it. – This is the freedom of the will.

The content of these sections reflects the moments of the idealist argument articulated in the WL through its determinate conceptual contents listed above: The incapacity to achieve a determinate content through the thought of being in immediate terms in the Being Logic, described in terms of the freedom of the will as “the element of pure indeterminacy” or “absolute abstraction or universality”; the separation between the thought of reality as it is *in itself* (essence) and of the thought of reality as it *for thought*

(appearance) in the Essence Logic, described in terms of the freedom of the will as “differentiation, determination, and the positing of a determinacy as a content and object”; and the realization that there can be no actual object independent of its determination within the movement of the Concept in the Concept Logic, described in terms of the freedom of the will as the knowledge that all “determinacy” is “its own and...ideal, as a mere possibility by which it is not restricted but in which it finds itself merely because it posits itself in it.” The entire development of the PR is therefore symmetrical to or reflective of the logical structure of the WL, both in terms of its determinate conceptual contents (being-essence-Concept) and its formal logical form (universality-particularity-individuality), as illustrated in Tables I and II below.

This interpretation of the architectonic of the PR might be challenged on the ground that it appears to extend Hegel’s Concept impermissibly beyond his identification of the third section of the PR, ethical life, with the Concept. However, as I will now argue, the basis for such a challenge would be incorrect. First, it is true that Hegel identifies ethical life in particular with the Concept:

The unity of the subjective with the objective good which has being in and for itself is ethical life, and the reconciliation which takes place in it is in accord with the Concept (PR §141Z).

This statement parallels Hegel’s following statement in the WL identifying the Concept as the unity of its preceding moments being and essence:

Now the Concept is that absolute unity of being and reflection in which being is in and for itself only insofar as it is no less reflection or positedness, and positedness is no less being that is in and for itself (WL XII 12/578).

Yet, as noted above, the “true” meaning of the Concept is not that it is simply the “third”

Table I: The Conceptual Content of the <i>Science of Logic</i> and the <i>Philosophy of Right</i>	
The Doctrine of Being	Abstract Right
Determinateness (Quality)	Property
Being	Taking Possession
Determinate Being	Use of the Thing
Being-for-Self	The Alienation of Property
Magnitude (Quantity)	Contract
Quantity	The Contractual Relation
Quantum	Moments of the Contract
The Quantitative Relation or Ratio	Kinds of Contract
Measure	Wrong
Specific Quantity	Unintentional Wrong
Real Measure	Deception
The Becoming of Essence	Coercion and Crime
The Doctrine of Essence	Morality
Essence as Reflection Within Itself	Purpose and Responsibility
Illusory Being	Responsibility and Liability
The Essentialities of Reflection	Purpose in General
Ground	The Right of Knowledge
Appearance	Intention and Welfare
Existence	The Right of Intention
Appearance	Self-Satisfaction and Welfare
The Essential Relation	Right and Welfare
Actuality	The Good and the Conscience
The Absolute	The Good
Actuality	Moral Duty
The Absolute Relation	True Conscience
The Doctrine of the Concept	Ethical Life
Subjectivity	Family
The Concept	Marriage
The Judgment	The Family's Resources
The Syllogism	The Dissolution of the Family
Objectivity	Civil Society
Mechanism	The System of Needs
Chemism	The Administration of Justice
Teleology	The Police and the Corporation
The Idea	The State
Life	Constitutional Law
The Idea of Cognition	International Law
The Absolute Idea	World History

Table II: The Logical Form of the <i>Science of Logic</i> and the <i>Philosophy of Right</i>	
Universality	Abstract Right
Universality	Property
Universality	Taking Possession
Particularity	Use of the Thing
Individuality	The Alienation of Property
Particularity	Contract
Universality	The Contractual Relation
Particularity	Moments of the Contract
Individuality	Kinds of Contract
Individuality	Wrong
Universality	Unintentional Wrong
Particularity	Deception
Individuality	Coercion and Crime
Particularity	Morality
Universality	Purpose and Responsibility
Universality	Responsibility and Liability
Particularity	Purpose in General
Individuality	The Right of Knowledge
Particularity	Intention and Welfare
Universality	The Right of Intention
Particularity	Self-Satisfaction and Welfare
Individuality	Right and Welfare
Individuality	The Good and the Conscience
Universality	The Good
Particularity	Moral Duty
Individuality	True Conscience
Individuality	Ethical Life
Universality	Family
Universality	Marriage
Particularity	The Family's Resources
Individuality	The Dissolution of the Family
Particularity	Civil Society
Universality	The System of Needs
Particularity	The Administration of Justice
Individuality	The Police and the Corporation
Individuality	The State
Universality	Constitutional Law
Particularity	International Law
Individuality	World History

moment, or the result of the preceding moments of being and essence, but rather that *it is the totality within which the movement from being through essence occurs*, i.e., the entire movement of the Objective Logic, from being through actuality, is in fact nothing more than “the genetic exposition of the Concept” (WL XII 11/577), while the Concept Logic is a “meta-logical” account *of* that movement. Being is thought in its immediacy, in its positive identity with itself, which to Hegel is in any case the result of the mediation or sublation of an antecedent mediation, whereas essence is thought in its mediation, in its negative identity with itself, which to Hegel is in any case the mediation or sublation of an antecedent immediacy.

The “logical” movement of thought (the movement depicted in the Objective Logic of the WL) therefore consists in its opposing itself and returning to itself. But this movement—if thought through to its final determination in actuality, in which thought’s immediacy is finally revealed to itself to be its reflection into itself—necessarily leads to a philosophical examination of the logic *of* this logic, or the “meta-logic” referred to above. That is, thought transitions from an examination of its relation to its object to an examination of itself as subject because the thinking through of the object to its final determination reveals that its object is *itself*, i.e., the unified activity of thinking in and through which any actual object is thought, or the holistic inferential system of concepts in and through which any concept is articulated,<sup>10</sup> or the final condition of possibility for any object of cognition to be an object at all—the Concept. The Objective Logic finds its completion in the Subjective Logic, and all possible immediacies (which for Hegel are

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<sup>10</sup> Cf. Brandom, *Articulating Reasons*, p. 35: “[R]ationalist expressivism understands the *explicit*—the thinkable, the sayable, the form something must be in to count as having been *expressed*—in terms of its role in *inference*. I take Hegel to have introduced this idea, although he takes the minimal unit of conceptual content to be the whole holistic system of inferentially interrelated judgeables.”

nothing more than reflections-into-self on the part of thought itself) and all possible mediations (or reflections-into-otherness on the part of thought) are revealed to be contained within the pure logical Concept. This is to say nothing less than that any possible thought activity is contained within the Concept, or totality as thought.

More particularly, the entire development of the Objective Logic from immediate being (*Sein*) to actuality (*Wirklichkeit*) is the increasing self-conscious awareness on the part of thought of its constitution or production of the object of its cognition. As noted above, the Objective Logic culminates in actuality, or reality as constituted, in all its determinations, by thought itself. While each of the preceding conceptions of reality is *presupposed* by thought to be independent of its constituting activity, the moment of actuality is thought's realization of the incorrectness of this presupposition. Hegel defines actuality as the moment reached by thought in which "its final reflection is the positing of its immediacy as reflection-into-self, and conversely" (WL XI 380/541). The "truth" of actuality is therefore the Concept that is responsible for its constitution or production in the first place. The Subjective Logic, then, consists of the "reconstruction" of this Concept itself from the most basic thought activities, culminating in thought's final realization that "there is no...immediate determination that is not equally posited and itself Concept" (WL XII 253/843).

So, in what is critically important for my argument, Hegel introduces the being and essence sections in the EL with statements explaining that "[b]eing is the Concept only implicitly" (EL §84) and "[e]ssence is the Concept as posited Concept, the determinations in essence are not yet simply reflected in itself; accordingly the Concept is not yet for itself" (EL §112). To Hegel, the Concept is to be regarded not merely as a



“subjective presupposition” (*subjektive Voraussetzung*), but rather as thought’s “absolute foundation” (*absolute Grundlage*) (WL XII 11/577). It is therefore in accordance with this conceptual framework that he then describes the relation of ethical life in the PR in relation to its preceding moments: “The sphere of [abstract] right and that of morality cannot exist independently; they must have the ethical as their support and foundation (PR §141Z).” So while the basic thought of being in the WL can only be a determinate object of cognition if it is thought through to its final determination in the Concept, the basic thought of freedom in the PR can only be a determinate object of cognition if it is thought through to its final determination in the rational state as Hegel conceives of it. Or, in other words, while the entire development of the WL is a logical *regression* from the thought of being to its final *presupposition* in the Concept, the entire development of the PR is a logical *regression* from the basic thought of freedom to its final *presupposition* in the state. It is upon this ground that I am interpreting the entire development of the PR to be nothing more than the determinate reflection of the development of the pure logical Concept depicted in the WL.

This interpretation of the architectonic of the PR might also be challenged on the ground that universality and individuality should be reversed, or that the state in ethical life for instance should be regarded as the universal while the free will of the single “person” in abstract right for instance should be regarded as an individual. Such a challenge, however, would be incorrect for the reason that for Hegel the first moment of any dialectical sequence is an indeterminate conceptual universal, defined by its incapacity to achieve a determinate content, or to identify a determinate, “individual” thought-content. In other words, the concept of the free will, even when it is considered

in the context of the single “person,” is nevertheless identified by Hegel not just as the moment of universality, but more specifically as indeterminate or formal universality. So while it is true that Hegel refers to the “will which is free in and for itself” in the first section of abstract right as “the purely abstract – the inherently individual will of a subject,” or as “exclusive individuality” (*ausschließende Einzelheit*) (PR §34), in the following section, however, he describes this free will in the following terms:

The *universality* of this will which is free for itself is *formal universality*, i.e., the will’s self-conscious (but otherwise contentless) and simple reference to itself in its individuality...I am finite, yet totally pure self-reference, and thus know myself in my finitude as infinite, *universal*, and free (emphasis added) (PR §35).

As this second section indicates, the “individuality” of the concept of freedom in abstract right is for Hegel “in fact” or “actually” (*in der Tat*) indeterminate or formal universality.

Second, the state in ethical life is described by Hegel as “an actuality which it possesses in the particular self-consciousness when this has been raised to its universality” (PR §258). Yet, in a parallel way, the “universality” of the state is *in der Tat* individuality. Practically every interpreter of Hegel’s PR refers to the state as the “concrete universal,” and this description is entirely accurate. Yet what such interpreters have failed to comprehend is that Hegel identifies determinate or concrete universality with individuality, or an individual thought-content is to Hegel a determinate, as opposed to a formal, universal concept. Consider Hegel’s definition of “individuality” in the WL: “Individuality...is already posited by particularity; this is determinate universality and therefore self-related determinateness, the determinate determinate (WL XII 49/618).<sup>11</sup> “Individuality,” I am arguing, is Hegel’s term for determinate (or “concrete”)

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<sup>11</sup> Just to be clear, “the determinate determinate” (*das bestimmte Bestimmte*) is not a typing error.

universality, or it is the realization or actualization of the universal that was merely formal or indeterminate in its first moment. However, in every sequence of dialectical cognition, the completion of a syllogism in individuality or determinate universality is at the same time the movement to the first moment of another syllogism, and so the thinking through of determinate universality or individuality reveals it to be indeterminate universality—*its completion reveals its incompleteness*. Nevertheless, it is clear that the determinate universality of the state is for Hegel its individuality, and the state depicted in the PR is a single, individual state: “The idea of the state has immediate actuality and is the individual state as a self-related organism” (PR §259).<sup>12</sup>

A central task of this dissertation will be to provide a detailed analysis of each of the sections of the PR, demonstrating in each instance how the latter is nothing more than the determinate reflection of the logical form and conceptual content of the WL. The remainder of the present chapter will proceed thematically, describing how many of the central political concepts of the PR are determined by the principles of Hegel’s theoretical standpoint of absolute idealism, and then delineating Hegel’s general political position.

First, however, a note on the use of Hegel’s terminology is required. This dissertation employs a number of the terms of Hegel’s logical and theoretical vocabularies. It is therefore important that I define the most abstruse of these terms before their employment throughout the dissertation.

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<sup>12</sup> Cf. also Hegel’s statements that “the state has individuality, which is [present] essentially as an individual and, in the sovereign [*Souverän*], as an actual and immediate individual” (PR §321) and that “the state is an individual, and negation is an essential component of individuality. Thus, even if a number of states join together as a family, this league, in its individuality, must generate opposition and create an enemy” (PR §324Z).

Consider first the following terms: “in-itself” (*an sich*), “for-itself” (*für sich*), and “in-and-for-itself” (*an und für sich*). For Kant, the in-itself character of any object refers to its independent or external relation to the cognition of the subject; objects in this independent or external sense (*noumena*) are opposed to the sense in which the appearances of such objects form the content of subjects’ cognitive representations (*phenomena*). For Hegel, in contrast, the truth of a concept is not its correspondence to an object independent of it. Rather, it is its coherence in terms of the unified activity of thinking that is realized in it. Consequently, Hegel employs the terms in-itself, for-itself, and in-and-for-itself to signify the distinct moments of the internal logical movement of thought. The object of thought’s cognition is in any case thought itself, or a reflection of thought itself to itself, and so the in-itself, for-itself, and in-and-for-itself moments of the object are in fact the moments of thought itself. Thought in its first moment is in-itself, or its reflective activity in its relation to its object is implicit. This is the moment of indeterminate universality, or the abstract universal concept with which any cognition begins. In its second, for-itself moment, thought makes explicit for itself its reflective activity in its relation to its object. This is the moment of particularity, or the particularization of the universal concept of the first moment into its particular determinations. In this moment, thought incorrectly presupposes the particular determinations of the universal concept to be external to or independent of that universal. The third, in-and-for-itself moment is individuality or determinate universality, i.e., the “restoration” of the universal concept of the first moment *as* determinate. In this moment, thought cognizes the universal of the first moment in terms of its particular determinations which it made explicit for itself in the second moment. In this final

moment, thought therefore corrects the incorrect presupposition of its second moment through making explicit for itself the fact that the particulars to which its universal concept is related are the particularization *of* that concept. To review: the “in-itselfness” of thought is its implicitness or indeterminateness, and the indeterminateness of any universal concept simply means that it has not yet been thought through to its determinateness; the “for-itselfness” of thought is the explicitness not only of its particular determinations, but also of its cognitive activity in its relation to such particulars; and the “in-and-for-itselfness” of thought is the explicitness of its cognition of the particulars to which its universal concept is related *as* the constituted determinations of that concept, or of its indeterminate universal concept *as* determinate.

Consider next the following terms: being-in-itself (*Ansichsein*), being-for-[it]self (*Fürsichsein*), and being-in-and-for-itself (*Anundfürsichsein*). The being-in-itself of an object is what it is implicitly, or what it is in its essentiality (*Wesenheit*) or essentialness (*Wesentlichkeit*). This essential character of the object is for Hegel contained within the concept of the object itself, i.e., it is thought itself that establishes the being-in-itself of the object. Conversely, the being-for-self or being-for-itself of the object is what it is explicitly, i.e., the appearance (*Erscheinung*) of the object, or the object as it is *for* thought. Both the being-for-[it]self and the being-in-itself of the object are for Hegel contained *within* the concept of the object itself. The being-in-itself or essence of the object, because it is implicitly contained within thought itself in its reflections (the end of thought is to make this implicit internality explicit for itself), is referred to by Hegel as the reflection-into-self (*Reflexion in sich*) of thought, whereas the being-for-self or appearance of the object, because it is the object as it is *for* thought in its reflections, is

referred to by Hegel as the reflection-into-otherness (*Reflexion in Anderssein*) of thought. The various interrelations of these terms are best illustrated through reference to the first of the WL's two volumes, the Objective Logic, which concludes with thought in its final immediacy of "actuality" (*Wirklichkeit*). This final moment is the realization on the part of thought that any immediacy it confronts as a result of its "reflection-into-otherness" is nothing more than its "reflection-into-self." Actuality is therefore defined by Hegel as the moment in which thought posits "its immediacy as reflection-into-self, and conversely" (WL XI 380/541), or as the moment of identity between the reflection-into-otherness of appearance (the being-for-self of thought) and the reflection-into-self of essence (the being-in-itself of thought). What appears manifests what is essential because the essentiality of appearances is the activity of reflection inherent in them. The movement from the Objective Logic to the Subjective Logic in the WL is therefore the achievement of thought that has being-in-and-for-itself, or thought that has made explicit for itself what it is implicitly, i.e., the object of its own cognition.

Consider finally the term "to sublata" (*aufheben*) or "sublation" (*Aufheben* or *Aufhebung*). This is the central concept in Hegel's dialectical logic. For thought to sublata the object of its cognition is for it to *negate* the immediacy or self-subsistence of that object, while at the same time to *preserve* that object as a posited or determined moment or determination within the dialectical movement of thought. Consider the following passage:

"To sublata" has a twofold meaning in the language: on the one hand it means to preserve, to maintain, and equally it also means to cause to cease, to put an end to. Even "to preserve" includes a negative element, namely, that something is removed from its immediacy and so from an existence which is open to external influences, in order to preserve it. Thus what is sublata is at the same time preserved; it has only lost its

immediacy but is not on that account annihilated...Something is sublated only insofar as it has entered into unity with its opposite; in this more particular signification as something reflected, it may fittingly be called a moment (WL XXI 94-95/107).

It will be explained below that for Hegel the determinateness of any object is a function of its cognition in terms of its holistic relation to other objects. And it will further be explained that Hegel's idealism renders such holistic structures intelligible by conceiving of them as dependent upon the subjective process of his dialectical method for the resolution of their incompatibilities. The term sublation therefore underscores how Hegel's logic is inextricable from his idealism. First, an object is cognized in terms of its positive relation to itself or its identity with itself or its immediacy. Second, the object is individuated by cognizing it in terms of its negative relation to its contrary. Third, the oppositional relation between the object of the first moment and its contrary of the second moment is itself cognized, i.e., the objects of the first and second moments are "sublated," or cognized no longer in their immediacy, but rather as the posited moments or determinations of their mediated identity. This final moment is the cognition by thought of the objects of the first and second moments in terms of the holistic relational structure within which they are situated, a structure Hegel refers to as the determinate conceptual universal from which they originated (the movement is logically regressive) or simply as their "concept."

These terms will be employed in various contexts throughout the dissertation and the purpose of this introductory note is simply to define these terms clearly and directly before their employment.

The Ontological Relativism of the *Philosophy of Right*

It would be profitable at this point to consider more specifically how this particular sequence of terms in the syllogistic form of the Concept constitutes an idealist foundation for Hegel's political argument. Hegel, as is known, rejects Kant's appeal to "intuition" (*Anschauung*) as the ground for conceptual thought, and instead argues that conceptual thought is a priori self-grounding, that it is adequately grounded by nothing more than its own immanent self-development.<sup>13</sup> The "truth" of a given concept is not to be found in its correspondence to the essentiality of the object (for there is no such thing), nor in its correspondence to the appearance of the object, but rather in the movement of reflection itself, in the Concept in and through which such appearances are produced in the first place.<sup>14</sup> *It is therefore precisely in this a priori movement of the Concept from universality to particularity to individuality that the epistemic justification, the logical form, and the determinate conceptual content of Hegel's argument in the PR is to be found.* The idealist character of this syllogistic conception of the presentation of the PR can be illustrated through reference to the following passage from the description in the WL of the three moments of the Concept:

The universal Concept, which we have now to consider here, contains the three moments: universality, particularity, and individuality. *The difference and the determinations which the Concept gives itself in its distinguishing, constitute the side which was previously called positedness* (emphasis added) (WL XII 32/600).

This argument that the Concept "gives itself" its own "difference" (*Unterschied*) and "determinations" (*Bestimmungen*) refers to a central component of Hegel's idealism: Conceptual thought derives its own determinateness, actuality, and even objectivity from

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<sup>13</sup> Cf. Kant's statement that "neither concepts without intuition corresponding to them in some way nor intuition without concepts can yield a cognition" (A50/B74).

<sup>14</sup> Cf. Longuenesse, *Hegel's Critique of Metaphysics*, p. 30.



within its own internal movement. So “difference,” i.e., determinate particularity, is phenomenal in character, or, as the above passage indicates, it is a “positedness” (*Gesetztsein*).

Many interpreters of Hegel’s PR challenge this interpretation described above that the PR is presented in entirely “internalist” a priori terms, instead arguing that Hegel’s presentation of the PR in accordance with the logical structure of the Concept is at the same time the ontological structure of political “reality.” Taylor, for example, articulates such a conception in his statement that “[i]n discovering the necessary relations between the categorical concepts of a transcendental logic, we will also be discovering the necessary structure of reality.”<sup>15</sup> I reject this ontological conception, for to Hegel there can be no independently “real” or ontological correlate to which an a priori argument (political or otherwise) can be said to correspond.<sup>16</sup> Rather, the meaning of Hegel’s sublation of the opposition between thought and reality in thought only in the completion of the WL (cf. WL XII 237-238/826) is that both sides of the opposition are phenomenal in character.<sup>17</sup> To Hegel, in other words, the “reality” side of any thought-reality opposition is itself a thought determination, a product of the Concept. Consider for instance Hegel’s following remarkable statement: “[E]xistence as such is only a posited being, not a being in and for itself” (WL XI 341/499). The reason for this phenomenal

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<sup>15</sup> Taylor, *Hegel*, p. 227.

<sup>16</sup> Taylor rejects what he takes to be Hegel’s “central ontological thesis” (Ibid., p. 538). In my view, by contrast, Hegel *does not have* a “central ontological thesis.”

<sup>17</sup> Cf. Longuenesse, *Hegel’s Critique of Metaphysics*, p. 182: “This is what true idealism is: the recognition of the merely phenomenal character of *both* sides of the opposition. *Both* concept and sensible reality, I and nature, Kantian reason (and more particularly, Kant’s most pure, i.e., practical reason) and sensibility, are merely phenomenal which means that they are nothing in themselves, and have as their common ground the absolute identity which is Kant’s suprasensible or intuitive understanding, i.e., Hegel’s absolute.”

character of all actuality is that it is only in and through the Concept that an object of cognition can be an object at all. Hegel variously states that “what anything actual is supposed in truth to be, if its concept is not in it and if its objectivity does not correspond to its concept at all, it is impossible to say; for it would be nothing” (WL XII 174/756), that “[t]he object therefore has its objectivity in the Concept and this is the unity of self-consciousness into which it has been received” (WL XII 18/585), and that “it is in the determinations of thought and the Concept that it [the object of thought’s cognition] is what it is” (WL XII 244/833). This is idealism as Hegel conceives of it, and this conception informs my argument for the foundational character of Hegel’s logic of absolute idealism to his political argument.

As a result, my argument is that Hegel’s project in the PR, rather than being ontological in character, is limited to the a priori reconstruction of the conceptual conditions required for the object of right or freedom to be a determinate object of cognition. Right begins as a purely indeterminate universal concept, “abstract right,” and, in the completion of this a priori reconstruction, it is revealed that the object of right can only be a determinate object if it is thought through to its final determination in the rational state as Hegel conceives of it. *This*, I am arguing, is how Hegel’s political argument in the PR, i.e., the state fulfills the criterion of right, should be understood.

Indeed, this ontologically relativistic framework informs *all* of Hegel’s major works. In the PhG, for instance, Hegel explains that “in what consciousness affirms from *within itself* as being-in-itself or the true we have the standard which consciousness itself sets up by which to measure what it knows” (PhG 59/¶84) (emphasis added) and “the essential point to bear in mind throughout the whole investigation is that these two

moments, ‘concept’ and ‘object,’ ‘being-for-another’ and ‘being-in-itself,’ both fall *within* that knowledge we are investigating” (PhG 59/¶84) (emphasis added). Similarly, in the WL Hegel explains that “[a]ll that is present is simply the resolve...that we propose to consider thought as such” (WL XXI 56/70), defines “truth” (*Wahrheit*) not as the agreement of thought with an external object, but rather as “the agreement of a thought-content with itself” (EL §24Z), and, finally, conceives of “logic” (*Logik*) itself as a “pure knowledge” (*reine Wissenschaft*) which “no longer has the object over against it but has internalized it, knows it as its own self” (WL XXI 55/69).

Consequently, my argument is that the PR is presented in transcendental<sup>18</sup> terms, for its objective-mental content is simply the determinate reflection of the ontologically relativistic regressive movement of conceptual categories depicted in the WL. Moreover, Hegel’s system in general, in my view, is presented in the form of a chain of transcendental arguments.<sup>19</sup> My ground for this interpretation is Hegel’s acceptance of the basic justification provided by Kant for the transcendental project. This justification begins with Kant’s theory of the a priori form of mind as being both separable from and the condition required for the possibility of sensible intuitions. Consider first the following introductory passage from the *Critique of Pure Reason*:

I call that appearance which corresponds to sensation its *matter*, but that which allows the manifold of appearance to be intuited as ordered in certain relations I call the *form* of appearance. Since that within which the

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<sup>18</sup> What is transcendental is not the concept itself, but the reflection on its origin and its relation to an object. Cf. Kant’s explanation of this principle: “[N]either space nor any geometrical determination of it a priori is a transcendental representation, but only the cognition that these representations are not of empirical origin at all and the possibility that they can nevertheless be related a priori to objects of experience can be called transcendental” (A56/B81).

<sup>19</sup> Cf. Hartmann, “Hegel: A Non-Metaphysical View”; Hartmann, “On Taking the Transcendental Turn”; Williams, “Hegel and Transcendental Philosophy”; Pippin, *Hegel’s Idealism: The Satisfactions of Self-Consciousness*; Claesges, “Darstellung des erscheinenden Wissens.”

sensations can alone be ordered and placed in a certain form cannot itself be in turn sensation, the matter of all appearance is only given to us a posteriori, but its form must all lie ready for it in the mind a priori, and can therefore be considered separately from all sensation. I call all representations pure (in the transcendental sense) in which nothing is to be encountered that belongs to sensation. Accordingly the pure form of sensible intuitions in general is to be encountered in the mind a priori, wherein all of the manifold of appearances is intuited in certain relations (A20/B34).

Because there are objects of cognition at all only through their correspondence to the forms of the unity of thought that is the final condition of possibility for any representation of objects, the forms of thought are a priori constitutive of all objects of cognition. The possibility of a transcendental system of cognition, of a logic of a priori representations of objects, is provided by Kant in the following critical passage, also from the first *Critique*:

But now since there are pure as well as empirical intuitions (as the transcendental aesthetic proved), a distinction between pure and empirical thinking of objects could also well be found. In this case there would be a logic in which one did not abstract from all content of cognition; for that logic that contained merely the rules of the pure thinking of an object would exclude all those cognitions that were of empirical content. It would therefore concern the origin of our cognitions of objects insofar as that cannot be ascribed to the objects...In the expectation, therefore, that there can perhaps be concepts that may be related to objects a priori, not as pure or sensible intuitions but rather merely as acts of pure thinking, that are thus concepts but of neither empirical nor aesthetic origin, we provisionally formulate the idea of a science of pure understanding and of the pure cognition of reason, by means of which we think objects completely a priori. Such a science, which would determine the origin, the domain, and the objective validity of such cognitions, would have to be called *transcendental logic*, since it has to do merely with the laws of the understanding and reason, but solely insofar as they are related to objects a priori and not, as in the case of general logic, to empirical as well as pure cognitions of reason without distinction (A55-57/B80-82).

Kant's transcendental logic is defined as "the rules of the pure thinking of an object" in the above passage, and Hegel's mature philosophical project is the dialectical-logical

extension and completion of that logic, for the WL is nothing less than the complete system of a priori representations of objects. Hegel's dialectical logic is the completion of Kant's transcendental logic because it is the deduction of the totality of *content* from the totality of the pure logical *form* of thought itself. This achievement is possible for Hegel only because the content of thought's cognitions is in any case nothing more than its own logical form. Consequently, the final moment of the WL consists in the determination that "the logical Idea has itself as the infinite form for its content" (WL XII 237/825), that "the absolute Idea itself has for its content merely this, that the form determination is its own completed totality, the pure Concept" (WL XII 237/825), and that "determinateness does not have the shape of a content, but exists wholly as form" (WL XII 237/825).

It is from this basis that Kant deduces the principle which constitutes the justification for the transcendental system of cognition: an object of cognition can only be an object insofar as it is constituted by thought. This principle is articulated in the following passage, also from the *Critique of Pure Reason*:

An *object*, however, is that in the concept of which the manifold of a given intuition is *united*. Now, however, all unification of representations requires unity of consciousness in the synthesis of them. Consequently the unity of consciousness is that which alone constitutes the relation of representations to an object, thus their objective validity, and consequently is that which makes them into cognitions and on which even the possibility of the understanding rests (B137).

Hegel in the WL replaces Kant's transcendental unity of self-consciousness with his Concept (cf. WL XII 17-18/583-584, 22/589) and attributes to the latter a unifying function identical to that of Kant's unity, though while Kant's unity is that of a finite subject, Hegel's unity is absolute or infinite. My argument in this dissertation is that it is only through a consideration of Hegel's absolute idealism, as the extension and

completion of Kant's transcendental idealism, that the rationality of Hegel's rational state, and therewith his political philosophy in general, can be properly comprehended.

So, in the PR, "the truth concerning right, ethics, and the state," Hegel tells us, must be "comprehended," "so that the content which is already rational in itself may also gain a rational form and thereby appear justified to free thinking" (PR 13-14/11).

"Comprehension" (*Begreifen*), I am arguing, is the term Hegel employs to denote this unifying action performed by thought upon the object of its cognition, the imposition of form, which, in what is critically important for the present argument, *is identical to its epistemic justification*, as the above statement indicates. One of Hegel's first statements on method in the PR confirms this transcendental interpretation: "Since thought has set itself up as the essential form, we must attempt to grasp right, too, in terms of thought" (PR 17/14). It is only through this unifying activity that an object of cognition can *be* an object in the first place, and this is the culmination of the transcendental principle that it is not thought which models itself on the object, but rather the object which must model itself on thought. It is on this very principle that Hegel later in the PR bases his description of the procedure through which any object is rationally comprehended: "To consider something rationally means not to bring reason to bear on the object from outside in order to work upon it, for the object is itself rational for itself" (PR §31A). This statement is perfectly situated within Hegel's theory of truth as "the agreement of a thought-content with itself" (EL §24Z), for his exclusive concern in the PR is with the constitution by thought of its object, and its object, i.e., right, is "itself rational," or it is nothing more than thought itself.

#### Idealism and Freedom

Hegel's logic of absolute idealism determines both the form and content of the central concept of his political philosophy: freedom. It is demonstrated in the WL that it is not logically possible for there to be any external limitation upon what thought can determine for itself; rather, thought determines for itself the limitations upon its own self-determining activity. Hegel's most important statements in this regard include his description of thought as "free, inasmuch as it cognizes this its objective world in its subjectivity and its subjectivity in the objective world" (WL XII 30/597) and his identification of thought's final realization that "there is no longer any immediate determination that is not equality posited and itself Concept" in the completion of the WL with "freedom" (*Freiheit*) (WL XII 253/843).

In the *Critique of Pure Reason*, Kant takes his appeal to transcendental idealism in the Third Antinomy to establish the "logical nonimpossibility" of freedom.<sup>20</sup> He also identifies his own theoretical standpoint of transcendental idealism with freedom, and identifies what he takes to be the opposing standpoint of transcendental realism with the negation of freedom.<sup>21</sup> Hegel also identifies idealism with freedom and realism with the negation of freedom. His most important statement in this regard is the following sentence: "If so-called external things have a semblance of independence for consciousness, for intuition and representational thought, the free will, in contrast, is the idealism and truth of such actuality" (PR §44A). Idealism can be conceived of as the subjective determination of the object, whereas realism is the objective determination of

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<sup>20</sup> The term "logical nonimpossibility" denotes the restricted nature of Kant's goal. It is taken from Franks, *All or Nothing: Systematicity, Transcendental Arguments, and Skepticism in German Idealism*, p. 112.

<sup>21</sup> "If we would give in to the deception of transcendental realism, then neither nature nor freedom would be left" (A543/B571).

the subject. The freedom of the will is entirely internalist because the object of its cognition is itself a subjective determination, and this reference on the part of the subject to itself and the posited or determined character of the object is central to Hegel's conception of freedom, for "[t]he will determines itself, and this determination is primarily of an inward nature, *for what I will I represent to myself as my object*" (emphasis added) (PR §4Z). This concise statement clearly indicates the dependence of Hegel's theory of freedom not only on its theoretical antecedent of idealism, but also on his principle noted above that the (practical) willing of the free will is a particular form of (theoretical) thinking.

Moreover, in a practical (i.e., first-person) statement in the Introduction to the PR, Hegel advances a claim that is critically important for my argument, in which he defines freedom in thinking terms and thinking in idealist terms:

When I think of an object [*Gegenstand*], I make it into a thought and deprive it of its sensuous quality; I make it into something which is essentially and immediately mine. For it is only when I think that I am with myself [*bei mir*], and it is only by comprehending it that I can penetrate an object; it then no longer stands opposed to me, and I have deprived it of that quality of its own which it had for itself in opposition to me (PR §4Z).

This statement is important for two reasons. First, it contains a concise statement of a central principle of Hegel's idealism: the logical impossibility of a posteriori knowledge, i.e., to Hegel the a posteriori sensible data "received" by thought is itself already thought in a priori terms. This particular principle, I will argue in the fourth chapter, renders political discussions of Hegel's alleged sanctification of what "is," i.e., of the empirically given, wholly inappropriate and demonstrative of a lack of comprehension of Hegel's theoretical philosophy.



Second, this statement is also important for the reason that Hegel then *identifies* the internalist unifying by thought of that which is already thought with his definition of practical freedom in terms of recognition as “being with oneself” (*Beisichselbstsein*).<sup>22</sup> This identification of practical freedom with the internalist (i.e., a priori) unifying activity performed by thought upon the posited object it confronts recalls the following statement in Hegel’s treatment of Stoicism in the fourth chapter of the PhG:

In thinking, I am free, because I am not in an other, but remain simply and solely in communion with myself, and the object, which is for me the essential being, is in undivided unity my being-for-myself; and my activity in conceptual thinking is a movement within myself” (PhG 117/¶197).

It is apparent from this statement that Hegel conceives of thinking in accordance with the principles of idealism as a condition required for the possibility of practical freedom. When stated in its most complete form, however, practical freedom to Hegel is “being with oneself in an other” (*Beisichselbstsein in einem Anderen*). This complete form of Hegel’s definition of practical freedom is expressed most clearly in the *Encyclopedia*, where Hegel states that “mind is purely with itself and therefore free. For freedom is this: to be with oneself in the other” (EL §24Z) and “[m]ind’s freedom is an independence from the other that is achieved not outside the other but in the other” (EG §382Z). There is, I would like to argue, a theoretical antecedent from which this complete form of practical freedom is derived. This antecedent is Hegel’s conception in the WL of the activity of the Concept when it reaches its final stage in the Absolute Idea. Consider the following description of this activity: “[T]he Concept maintains itself in its otherness, the universal in its particularization, in judgment and reality” (WL XII 250/840). Cognition

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<sup>22</sup> Cf. Hegel’s statement that “[m]ind is being with itself, and this is freedom. For if I am dependent, then I am related to an other which I am not, and I cannot be without this other. I am free when I am with myself” (VPW 55/48).

for Hegel is the activity in which thought begins in an immediate identity with itself (universality), opposes itself to itself in its relation to its object (particularity), and then returns to itself in a determinate, mediated identity with its posited, determined object *as determined by itself* (individuality). This final moment, thought's mediated identity with its object *as self-determined*, is the teleological end of rational thought, and the achievement of freedom, as the subject's self-determination in its relation to the other to which it relates itself, is nothing more than the determinate reflection of this theoretical antecedent.

Clearly, however, an adequate explanation of Hegel's conception of practical freedom as a state of "being with oneself in an other" will require a great deal of elaboration. The first step toward an adequate explanation is the notation that Hegel's general ethical theory is one of "self-actualization." An ethical theory based upon self-actualization regards as good those actions and ends adopted by a rational subject attempting to realize its own self-conception.<sup>23</sup> In accordance with this antinaturalist and antiempiricist framework, I can be said to be free if, given the fulfillment of certain conditions of possibility, I conceive of myself as free. Hegel's theory of practical freedom is therefore centrally concerned with the self-conception of the subject, and moreover with the conditions required for any subject to achieve such a self-conception. The most important of such conditions for any subject to be free (and to *be* a subject in the first place) is to Hegel the positive recognition or affirmation of the subject's self-

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<sup>23</sup> This statement is a variation on Neuhausser's characterization of Hegel's ethical theory of self-actualization as based upon subjects' "conceptions of their own essential nature" ("Review of *Hegel's Ethical Thought*, by Allen W. Wood," p. 316). The problem with this statement, in my view, is its reference to the "essential nature" of subjects, *for there is no reference or appeal to nature* in Hegel's ethics of self-actualization. While there are certainly many parallels between Hegel's theory of individuals' fundamental social dependence and that of Aristotle, an appeal to the "essential nature" of human subjects is not one of them.

conception as free (and as a subject) that must be conferred (and more particularly must be *freely* conferred) by an other subject.

The definitive statement of this argument, as is known, occurs in the fourth chapter of the PhG. Hegel's argument therein begins with self-consciousness' incapacity to achieve its satisfaction in the object, thereby leading to the realization that "[s]elf-consciousness achieves its satisfaction only in another self-consciousness" (PhG 108/¶175). The existence of an other self-consciousness is the condition required not only for the satisfaction of self-consciousness, but also for the initial self-consciousness to *be* self-conscious in the first place.<sup>24</sup> However, it is not just necessary for self-consciousness that the other self-consciousness simply exist. Rather, the other self-consciousness must recognize the initial self-consciousness in order for the latter to exist "in and for itself" (*an und für sich*).<sup>25</sup> The culmination of this development is for Hegel a social state of reciprocal recognition, which, though not actually achieved in the fourth chapter of the PhG, is nevertheless described therein by Hegel in the following passage:

[Consciousness] is aware that it at once is, and is not, another consciousness, and equally that this other is for itself only when it supersedes itself as being for itself, and is for itself only in the being-for-self of the other. Each is for the other the middle term, through which each mediates itself with itself and unites with itself; and each is for itself, and for the other, an immediate being on its own account, which at the same time is such only through this mediation. They recognize themselves as mutually recognizing one another (PhG 110/¶184).<sup>26</sup>

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<sup>24</sup> "[S]elf-consciousness exists for a self-consciousness. Only so is it in fact self-consciousness; for only in this way does the unity of itself in its otherness become explicit for it" (PhG 108/¶177).

<sup>25</sup> "Self-consciousness exists in and for itself when, and by the fact that, it so exists for another; that is, it exists only in being recognized [*Anerkanntes*]" (PhG 109/¶178).

<sup>26</sup> This particular passage is referred to by Williams as Hegel's "syllogism of recognition" (*Hegel's Ethics of Recognition*, p. 59). Williams demonstrates the centrality of recognition in each of Hegel's major practical-philosophical works, including those during his mature period (the PhG, the EG, and the PR), thereby effectively refuting the critical "development thesis" articulated by Habermas and others described below.

It should be clear from this passage that Hegel's theory of freedom is premised upon the idea that subjects are fundamentally socially dependent (I cannot be free if I am alone), and is therefore not a voluntaristic or "negative" conception.<sup>27</sup> The complete structure of this subjective relation can be stated in the following terms: One is a free subject only in being recognized as one, and one can be recognized as a free subject only if the recognition on the part of the other is given freely; and the recognition on the part of the other is given freely only if the initial subject recognizes the other as both free and a subject. As Pippin observes, this conception of freedom and agency introduces the historically-contingent question of whether the "justifying norms appealed to in the practice of treating each other as [free subjects] can actually *function* within that community *as* justifying, can be offered and accepted (recognized as) justifying," especially given that "what counts as 'successful justification' is itself also a norm, functioning as such only if recognized as such."<sup>28</sup>

The potentially constructivist, relativist, and historicist implications of this conception, however, are obviated by Hegel's rational, i.e., in accordance with the moments of the Concept, articulation of the a priori logic which structures this recognition in the "objective mind" part of his philosophical system (of which the PR is the central work). Nevertheless, the centrality of recognition to Hegel's project in the PR can be observed from the fact that the *only* positive ethical imperative appearing therein, referred to by Hegel as "[t]he commandment of right" (*das Rechtsgebot*), is: "be a person

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<sup>27</sup> "Mind's freedom is an independence from the other that is achieved *not outside* the other but *in* the other" (EG §382Z) (emphasis added).

<sup>28</sup> Pippin, "What is the Question for which Hegel's Theory of Recognition is the Answer?" p. 165.

and respect others as persons” (*sei eine Person und respektiere die anderen als Personen*) (PR §36).

A first step toward explaining Hegel’s articulation of the a priori logic through which this conception of freedom as reciprocal recognition takes determinate form requires an understanding of the distinction Hegel makes between the “subjective” and “objective” sides of freedom. This distinction is made by Hegel in the *Encyclopedia Philosophy of Mind*, where he describes subjective freedom as “mind that knows itself to be free” and objective freedom as the “external reality of this freedom” (EG §385Z). The above content describing Hegel’s theory of freedom can be categorized under what he would refer to as the “subjective” side of freedom, i.e., it is concerned with the conditions required for an individual subject *to conceive of or to take* herself to be free.

The “objective” side of freedom, in contrast, is to Hegel concerned with the conditions required for any individual subject to *be* free. Hegel refers to the PR in its entirety as the “system of objective freedom” (PR §28), or the “Idea” of the will as the “free will that wills the free will” (PR §27). The division of the PR into the sections of (1) abstract right, (2) morality, and (3) ethical life corresponds to the division of the different forms of objective freedom, namely, the objective freedom of the will in relation to (1) objects or “things” (*Sachen*), (2) its external actions and their consequences, and (3) the political order that defines its situation.<sup>29</sup> In accordance with this general framework, in abstract right, “[a]s free will I am object to myself in what I possess” (PR §45), in morality, the objective freedom of the subject consists in its being “with itself” with its actions (PR §109) and in its consciousness of and responsibility for such actions (PR

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<sup>29</sup> Cf. the helpful explanation of this division (from which the above description is taken) in Wood, *Hegel’s Ethical Thought*, pp. 49-51.

§117; EG §503), and, in ethical life, “this [other, i.e., the state] is immediately not an other for me, and in this consciousness I am free” (PR §268).

However, Hegel’s theory of the free will in the Introduction to the PR raises an important conceptual problem. Subjects are not naturally free to Hegel, for it is only through the process of thinking that freedom is achieved. Hegel rejects not only naturalist conceptions of freedom and agency, but also essentialist and teleological conceptions. At the same time, however, he states throughout the PR that the concept of the will necessarily implies the concept of freedom, that the two are inextricable, and that the will is implicitly or in-itself (*an sich*) free (cf. PR §§4, 4Z, 10, 10A, 10Z, 11). These remarks are apparently in opposition to his many statements defining freedom as the result of thought’s movement.

This problem might be resolved by attributing to Hegel the view that (1) the will is in-itself free, but (2) is only completely free when it becomes for-itself free, or self-consciously aware of its in-itself freedom. This is in fact the structure of Hegel’s argument.<sup>30</sup> Yet this solution raises another conceptual problem. If (1) is read as objective freedom and (2) is read as subjective freedom, then this solution would violate Hegel’s theoretical position that objectivity is itself a thought determination, an immediacy which exists only as the result of thought’s sublation of an antecedent mediation. In the transition in the WL from the Concept to its final determination in the Idea, thought abandons its “presupposition” that the objective world exists “as something already there,” and “posit[s] the object as determined by the Concept” (WL XII 161-162/742). To conceive of Hegel’s theory of freedom as presupposing its objectivity to be external to

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<sup>30</sup> Cf. Gould, *Marx’s Social Ontology*, pp. 106-110.

the subject of cognition would therefore be to ignore his entire theoretical project. Rather, my position is that the only appropriate solution is to say that the will can only be objectively free if it is subjectively free, or to be in-itself free is not in any way to be *truly* free. This interpretation is supported by Hegel's following remark:

The will which is a will only in accordance with its concept is free in itself but at the same time unfree, for it would be truly free only as a truly determinate content; in the latter case, it is free for itself, has freedom as its object, and is freedom (PR §10Z).

The objectivity of the will's freedom can therefore only be the result of its subjective conception of itself *as* free. This argument is derived from the critical character of Hegel's idealism, for to say "I am X" is to make a direct claim about an object, whereas to say "I *take myself to be* X" is to take into account Hegel's idealist principle that an object can only be a possible object of cognition. Consequently, when Hegel defines the subjective component of freedom as "mind that knows itself to be free" and objective freedom as the "external reality of this freedom" (EG §385Z), it must be taken into account that what constitutes "external reality" is, in accordance with the interpretation of Hegel's idealism I am arguing for, itself a subjective thought determination. This is not to deny Hegel's a priori logic of how practical freedom, understood in this subjective way, is to be rationally structured, or how it is to become actualized or objectivized through the institutions of his rational state, *for these institutions are the transcendently deduced conditions required for any subject or community of subjects to take itself to be free*. It is for this reason that to Hegel "the Idea of freedom is truly present only as the state" (PR §57A).

My argument is therefore that Hegel's theory of freedom is, first, an extension of Kant's conception of rational self-determination, in which this self-determination is

achieved if and only if the subject is completely self-aware of its implicit or in-itself freedom, and, second, because this complete form of freedom is achieved only as the result of the logical movement of thought Hegel is arguing for, it is also a theory of freedom as self-actualization, thereby anticipating Marx's conception.

### The Concept and the Organicism of the Rational State

While the set of referents listed above constitutes the basic content of Hegel's "system of objective freedom," his argument that objective freedom can only be actualized in and through his rational political order can only be adequately understood through reference to his Concept as its true ground. Consider Hegel's argument in the following passage:

The rationality of ethical life [*das Sittliche*] resides in the fact that it is the system of the determinations of the Idea [i.e., the identity of the Concept with its object]. In this way ethical life is freedom, or the will that has being in and for itself as something objective...The determinations of ethical life constitute the Concept of freedom (PR §§145-145Z).

As this passage indicates, freedom is objectivized and rationality is achieved in Hegel's political order only because the structure of its organization is the determinate reflection of the logical structure of the Concept. The most important practical implication of Hegel's derivation of the freedom and rationality of his political order from structuring it in accordance with the *closed* syllogistic structure of his Concept is that the former takes the form of an organic totality. However, it is critically important to note that the organicism of Hegel's political order in no way reflects the Romantic or Christian organic conceptions which invoke either biological or anti-individualistic notions. Rather, Hegel's reference to the organic character of the state is in fact derived from his theoretical conception of his philosophical system as "science" (*Wissenschaft*) and of his



PR, which, as the first part of its title (*Naturrecht und Staatswissenschaft im Grundrisse*) indicates, he conceived of as the “science of the state” (*Staatswissenschaft*). As Wolff explains, to Hegel

it was precisely the distinguishing feature and ultimate aim of every philosophical science to comprehend a “whole” in accordance with its immanent self-organizing character, that is, as an organism, and simultaneously through this comprehension to unfold itself as a methodically structured and organized system.<sup>31</sup>

Hegel therefore conceives of the rational state as organic only in the sense that its place within his philosophical science requires that it be constituted and comprehended by thought as a self-organizing whole. Thus interpreters of Hegel’s political philosophy situating him in close relation to the tradition of natural and rational law associated with Hobbes, Rousseau, and Kant are correct in their characterization. Marx for instance observed that the organicism of Hegel’s state represented an advancement beyond existent modern liberal and democratic conceptions, rather than a regression to a Romantic or Christian form, even stating that Hegel’s organic state is more successful than existent conceptions in grounding the freedom of the individual subject on his own independent thought.<sup>32</sup> According to Hegel, the rational state is nothing more than “the form of thought whereby mind is objective and actual to itself as an organic totality in laws and institutions, i.e., in its own will as thought” (PR §256A). Mind’s objectivization and actualization of itself requires its organization of itself into a self-determining organic totality, and this organization is and must be “in the form of thought” or “in its own will as thought.” In other words, cognition of the state as an organic totality is to Hegel a

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<sup>31</sup> Wolff, “Hegel’s ‘Science of the State,’” p. 292.

<sup>32</sup> Cf. *Ibid.*, pp. 292-294.

conceptual condition required for the object of right or freedom to be a determinate object of cognition. Stated in terms of Hegel's distinction between subjective and objective freedom, it is the *subjective* side which is operative in Hegel's justification for conceiving of his political order in objectivized terms.

The above argument is not intended to deny the political implications of Hegel's conception of his Idea of the state as an organic totality, the most important of which being his belief that modern contractualist political forms based upon the individual motivation of instrumental rationality cannot be justified. However, while Hegel rejects contractualist or legalistic models of political organization, as well as the strategic or utilitarian motivations employed in their service, he also rejects Romantic organic models based upon appeals to emotion or "positive authority" as legitimate motivations. The scope of these rejections therefore raises the question of what *does* Hegel regard as a legitimate justification or motivation for any political order. The answer to this question is simple: freedom. The normative criterion for the rationality of any political order is that it embody and further the goal of freedom, and to Hegel true freedom, i.e., the Idea of freedom, can only be achieved in the Idea of the state as Hegel conceives of it, i.e., as the complete system of the forms of practical freedom. At the same time, however, if the rational state is rational only insofar as it is the objectivization of freedom, freedom itself is rational only insofar as it is constituted and comprehended by thought in and through the pure logical Concept depicted in the WL.

#### Theoretical Holism and Practical Holism

Hegel's conception of the rational state as an organic totality reflective of the closed syllogistic structure of the Concept determines the political content of his

argument in the PR. As I will now argue, the theoretical holism through which Hegel articulates his idealist argument in the WL is determinative of the practical holism through which he articulates his political order in the PR. My argument is that, by structuring his political order in accordance with the closed syllogistic structure of the Concept, Hegel intends for the relation between and among the individual subjects of his political order to be conceived of in holistic terms.

To Hegel, the determinateness and even the “truth” of a concept is a function of its relation to other concepts and ultimately to the holistic inferential system of concepts within which it is necessarily situated. As he explains in the WL:

If a specific content...is determinate, [then] it is in a manifold with another content; it is not a matter of indifference to it whether a certain other content with which it is in relation is, or is not, for *it is only through such relation that it essentially is what it is* (WL XXI 73/86) (emphasis added).

This conceptual holism of Hegel’s derives, as Robert Brandom explains, from his conception of the determinateness of thought as derived from a process of modally robust exclusion induced by relations of material incompatibility. From here, the individual holism Hegel is arguing for can be separated into “weak” and “strong” forms on the basis of whether the articulation by relations of material incompatibility is *necessary* (weak) or *sufficient* (strong) for a content to be determinate. The question of whether Hegel is committed to the “strong” or “weak” version is a matter of contestation. Brandom takes Hegel to be committed only to the “weak” version because he wants to interpret Hegel’s notion of conceptual understanding to be dependent on the deliverance of sensibility.<sup>33</sup> I take Hegel to be committed to the “strong” version because it is very clearly the case that

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<sup>33</sup> Cf. Pippin, “Brandom’s Hegel,” pp. 381-408.

*there is no such dependence* in Hegel's idealism, for a central achievement of his philosophical project is the sublation of the opposition in Kant's transcendental idealism between spontaneity and receptivity in spontaneity alone. However, the strong version is problematic, Brandom explains, as a result of the "chicken-and-egg" problem that "the relations are individuated by their relata, and the relata by the relations they stand in."<sup>34</sup> Hegel, however, demonstrates that *idealism* is singularly capable of rendering intelligible the holistic relational structures through which determinateness is achieved by conceiving of such structures as dependent upon a subjective process which resolves their incompatibilities: his dialectical method.

It is in accordance with this holistic framework that Hegel rests his argument for the conceptual mediation or interdetermination of even the most basic thought activities in his "reconstruction" in the WL of the constituent elements of the Concept. The basic thought of individuality, i.e., of the "this" (cf. WL XII 52/622), exhibits a "negative self-relation." This notion is central to Hegel's dialectical logic: any object is positively related to itself and negatively related to its contrary, and its positive identity with itself can only be determinate if it is cognized in terms of its negative to its contrary. From here, the object and its contrary are then rendered determinate by cognizing them in terms of their holistic relation. Hegel explains this notion through his statement that the object "relates itself to the other, because otherness is posited in it as its own moment" (WL XXI 113/125). Upon this ground, Hegel then argues for the conceptual mediation or interdetermination of the constituent elements of the judgment (subject-copula-predicate) (cf. WL XII 57-58/628) and then of individual judgments themselves as the constituent

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<sup>34</sup> Brandom, "Holism and Idealism in Hegel's *Phenomenology*," p. 187.

elements of the syllogism (universality-particularity-individuality) (cf. WL XII 125/703), which is then revealed to be the form determination of the Concept.

Now, stated in Hegel's terms, the "truth" of the individual subject in the PR is a function of his relation to his family, to the particular estate of which he is a member, and ultimately to the state.<sup>35</sup> Hegel's conception of the holistic situation of the individual thought determination in the WL described above, I am therefore arguing, determines the form and content of his conception of the holistic situation of the individual subject in the PR. Consider the following passage from the PR:

[T]he individual remains a generic category, but only within the next generic category does he attain his immanent universal actuality. – Consequently it is within the sphere of his corporation, community, etc. that the individual first attains his actual and living determination as universal (PR §308A).

So, just as the theoretical holism through which Hegel articulates his idealist argument in the WL is a system of conceptual mediation, Hegel's political order in the PR is presented in the form of a holistic structure as a system of social mediation. Hegel even states in general that "[t]he constitution is essentially a system of mediation" (PR §302A). What this means is that individual subjects must be conceived of as "mediated" by the organic totality in which they are situated, while the organic totality is in turn "mediated"

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<sup>35</sup> This is not even to consider the practical holism implied in Hegel's theory of the relation between thought and language, for it was Hegel, rather than Kant, who anticipated the "linguistic turn" that was to become the dominant paradigm in contemporary analytic philosophy. As Hegel explains in the second edition Preface to the WL, "[t]he forms of thought are, in the first instance, displayed and stored in human language. Nowadays we cannot be too often reminded that it is thinking which distinguishes man from the beasts. Into all that becomes something inward for men, an image or conception as such, into all that he makes his own, language has penetrated, and everything that he has transformed into language and expresses in it contains a category – concealed, mixed with other forms or clearly determined as such, so much is logic his natural element, indeed his own peculiar nature" (WL XXI 10/31Cf. the recent Hegelian-inspired analytic-philosophical projects in McDowell, *Mind and World*, esp. the second lecture: "The Unboundedness of the Conceptual"; and Brandom, *Making it Explicit*. For convincing demonstrations of how Hegel's philosophy is distinct from, and in a number of ways opposed to, the philosophies of such figures in the contemporary analytic tradition, cf. Rockmore, *Hegel, Idealism, and Analytic Philosophy* and Redding, *Analytic Philosophy and the Return of Hegelian Thought*.

by the individual subjects which constitute it. This “mediated” image of the identity of the individual is of course directly related to Hegel’s rejection of the modern liberal notion that the individual subject can be conceived of as independent and autonomous from other all individual subjects and from the state in general. This should not be surprising, given the unique positive theory of freedom as the state of reciprocal recognition sketched above, the most important implication of which is the incapacity of any individual subject to be free if alone.

This last point raises an important question: If freedom is defined by Hegel in holistic terms, then in what sense *can* individuals be regarded as free if conceived of simply as individuals? First, individuals are free to Hegel in the sense that they have a “resolving will” (*beschließender Wille*) (PR §12), or what he also refers to as an “arbitrary will” (*Willkür*) (EG §492). This resolving will is subjective or formal, but is objectivized or attains a determinate content through the possession of “things” (*Sachen*) or “property” (*Eigentum*) (PR §42). The second form of freedom Hegel ascribes to individuals is the right of moral subjectivity or a free conscience: “The right of the subjective will is that whatever it is to recognize as valid should be perceived by it as good” (PR §132). Importantly, to Hegel a central normative criterion of the rationality of any political order is that its institutions conform to the subjective will of its individual subjects. As he explains in the *Encyclopedia Philosophy of Mind*,

ethical...determinations ought not to make claims on the behavior of the human being merely as external laws or as the dictates of an authority. Instead, they ought to find assent, recognition, or even justification in his heart, disposition, conscience, insight, etc. (EG §503A).

Any political institution must therefore correspond to the subjective will of its members.

The legitimacy of any such institution is for Hegel a function of subjects’ recognition of

the institutions governing them as representative their own “universal will.” As Neuhouser observes, the historical antecedent of this requirement is Rousseau’s conception of the general will.<sup>36</sup> In fact, Hegel in one instance commends Rousseau for this very principle (Notice that Hegel interprets Rousseau’s political philosophy through the framework of his own theoretical-philosophical position):

[I]t was the achievement of Rousseau to put forward the will as the principle of the state, a principle which has thought not only as its form, but also as its content, and which is in fact thinking itself (PR §258A).<sup>37</sup>

Hegel, however, repeatedly refers to these individualistic forms of practical freedom as indeterminate and incomplete, and at least part of the reason for this indeterminateness and incompleteness is their individualistic character. These individualistic forms, as is known, are then sublated by the social, determinate, and complete forms of practical freedom which characterize ethical life. This particular point raises the general question of Hegel’s position on the “truth” of forms of thought within a dialectical movement which are “sublated” by subsequent forms. This question has important political implications, for one of the central political critiques of Hegel is that the transition from civil society to the state in the PR involves the sublation, interpreted by many to mean basically the total negation, of the former by the latter. In Habermas’ view, for example,

the subject as universal maintains a primacy over the subject as individual. For the sphere of the ethical, the outcome of this logic is the primacy of

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<sup>36</sup> Cf. Neuhouser, *Foundations of Hegel’s Social Theory*, pp. 55-81.

<sup>37</sup> One must be careful, however, to refrain from exaggerating the affinities between Rousseau and Hegel. With regard to the universal will, Hegel never claims, as Rousseau does, that “when the opinion contrary to mine prevails, this proves merely that I was in error” (Rousseau, *On the Social Contract*, p. 206 [Book VI, Chapter II]), or that an individual subject can be “forced to be free” (Ibid., p. 150 [Book I, Chapter VII]). More generally, one must also consider Hegel’s rejection of the entire social contract project (cf. PR §§29A, 75A, 75Z, 258A, 258Z), of democracy as a principle of government (cf. PR §§301A, 303A, 308A, 310A, 317A, 318), and of the Rousseauian principles he observed in the French Revolution and the subsequent Reign of Terror (cf. PR §258A; PhG 316-323/¶¶582-595).

the higher-level subjectivity of the state over the subjective freedom of the individual.<sup>38</sup>

This critique of Hegel's state as a totalizing force that categorically "negates" its underlying society is a familiar one. It recalls the early critiques based upon Hegel's alleged "deification" of the state. However, it is incorrect.

First, it violates Hegel's definition of the term *aufheben* (to sublimate), in which it is only the immediacy or self-subsistence of the object of thought's cognition that is negated in its sublation: it is at the same time preserved as a posited or determined moment or determination within the dialectical movement of thought. The state is the holistic relational structure within which the family and civil society are situated; it is their presupposition, as I will argue in detail in subsequent chapters. The state cannot be determinate independent of the family and civil society in the same way that any relation cannot be determinate independent of its relata. It is of course true, as I noted above, that for thought to sublimate any object of its cognition is to negate its immediate or self-subsistent character and thereby to "reduce" it to the status of a posited or determined moment or determination in the dialectical movement of thought, but this is true of any object of thought's cognition.

Second, it ignores Hegel's repeated statements attempting to articulate a balance or "equilibrium" (*Zwischenraum*) (PR §236A) between the particular interests of civil society and the universal interests of the state. For instance, Hegel on the one hand acknowledges that modern civil society requires "freedom of trade and commerce against regulation from above," yet also cautions that "the more blindly it [civil society] immerses itself in its selfish ends, the more it requires such regulation to bring it back to

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<sup>38</sup> Habermas, "Hegel's Concept of Modernity," p. 40.



the universal (PR §236A). This position is not radical in either direction. Taylor, for instance, adopts an identical position with regard to our contemporary political predicament in his observation that “[w]e can’t abolish the market, but nor can we organize ourselves exclusively through markets. To restrict them may be costly; not to restrict them at all would be fatal.”<sup>39</sup> It should be obvious that such a position does not in any way involve the total “negation” of civil society. It is representative of the “centrist-reformist” image of Hegel’s political philosophy that has come to be the dominant paradigm in the contemporary scholarship (described below).

Third, this critique fails to account for Hegel’s own failure to hold fast to the terminological distinction between, on the one hand, the institution of “the state” as distinct from the other institutions of the family and civil society and, on the other hand, “the state” as encompassing the family and civil society, or as identical to the more general concept of ethical life (*Sittlichkeit*). So when Hegel for instance describes “the state” as “that which is rational in and for itself” (PR §258), this statement can be interpreted as referring to the latter meaning of the term, given the “equilibrium” he is seeking to maintain between civil society and the state, as well as his conception noted above of the constitution in general as a “system of mediation.”

Finally, it is to be recalled that I am interpreting Hegel’s central goal in the PR to be the complete a priori reconstruction of the conceptual conditions required for the object of “right” to be a determinate object of cognition, and so this reconstruction would not be complete without the inclusion of each of the preliminary forms of practical freedom, despite the fact that none of these forms is the fully adequate conception of

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<sup>39</sup> Taylor, *The Malaise of Modernity*, pp. 110-111.

practical freedom finally realized in ethical life. I take my interpretation to be supported by Hegel's discussion of the relation of each "moment" of right to the other moments in the following passage:

Each stage in the development of the Idea of freedom has its distinctive right, because it is the existence of freedom in one of its own determinations...Morality, ethics, and the interest of the state – each of these is a distinct variety of right, because each of them gives determinate shape and existence to freedom. They can come into collision only insofar as they are all in equal measure rights; if the moral point of view of the mind were not also a right – i.e., freedom in one of its forms – it could not possibly come into collision with the right of personality or with any other right, because every right embodies the concept of freedom, the highest determination of mind, in relation to which everything is without substance (PR §30A).

Now, I have argued that the rationality of Hegel's political order in the PR derives from its being comprehended by thought in and through the logical structure of the Concept. The place of the individual in Hegel's holistic political order is therefore brought into question by the former's reflection of the latter. To take a concrete example of this problem, the estates in Hegel's account of civil society reflect the logical moments of the Concept: The agricultural estate is "substantial or immediate" (*substantiell oder unmittelbar*) (immediate identity or formal universality); the commercial estate is "reflecting or formal" (*reflektierend oder formell*) (difference or particularity); and civil servants constitute "the universal estate" (*der allgemeine Stand*) (mediated identity or individuality or determinate universality) (PR §202). One of the implications of this division is the following: If the individual attains determinateness in Hegel's holistic political order only through his membership in a single estate, thereby reflecting only a single "moment" of the Concept, then the individual is conceived of by Hegel as "incomplete" in relation to the holistic system reflecting the entire set of the logical

moments of the Concept. Yet, as Neuhausser observes, the completeness of the state in relation to the incompleteness of the individual is to Hegel a critical reason for its legitimation.<sup>40</sup> This is an important way in which Hegel's theoretical presupposition of the Concept is integrally related to a specifically political aspect of his argument in the PR, namely, the question of the state's legitimacy according to the subjective beliefs of its individual subjects. To Hegel, the state cannot be simply an "atomistic" aggregation of individual subjects conceived of in universal and homogenous terms. An atomistic state, the modern liberal ideal, is to Hegel antithetical to his concept of the holistic rational state, with its articulations determined by the Concept. Indeed, Hegel discloses that a central function of the articulations in civil society is to ensure that individuals do not exist in the form of a "crowd" (*Menge*) or "aggregate" (*Haufen*) (§302) in opposition to the rational state.

As many have noted, the system of social differentiation derived from Hegel's argument for the necessity of the articulation of individuals in civil society is exclusionary in a number of respects.<sup>41</sup> What is often ignored, however, in discussions of

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<sup>40</sup> "Hegel never abandons the idea that the rational political order as a whole embodies the moments of the Concept more completely and adequately than any individual social member is capable of doing. Moreover, he expects our recognition of this fact about the social world to furnish us with one more reason for affirming the institutions of *Sittlichkeit* and to reconcile each of us to the ways in which we as individuals fall short of the ideal of the well-rounded life implicit in the structure of the Concept" (Neuhausser, *Foundations of Hegel's Social Theory*, p. 311n28).

<sup>41</sup> For instance, the representation of the peasant members of the agricultural estate in the legislature occurs only through the landed nobility "without the contingency of an election" (PR §307; cf. VPR1 181-182). The individuals in civil society who are not members of an estate, e.g. "day laborers, servants, etc." (VPR1 183), are excluded from representation in the legislature entirely. Hegel repeatedly argues that members of the commercial estate, as a result of their absorption with the pursuit of their private financial interests, are in principle incapable of comprehending the universal will (cf. PR §§308, 310A). Finally, Hegel restricts women to the sphere of the family, excluding them from civil and political life entirely (cf. PR §§164Z, 166, 166Z; VPR3 525), though he does implicitly recognize their status as persons in his discussion of inheritance rights (§180A). Cf. Wood, *Hegel's Ethical Thought*, p. 243, and Neuhausser, *Foundations of Hegel's Social Theory*, p. 310, for more comprehensive lists of Hegel's exclusionary principles (from which the abbreviated list above is taken).

Hegel's requirement that the individuals in civil society be articulated into particular associations, is that to Hegel such articulation is a condition required for the possibility of individuals' rights claims against the state. Indeed, Hegel even states that the legitimacy of the power of the state is brought into question if individuals are *not* united through their membership in particular associations. Consider the following passage:

In [civil society], the executive encounters legitimate interests which it must respect; and since the administration can only encourage such interests – although it must also supervise them – the individual finds protection for the exercise of his rights, so that his particular interest is bound up with the preservation of the whole...[I]t is [therefore] extremely important that the masses should be organized, because only then do they constitute a power or force; otherwise they are merely an aggregate, a collection of scattered atoms. Legitimate power is to be found only when the particular spheres are organized (PR §290Z).

This is of course not to deny the exclusionary aspects of Hegel's system of social articulation. Yet this passage should lay to rest the claims that Hegel sought to "negate" civil society or to sublimate the particular interests originating in society in relation to the universal interests of the state. Nevertheless, starting from Hegel's modernist rejection of any appeal to "nature," and his consequent rejection of the "natural rights" of modern liberalism, Ludwig Siep interprets Hegel to be fundamentally unconcerned about the enforcement of rights claims on the part of individual subjects against the power of the state. From this interpretation, the individual's rights to the various forms of practical freedom and the realization of these rights are in Hegel's political order "subordinate components" in relation to the constitution as a whole.<sup>42</sup> Hegel's explicit rejection of the social contract conception, in which "the security and the protection of property and of personal freedom" is the "ultimate purpose" of the state, for the reason that such a

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<sup>42</sup> Siep, "Constitution, Fundamental Rights, and Social Welfare in Hegel's *Philosophy of Right*," p. 283.

conception would “conflate the state with civil society” (PR §258), seems to support this view. Yet the above passage, in which Hegel justifies the social articulation of individuals for the explicit end of the protection of their rights, stands in clear opposition to Siep’s argument that “[r]ight’ for Hegel does not necessarily mean a strictly enforceable claim on the part of the individual.”<sup>43</sup> Interestingly, it can be deduced from §290Z above that *to Hegel it is modern liberal societies which are fundamentally unconcerned with protecting the individual rights of their subjects.*

#### The Reception and Delineation of Hegel’s Political Position

At some point in a study whose central concern is to articulate the theoretical foundation of the political argument of a figure in the history of philosophy, the various ways in which that figure’s general political position has been interpreted must be described, and, moreover, the interpretation of this position adopted in the study itself must be disclosed. In the postwar era, the reception of Hegel’s political philosophy has taken both critical and positive forms. In what follows, I will describe the ways in which these forms have been articulated. It is then at the end of this movement that I will delineate what I take to be Hegel’s general political position.

The earliest form taken by the critical reception of Hegel was articulated by such figures as Sidney Hook, Karl Popper, Bertrand Russell, and E. F. Carritt, in which Hegel was attacked as restorationist, accommodationist, and in general as opposed to the “open

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<sup>43</sup> Ibid.

society,” and in which his political philosophy was even taken to be implicated in the emergence of twentieth-century authoritarianism and totalitarianism.<sup>44</sup>

On the postwar Continent in particular, the critical reception of Hegel’s political philosophy then took a second form with German “critical theory” or so-called “neo-Hegelian Marxism,” articulated by figures such as Herbert Marcuse, Theodor Adorno, Georg Lukács, and Jürgen Habermas. The basic turn to Hegel here derives from an appreciation of the “detranscendentalization” of Kantian philosophy that Hegel inaugurated in his idealist historical dialectics which Marx then subsequently “inverted” in materialist terms, as well as an appreciation of Hegel’s “critical” or “negative” concept of dialectic in general.<sup>45</sup> While Marcuse’s and Lukács’ positions on Hegel’s political philosophy are in general positive, Adorno and Habermas adopt critical positions in which each repeat Marx’s early critique of Hegel’s idealism as abstract and mystifying, while Adorno in particular also repeats Heidegger’s critique of Hegel’s philosophical system as representative of the totalizing tendency inherent in reason.<sup>46</sup> In France, this latter critique of Hegel was then to be radicalized in the readings of Georges Bataille, Gilles Deleuze, and Jacques Derrida,<sup>47</sup> while the positive postwar reception of Hegel in

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<sup>44</sup> Cf. Popper, *The Open Society and its Enemies*; Hook, *From Hegel to Marx*; Russell, *History of Western Philosophy*; “E. F. Carr, “Hegel and Prussianism”; cf. also the “Introduction” by George Lichtheim to the Baillie translation of Hegel’s *Phenomenology of Mind*, pp. xv-xxxii.

<sup>45</sup> Cf. Marcuse, *Reason and Revolution: Hegel and the Rise of Social Theory*; Adorno, *Hegel: Three Studies*; Lukács, *History and Class Consciousness*. For the critical or negative character of dialectical thought, cf. also Benjamin, *The Arcades Project*, p. 13: “dialectical thinking is the organ of historical awakening. Every epoch, in fact, not only dreams the one to follow but, in dreaming, precipitates its awakening. It bears its end within itself and unfolds it—as Hegel already noticed—by cunning. With the destabilizing of the market economy, we begin to recognize the monuments of the bourgeoisie as ruins even before they have crumbled.”

<sup>46</sup> Cf. Heidegger, *Hegel’s Concept of Experience*.

<sup>47</sup> Cf. Bataille, *Inner Experience*; Derrida, “From Restricted to General Economy: A Hegelianism without Reserve”; Deleuze, *Nietzsche and Philosophy*.

France is articulated in the works of Jean Hyppolite, Alexandre Kojève, and Maurice Merleau-Ponty.<sup>48</sup>

In any case, the most important “critical theory” critique of Hegel is advanced by Habermas, whose philosophical critique of Hegel is that “the assumptions of the philosophy of identity kept Hegel from reaping the real harvest of his critique of Kant.”<sup>49</sup> According to Habermas, while Hegel “sees through the absolutism of an epistemology based on unreflected presuppositions,” he nevertheless “presumes as given” a “knowledge of the absolute.”<sup>50</sup> Habermas’ criticism of Hegel therefore rests upon his distinction between a “radicalized epistemology” based upon the “self-constitution of the species” which he takes to be his own philosophy, and an “identity theory” based upon the notion of “absolute knowledge” which he attributes to Hegel. In other words, Habermas’ critique of Hegel rests upon his *imposition* of the categories of his own philosophical framework upon Hegel’s philosophy. Nevertheless, this “identity theory” critique then takes a political form in Habermas’ influential “development thesis” (cf. its appropriation in the accounts of Axel Honneth, Ludwig Siep, Andreas Wildt, Vittorio Hösle, and Michael Theunissen),<sup>51</sup> in which the mature “conservative” Hegel abandoned the conception of ethical life articulated in his early “critical” Jena writings as a

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<sup>48</sup> Cf. Hyppolite, *Genesis and Structure of Hegel’s Phenomenology of Spirit*; Hyppolite, *Logic and Existence*; Kojève, *Introduction to the Reading of Hegel*; Merleau-Ponty, *The Structure of Behavior*.

<sup>49</sup> Habermas, *Knowledge and Human Interests*, p. 43.

<sup>50</sup> *Ibid.*, pp. 10-11.

<sup>51</sup> Cf. Honneth, *The Struggle for Recognition: The Moral Grammar of Social Conflicts*; Ludwig Siep, *Anerkennung als Prinzip der praktischen Philosophie. Untersuchungen zu Hegels Philosophie des Geistes*; Andreas Wildt, *Autonomie und Anerkennung. Hegels Moralitätskritik im Lichte seiner Fichte-Rezeption*; Hösle, *Hegels System. Der Idealismus der Subjektivität und das Problem der Intersubjektivität*; Theunissen, “Die verdrängte Intersubjektivität in Hegels Philosophie des Rechts.”

“communicative reason embodied in intersubjective life-contexts” in favor of an institutionalism grounded upon “the logic of a subject conceiving itself.”<sup>52</sup>

In contrast, the positive reception of Hegel’s political philosophy in postwar scholarship began as its representative figures uncovered many of the distortions and inadequacies found within the standard postwar objections. Indeed, there is a clear path through which the contemporary consensus on the “centrist-reformist”<sup>53</sup> image of Hegel’s political philosophy emerged among Hegel scholars. This movement began with figures such as Marcuse, Charles Taylor, and Shlomo Avineri successfully refuting the characterization attributed to Hegel by the early figures of Popper, Russell, Hook, and Carritt. While Marcuse originates this movement by distancing Hegel from the “Prussianism” of his time and from the totalitarianism of the twentieth-century, instead emphasizing his critical theory of dialectical negation and his close relation to the humanistic aspects of Marx’s philosophy, Avineri and Taylor continue this movement through developing their own interpretations of Hegel which further distance him from the earliest critical characterizations.<sup>54</sup> Avineri demonstrates Hegel’s political positions to be closely associated with the substantive impulses of the reform movement in his contemporary Prussia, while Taylor reads Hegel as attempting to reconcile the aspirations of Kantian rational self-determination of the individual with the communitarianism of the figures of German Romanticism (especially Herder). Other figures in the early postwar era interpreting Hegel in a more liberal, “centrist-reformist” direction include Joachim

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<sup>52</sup> Habermas, “Hegel’s Concept of Modernity,” p. 40. Cf. Habermas, “Labor and Interaction: Remarks on Hegel’s Jena *Philosophy of Mind*” for his analysis of Hegel’s early theory of intersubjectivity (which, as I will argue below, Hegel in fact never abandoned).

<sup>53</sup> This term is taken from Wood, “Editor’s Introduction,” p. xxxi.

<sup>54</sup> Marcuse, *Reason and Revolution*; Avineri, *Hegel’s Theory of the Modern State*; Taylor, *Hegel*.



Ritter, T. M. Knox, Henning Ottmann, and Walter Kaufmann, as well as the more recent commentaries on the newly available transcriptions of Hegel's *Rechtsphilosophie* lectures by Karl-Heinz Ilting and Dieter Henrich.<sup>55</sup>

Most recently, in the Anglo-American scholarship on Hegel's political philosophy, the increased sense of the defensibility of Hegel's project has largely derived from the rejection by many contemporary Hegel scholars of the traditional metaphysical conception of Hegel's political philosophy advanced by Taylor (and accepted by Habermas), in which "man is the vehicle of cosmic spirit" and the modern world "expresses the underlying formula of necessity by which this spirit posits the world."<sup>56</sup>

On a more practical level, in response to the strongly communitarian-pragmatic interpretation advanced by Taylor, the most recent movement has been to interpret Hegel in an increasingly liberal direction, as can be evidenced from the works of Steven Smith, Allen Wood, and Paul Franco. To be sure, these scholars do not deny Hegel's rejection of the individualistic ontology of liberalism and its conception of the state as an instrumental means to the ends of its individual subjects. Nevertheless, the overall direction of the movement is clear enough: Smith interprets Hegel's political position to represent a "middle ground" between contemporary communitarianism and deontological liberalism.<sup>57</sup> Wood argues that Hegel "leave[s] the liberals' state pretty much intact" but

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<sup>55</sup> Cf. Ritter, *Hegel and the French Revolution*; Ottmann, *Individuum und Gemeinschaft bei Hegel*; Knox, "Translator's Notes"; Knox, "Hegel and Prussianism"; Kaufmann, "The Hegel Myth and its Method"; Ilting, "Die 'Rechtsphilosophie' von 1820 und Hegels Vorlesungen über Rechtsphilosophie"; Ilting, "Einleitung des Herausgebers. Die neue Quellenlage"; Henrich, "Einleitung der Herausgebers: Vernunft in Verwirklichung."

<sup>56</sup> Taylor, *Hegel*, p. 387.

<sup>57</sup> Smith, *Hegel's Critique of Liberalism*, p. 233. In my view, there are two problems with Smith's work on Hegel. First, his situation of Hegel's political philosophy entirely within the terms of the contemporary liberal-communitarian discourse ignores the manifold ways in which it transcends that

“shreds the liberal rationale for it.”<sup>58</sup> Franco then argues that Hegel’s political philosophy is an “extension and modification of the Kantian-Fichtean idea of rational freedom,” rather than being communitarian-pragmatic at all.<sup>59</sup>

In ethical terms, this movement has been one away from a conception in which Hegel is associated with the radically pluralistic, even relativistic position toward the ethical commensurability of political communities adopted by his Romantic contemporaries,<sup>60</sup> and rather toward a Kantian-rationalist one in which Hegel is situated within the Enlightenment tradition of conceiving of the truth of ethical principles as universal standards derived a priori from human reason. In Wood’s path-breaking study, for instance, Hegel’s conception of the ethical as a universal standard is described through reference to his (many) ethnocentric statements affirming the a priori truth or validity of the institutions and ethics of modern European states and societies.<sup>61</sup> Hegel’s ethical standpoint can also be observed through his more general caution that while different customs may appear in different times and places, it does not follow that they are “ethical” (*sittlich*) or “right” (*recht*) (PR §57A), as well as from his countless

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discourse. Second, and even more disappointing, is his circumvention of the difficulties associated with providing an analysis of Hegel’s complex reflections on the symmetry between logical structures and *Realphilosophie* by interpreting his political philosophy through the framework of the Aristotelian conception of practical ethics as based upon an experiential knowledge of human nature.

<sup>58</sup> Wood, *Hegel’s Ethical Thought*, p. 258.

<sup>59</sup> Franco, “Hegel and Liberalism,” p. 835.

<sup>60</sup> This position is adopted by contemporary figures such as Bernard Williams, Michael Sandel, and Alasdair MacIntyre. Cf. Williams, *Morality: An Introduction to Ethics*; Sandel, *Liberalism and the Limits of Justice*; MacIntyre, *After Virtue*.

<sup>61</sup> Cf., for instance, Hegel’s following analysis of the disastrous effects of Napoleon’s imposition of the Bayonne Constitution, with its various provisions reflecting modern French revolutionary principles, upon the people of Spain: “What Napoleon gave to the Spanish was more rational than what they had before, and yet they rejected it as something alien, because they were not yet sufficiently civilized” (PR §274Z).

straightforward statements affirming the rational truth of the particular political order he is arguing for. The following remark is characteristic: “the Idea of freedom is truly present only as the state” (PR §57A).

These identifications of Hegel with a “centrist-reformist” political standpoint and a Kantian-rationalist ethical standpoint are, in my view, correct. Indeed, the increasing clarity of these images of Hegel’s political and ethical positions coincides with the increasing exegetical sensitivity exhibited in the general development of scholarship on Hegel’s political philosophy. This matter raises an important question: Now that Hegel has been accurately situated within the modern social, legal, and political tradition, thereby validating Marx’s early criticism of Hegel as the culmination of “bourgeois” philosophy, what then is to be made of Hegel’s relation to the figures, such as Marx, who are critical of that tradition? This question is an open one especially because Hegel himself first articulated many of the central criticisms of that tradition which were to become its most historically significant.

For instance, Hegel’s prescient identification of the intractable contradictions of the open capitalist market remains one of the most familiar aspects of his political philosophy. In Hegel’s analysis, the wealth and poverty in modern civil society are inextricably related (PR §§185, 195). It is the structure of the economic system itself that produces poverty (PR §243), forming a binary class structure based upon the distinction between the ownership and provision of the means of production, in which the former leads to privilege and the latter leads to impoverishment (PR §243). Moreover, its logic involves the concentration of capital in fewer and fewer hands (PR §244), which then results in the proletarianization of a significant portion of the population (PR §244), an

intractable problem (PR §244Z) caused by the increasing specialization of the division of labor and the increasing mechanization of labor (PR §§198, 253A). This class reduced to poverty is deprived of the basic legal and social advantages of society (PR §§228A, 241). At the same time, the inherent instability of the open economic market results in periodic crises of overproduction or underconsumption (PR §245), while the endless search for capital contains an expansionist logic (PR §243) which transcends national boundaries (PR §§243, 246) and ultimately leads to colonialism (PR §248). At the level of the individual, the structure of civil society separates individuals from one another (PR §238). The dominant principle guiding the interactions of individuals in civil society is instrumental rationality (PR §182Z) based on the end of acquisition, which is infinite in character (PR §245) at least partly as a result of consumer “needs” being endlessly produced by the profit motive (PR §191Z).<sup>62</sup>

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<sup>62</sup> This is not even to consider the *Philosophie des Geistes* sections from the first (1803-1804) and third (1805-1806) volumes of Hegel’s *Jenaer Systementwürfe*, in which the above arguments from the PR expressed in schematic form appear in a more detailed articulation. In these early, fragmented attempts at a philosophical system, Hegel argues that any inequality of recognition between individual subjects necessarily sublates itself through its own internal logic (PG2 219). An individual’s right to the possession of property is a form of consciousness; this right is therefore inherently social in character—it is only insofar as it is recognized by an other (PG1 325). The modern process of production has become social in character through the necessity its own internal development (PG2 223), and so the objects produced through this social activity of laboring are only immediately particular in character; they necessarily become universalized in the respect that all individuals become dependent upon their production, and consequently upon the producers themselves. In this process of universalization, therefore, the objects become commodities and the productive activity becomes dialectical (PG2 224-225). This social labor necessarily entails each individual’s alienation from the product, as well as from the process of production itself (PG1 321-322). The increasingly efficient satisfaction of needs is therefore purchased at the price of increasing abstraction and alienation in the productive process (PG1 322). Further, the increasing specialization of production which characterizes the modern industrial system results in (1) the value of labor decreasing in the same proportion as the productivity of labor increases, and (2) the work becoming “absolutely all the more dead” (*umso absolut todter*), the individual’s skill becoming “infinitely limited” (*unendlich beschränkter*), and the consciousness of the individual becoming “degraded” (*herabgesetzt*) to an eventual “dullness” (*Stumpfheit*). Any relation between the particular form of labor performed by the individual and the infinite number of needs in society becomes “entirely imperceptible” (*ganz unübersehbar*), the individual is reduced to a condition of “blind dependence” (*blinde Abhängigkeit*), and “the work of an entire class of people” (*die Arbeit einer ganzen Klasse von Menschen*) becomes “redundant and useless” (*überflüssig und unbrauchbar*) (PG1 323-324). Finally, the wealth accumulated by the particular segment of society which owns the means of production occurs only through the subordination of the segment providing the means of production to conditions of poverty (PG2 270). It is the individuals in

These precise contradictions, of course, are then appropriated by Marx in the service of a revolutionary theory envisioning the future communistic reorganization of advanced European societies.<sup>63</sup> Indeed, the most sophisticated contemporary interpretation of Marx's critique of the modern capitalist system is the account provided by Moishe Postone, who identifies Marx's implicit argument that Hegel grasped the abstract conceptual forms of capitalism, but not in their historical specificity. He consequently identifies Marx's entire mature project to be the *contextualization* of Hegel's concepts in terms of the social forms of capitalist society and, in accordance with this conception, advances the interpretive claim that "[t]he structure of the dialectical unfolding of Marx's argument in *Capital* should be read as a metacommentary on Hegel."<sup>64</sup> This claim is central to Postone's interpretation of Marx's mature project as a historically-specific (and thereby self-reflexive) critique of the quasi-objectivized dynamic form of social mediation endemic to modern capitalism alone, rather than being based upon the abstraction of the transhistorical conceptual category of "labor." Moreover, from this view, and in opposition to the presuppositions of traditional interpretations of Marx, Postone argues that according to Marx it is the *idealist* character

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this latter segment which produce society's wealth, only to have it immediately taken from them (PG2 252). The needs putatively satisfied by the productive activity of the subordinated segment of society are infinitely multiplied as the productive process develops, becomes differentiated (PG2 243), and society becomes dominated by this infinite production of needs (PG2 243-244). In Hegel's final analysis, the disparity between the wealth and poverty produced by this system compels those providing the means of production to experience an "inner indignation and hatred" (*innere Empörung und Haß*) directed toward the existing economic and political order (PG2 244).

<sup>63</sup> Cf. the following accounts of the Hegel-Marx relation: Avineri, *The Social and Political Thought of Karl Marx*, esp. ch. 1, "Hegel's Political Philosophy Reconsidered," pp. 8-40; Avineri, "Labor, Alienation, and Social Classes in Hegel's *Realphilosophie*," pp. 96-119; Hyppolite, *Studies on Marx and Hegel*; Cohen, "Marx's Dialectic of Labor," pp. 235-261; Gould, *Marx's Social Ontology*, pp. 1-39. Hyppolite: "Any reading of *Capital* is sufficient to convince one of the influence of Hegel's *Logic*" (p. 128).

<sup>64</sup> Postone, *Time, Labor, and Social Domination*, p. 81.

of Hegel's philosophical system that is central to its validity. He explains this argument of Marx's more specifically in the following passage:

Marx's mature critique, therefore, no longer entails a "materialist," anthropological inversion of Hegel's idealistic dialectic but, in a sense, is its materialist "justification." Marx implicitly attempts to show that the "rational core" of Hegel's dialectic is precisely its idealist character: it is an expression of a mode of social domination constituted by structures of social relations which, because they are alienated, acquire a quasi-independent existence vis-à-vis individuals, and which, because of their peculiar dualistic nature, are dialectical in character. The historical Subject, according to Marx, is the alienated structure of social mediation that constitutes the capitalist formation.<sup>65</sup>

This derivative character of Marx's mature project in relation to Hegel's is left implicit by Marx throughout his writings. Nevertheless, the important implication to be taken from this discussion is that the conceptual contents depicted in the PR above and the logical structure Hegel articulates in the WL provide the entire conceptual apparatus of the systematic critique of the capitalist system that is Marx's mature project.

Hegel, however, did not envision an alternative to modern bourgeois political and administrative institutions, but rather provided a defense of them, or at least of a highly abstract and idealized depiction of them, culminating in his rejection of the possibility of revolution against them.<sup>66</sup>

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<sup>65</sup> Ibid.

<sup>66</sup> Cf. Hegel's final justification for rejecting the English Reform Bill before Parliament in 1831: "But if the Bill, by its principle rather than by its provisions, should open the way into Parliament – and hence into the center of political power – for principles opposed to the existing system, thus enabling them to assume greater importance in that institution than radical reformers have been able to attain in the past, the conflict would threaten to become increasingly dangerous. For no superior intermediate power would stand between the interests of positive privilege and the demands for more real freedom in order to restrain and mediate between them, because the monarchic element in England lacks that power which, in other states, has facilitated the transition, without convulsions, violence, and robbery, from an earlier legislation based solely on positive right to one based on principles of real freedom. The other power would [in this case] be the people; and if an opposition were established on a basis hitherto alien to Parliament as at present constituted, and if this opposition felt unable to stand up to the opposing party in Parliament, it might well be misguided enough to look to the people for its strength, and so to inaugurate not a reform but a revolution" (ER 403-404/269-270).

Many have charged Hegel with being contradictory in this regard.<sup>67</sup> The charge of contradiction, which dates back to Marx's early critique, necessitates a more specific response to the question of Hegel's relation to the liberal political tradition. It is perhaps a more damaging critique than what could be directed toward modern liberal theorists such as Hobbes or Locke, for the latter figures maintained a sense of consistency in their failure to critique the disastrous phenomena listed above. An adequate response to Ameriks' charge against Hegel, in my view, is to be found in the argument behind Wood's observation noted above that while the central concern of Hegel's political philosophy might be to defend idealized conceptions of modern bourgeois political and administrative institutions, he nevertheless provides nonliberal, even antiliberal justifications for their validity.

Indeed, Hegel is remarkably clear in his statements rejecting the accounts given by modern liberalism to justify and legitimate its political institutions. Unlike liberal philosophers, who conceive of the state as an instrumental means to the ends of its individual subjects, Hegel—in what is the most “classical” formulation in his political philosophy—conceives of the state as an “end in itself” (PR §258). In Hegel's most condensed statement articulating his critique of the modern liberal justification for the modern state, he rejects its reliance upon the form of instrumental rationality, as well as its determinate content—physical or economic security:

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<sup>67</sup> Cf. Ameriks, “The Legacy of Idealism in the Philosophy of Feuerbach, Marx, and Kierkegaard,” pp. 266-267: “Hegel defends the modern instantiation of these categories[of the family, civil society, and the state] in the form of institutions such as primogeniture, capital punishment, endless warfare, monarchy, and a class-based economic and political structure that on Hegel's own account entails contradictory phenomena such as impoverishing overproduction, a humiliating and ineffective dole system, and a relentlessly exploitative drive to imperialism.”

If the state is confused with civil society and its determination is equated with the security and protection of property and personal freedom, the interest of individuals as such becomes the ultimate end for which they are united; it also follows from this that membership of the state is an optional matter. – But the relationship of the state to the individual is of quite a different kind. Since the state is objective mind, it is only through being a member of the state that the individual himself has objectivity, truth, and ethical life (PR §258A).

Hegel's rejection of the instrumental relation between the state and its subjects, while at the same time providing a *defense* of the modern liberal state and each of its institutions, is at least partially anticipated in the political-philosophical writings of Kant. Kant's political philosophy can be categorized under modern liberalism because his definition of right as "the restriction of each individual's freedom so that it harmonizes with the freedom of everyone else (insofar as this is possible within the terms of a general law)" (TP 289-290/73) results in a "negative" conception of freedom in which "each may seek his happiness in whatever way he sees fit, so long as he does not infringe upon the freedom of others to pursue a similar end which can be reconciled with the freedom of everyone else within a general workable law" (TP 290/74). On the one hand, Kant in a number of instances repeats the pessimistic assumptions about human nature articulated by Hobbes that necessitate the minimalist conception of freedom articulated above,<sup>68</sup> and seems to indicate in the following passage that the state is legitimated through its instrumental function of increasing the moral capacity of its subjects:

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<sup>68</sup> Cf. Kant's claim that, "as hard as it may sound, the problem of setting up a state can be solved even by a nation of devils (so long as they possess understanding)" (EF 366/113), his explanation that the state should be arranged in such a way that the "self-seeking energies [of men] are opposed to one another, each thereby neutralizing or eliminating the destructive effects of the rest. And as far as reason is concerned, the result is the same as if man's selfish tendencies were nonexistent, so that man, even if he is not morally good in himself, is nevertheless compelled to be a good citizen" (EF 366/113), and, finally, his notation that the task of establishing a state "does not involve the moral improvement of human beings; it only means finding out how the mechanism of nature can be applied to men in such a manner that the antagonism of their hostile attitudes will make them compel one another to submit to coercive laws, thereby producing a condition of peace within which the laws can be enforced" (EF 366/113).



[B]y putting an end to outbreaks of lawless proclivities,...[the legal system] genuinely makes it much easier for the moral capacities of men to develop into an immediate respect for right. For each individual believes of himself that he would by all means maintain the sanctity of the concept of right and obey it faithfully, if only he could be certain that all the others would do likewise, and the government in part guarantees this for him; thus a great step is taken towards morality (although this is still not the same as a moral step), towards a state where the concept of duty is recognized for its own sake, irrespective of any possible gain in return (EF 375n/121n).

On the other hand, however, Kant indicates elsewhere that the state is not at all instrumental to its subjects' morality. First, he explains that the state does not result in "an ever increasing quantity of morality in its [subjects'] attitudes. Instead, the legality of its attitudes will produce an increasing number of actions governed by duty, whatever the particular motive behind these actions may be." While it is true, he notes, that people will in general respect one another more under the conditions of a state, "[s]uch developments do not mean, however, that the basic moral capacity of humanity will increase in the slightest, for this would require a kind of new creation or supernatural influence" (SF 91-92/187-188).

Second, and most importantly, Kant explicitly argues that the decision to become a member of the state should not to be conceived of as based on mutual contingent advantage, but rather as an a priori moral obligation.<sup>69</sup> First, in the social contracts of his

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<sup>69</sup> Cf. the following passage from the *Metaphysics of Morals*: "It is not experience from which we learn of human beings' maxim of violence and of their malevolent tendency to attack one another before external legislation endowed with power appears. It is therefore not some fact that makes coercion through public law necessary. On the contrary, however well disposed and law-abiding men might be, it still lies a priori in the rational idea of such a condition (one that is not rightful) that before a public lawful condition is established, individual human beings, peoples, and states can never be secure against violence from one another, since each has its own right to do what seems right and good to it and not to be dependent upon another's opinion about this. So, unless the individual wants to renounce all concepts of right, the first thing he has to resolve upon is the principle that he must leave the state of nature, in which each follows his own judgment, unite himself with all others (with whom he cannot avoid interacting), subject himself to a public lawful external coercion, and so enter into a condition in which what is recognized as belonging to each person is determined by law and is allotted to it by adequate power (not its own but an external power); that is, he ought above all else to enter a civil condition" (MS 312/89-90).

predecessors, he explains, “we find a union of many individuals for some common end which they all share” (TP 289/73), while his own contract is to be conceived of as “a union as an *end in itself* which they all ought to share and which is thus an absolute and primary duty in all external relationships whatsoever among human beings (who cannot avoid mutually influencing one another)” (TP 289/73) (emphasis added). Second, and moreover, Kant’s second formula, “So act that you use humanity, whether in your own person or that of another, always at the same time as an end, never merely as a means” (GMS 429; cf. 436),<sup>70</sup> requires the formation and preservation of a political community that protects the rights of its members because any violation of the right or freedom of another constitutes the impermissible treatment of that other merely as a means:

[I]t is clear that he who transgresses the rights of human beings intends to make use of the persons of others merely as a means, without considering that, as rational beings, they must always be esteemed at the same time as ends, i.e., only as beings who must able to contain in themselves the end of the very same action (GMS 38/430).

Nevertheless, even if Hegel’s defense of modern liberal political institutions in deontological, rather than instrumental or utilitarian, terms can be traced back to Kant, his critique of the philosophy of modern liberalism in general because of its methodological individualism, or because it takes “the interests of individuals as such” to be “the final end for which they are united” (PR §258A), would certainly include Kant’s particular conception of liberalism. Hegel, by contrast, elevates the state to “that which is rational in and for itself,” as well as to the “absolute, unmoved end in itself...that has the highest

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<sup>70</sup> “Handle so, daß du die Menschheit sowohl in deiner Person, als in der Person eines jeden andern jederzeit zugleich als Zweck, niemals bloß als Mittel brauchst.” The translation is Wood’s. Cf. his clear and helpful presentation of each of Kant’s formulas, propositions, maxims, and duties in *Kant’s Ethical Thought*, pp. xx-xxiv.

right in relation to individuals, whose highest duty is to be a member of the state” (PR §258). It is clear from these statements that Hegel conceives of individuals capable of leading a more communally-oriented life than the modern liberal theorists conceived to be possible. He in fact laments in his 1818-1819 *Rechtsphilosophie* lectures that the vast majority of individuals in modern societies are “given over to...the limitedness of family...or...bourgeois life” (VPR1 270).

The contemporary scholarship on Hegel’s political philosophy is correct in its emphasis on the fact that Hegel’s central concern in the PR is to defend the modern institutions of the nuclear, bourgeois family, civil society as a market-governed realm of production and exchange, and the constitutional state, as well as its emphasis upon Hegel’s Kantian conception of ethics as consisting of universal principles derived a priori from human reason. In short, Hegel is accurately situated within the modern social, legal, and political tradition. At the same time, however, I have attempted to emphasize many of the important ways in which Hegel is critical of that tradition. I caution others interpreting Hegel’s political philosophy not to ignore these criticisms Hegel advances, for the complex reflections contained within his defense of modernity cannot be adequately understood without reference to them. Moreover, and independent of these reflections, Hegel’s final political position requires reference to the disparity between the idealized criteria he employs in justifying his conception of the rational state and the reality of actually existing modern states, for it is in this disparity that his relation to the critical tradition is to be found.<sup>71</sup>

#### Naturalness, Mindedness, and the Meaning of *Geschichte*

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<sup>71</sup> Cf. Wood, “Editor’s Introduction,” p. xxviii; and Wood, *Hegel’s Ethical Thought*, pp. 256-260.

While Hegel rejects both the Hobbesian (among individuals to authorize a sovereign) and Lockeian (between a society of individuals and a sovereign) forms of social contract (cf. PR §75A), he includes Rousseau in his critique of the social contract theorists for romanticizing, each in his own particular way, the immediacy and naturalness of the state of nature. Interestingly, Hegel's most important critique of the concept of the state of nature is contained in his most important statement of his theory of education, for to Hegel, it is only through the process of education, through thought's movement in which it sublates its original immediacy or naturalness through opposing itself and returning to itself, that freedom, reason, and morality are to be found. First, Hegel critiques Rousseau's romanticization of the state of nature through implicit reference to his (Rousseau's) critique of the corrupting effects he takes to be associated with the development of modern societies articulated in the first and second *Discourses*.<sup>72</sup>

The ideas of the innocence of the state of nature and of the ethical simplicity of uncivilized [*ungebildeter*] peoples imply that education will be regarded as something purely external and associated with corruption (PR §187A).

Second, and in a way that is consistent with his central critique of the modern liberal theory of government as an instrumental means to the ends of its individual subjects noted above, Hegel implicitly critiques the liberal (both Hobbesian and Lockeian) conception of the state of nature as a state of "natural freedom" characterized by the unrestricted satisfaction of one's inclinations. Education, from this view, is reduced to the means of assisting individuals in the more efficient satisfaction of their inclinations:

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<sup>72</sup> Cf. also Rousseau, *Emile or On Education*. Hegel's romanticization charge against Rousseau is a familiar one. It is true, of course, that Rousseau acknowledges that the state of nature is "a state which no longer exists, which perhaps never existed, [and] which probably never will exist" (Rousseau, *Discourse on the Origin of Inequality*, p. 34). At the same time, however, he also claims that "most of our ills are of our own making, and... we could have avoided nearly all of them by preserving the simple, regular and solitary lifestyle prescribed to us by nature" (Ibid., p. 42).

[I]f one believes that needs, their satisfaction, the pleasures and comforts of individual life, etc. are absolute ends, education will be regarded as a mere means to these ends (PR §187A).

In Hegel's view, by contrast, life in accordance with nature is the antithesis of freedom, morality, and reason. The theoretical basis of this argument is his conception of rational thought as infinitely self-determining in its progressive *movement* of opposing itself and returning to itself. It is only through thought's movement of positing an object of cognition, confronting it as an "other" to be comprehended, and then coming to the self-conscious realization of the posited, determined character of the object that thought can be said to be free. (This movement identical to that of the Concept from universality to particularity to individuality, or from immediate identity to difference to mediated identity.)

Naturalness or immediacy, therefore, is the moment of sense-certainty, as in the PhG (cf. 63-70/¶¶90-110), or of being, as in the WL (cf. XXI 66-95/82-108) (it is of no matter that Hegel's concern in the former is with the conceptual conditions required for the possibility of any experience of consciousness, while the latter is concerned with the conceptual conditions required for the possibility of any coherent thought activity). In each of these moments, thought presupposes its object to be immediately apprehensible, or in no way determined by its conceptual framework, and so the object is thought to exist "objectively," i.e., independently of thought's cognition of it. Thought in this moment is therefore taking its representation of the object to be completely *determined* by the object itself, and, accordingly, it does not take itself to be self-determining at all. In Hegel's comprehensive system of transcendental arguments, in which thought's movement is regressive in the reconstruction of its conceptual presuppositions, it is at the

same time *progressive* in the direction of increasing self-awareness and transparency. The development of mind is an *educative* one toward increasing self-consciousness, toward the complete reconstruction of its own criteria of knowledge, and this development occurs in accordance with the logic of this movement:

Mind attains its actuality only through internal division, by imposing this limitation and finitude upon itself in [the shape of] natural needs and the continuum of this external necessity, and, in the very process of adapting itself to these limitations, by overcoming them and gaining its objective existence within them (PR §187A).

This argument for conceiving of nature or immediacy as the opposed *product* of mind or reflection, and Hegel's consequent identification with the latter, is integrally related to the *modern* character of his philosophical standpoint. Indeed, Hegel's entire philosophical project can be fruitfully read as a robust defense of modernity and the modern world. The modern character of Hegel's theoretical standpoint is apparent from the interpretation of his theoretical philosophy advanced here, i.e., his acceptance of the basic principle of the Kantian transcendental project that an object can only be a possible object of cognition. This standpoint is opposed to the ancient and early modern precritical conflation of the object and the object *as thought*. In political terms, Hegel's derivation of his rejection of the social contract theorists' appeal to the state of nature from his rejection of a return to immediacy or naturalness itself rests upon his argument for mindedness or reflection.

What is more, this latter position can also be read as Hegel's argument for the *historical* superiority of modernity and the complete form of practical freedom he identifies as its achievement. Hegel's conception of freedom as an historical achievement in particular can be observed through his many references in the VPW to his idea that

mind “is” the “result of itself.”<sup>73</sup> This conception of mind as the historical product of itself is opposed to the modern liberal conception of freedom as “natural right,” for Hegel argues that freedom does not exist naturally, but rather must be comprehended as a “discovery,” i.e., as a cognitive historical achievement: “The concept of freedom is such that...[it] can be discovered only through the activity of thought” (VPW 117-118/99).

Similarly, Hegel states in this work that

mind is free; and the aim of world mind in world history is...to obtain the prerogative of freedom. Its activity is that of knowing and recognizing itself, but it accomplishes this in gradual stages rather than at a single step (VPW 73/63).

As this passage indicates, the historical achievement of freedom is inextricably linked with mind’s search for complete self-awareness or self-consciousness. The historical character of freedom is implied by the notion above that it is achieved in “gradual stages,” as well as in his later statement that it “has to be earned and won through the endless mediation of discipline acting upon the powers of cognition and will” (VPW 117/99). This is of course a reference by Hegel to his definition of freedom as a social state of reciprocal recognition, for it is only when mind has achieved the particular state in which individuals constrain themselves in their interactions with one another on the basis of norms, or, more specifically, on the basis of the particular norm of reciprocal recognition, that mind can be said to be free, or, in historical terms, it is only in modern times (or, according to Hegel, in certain modern Continental western European states) that individuals as such “recognize themselves as mutually recognizing one another” (*anerkennen sich, als gegenseitig sich anerkennend*) (PhG 110/¶184). Accordingly, the

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<sup>73</sup> Cf. Hegel’s following claims: “mind is essentially the product of its own activity” (VPW 72/63); mind “is its own product” (VPW 55/48); “mind exists only as its own product” (VPW 58/50); mind “is the product of itself” (VPW 58/51); mind “produces itself and makes itself what it is” (VPW 74/64).

various forms of recognition across historical development prior to modernity lack this reciprocity, and are therefore characterized by various forms of subordination and oppression, or, more specifically, various forms of lordship and bondage. It is therefore only in the modern state form that recognition is truly reciprocal and individuals are consequently free both subjectively and objectively.

This interpretation is, in a certain sense, true. Yet, as I will now argue, this line of reasoning rests upon a failure to comprehend the meaning of *Geschichte* (history) as it was employed in German Idealist philosophy in Hegel's time and as it was employed by Hegel himself in his own philosophical works—or at least in his core theoretical-philosophical works (the PhG, the WL, and the PR). In my view, Hegel's understanding of *Geschichte* requires reference back to Kant's conception of a "philosophical" history of history, which he articulates in an essay entitled, "What Real Progress has Metaphysics Made in Germany since the Time of Leibniz and Wolff?" (1793-1794, published posthumously in 1804). Consider the following passage:

All historical knowledge is empirical, and hence knowledge of things as they are; not that they necessarily have to be that way... Thus a historical presentation of philosophy recounts how philosophizing has been done hitherto, and in what order. But philosophizing is a gradual development of human reason, and this cannot have set forth, or even have begun, upon the empirical path... A philosophical history of history is itself possible, not historically or empirically, but rationally, i.e., a priori. For although it establishes facts of reason, it does not borrow them from historical narrative, but draws them from the nature of human reason, as philosophical archaeology (WFM 340-341/417).

Hegel's central historical-philosophical concern, following the conception articulated by Kant in the above passage, is to present a "philosophical history of history," or to comprehend history philosophically. The following remark is characteristic: "[W]e are here concerned with a philosophy of world history, and are about to consider history from



a philosophical point of view” (VPW 25/25). Of course for Hegel, and unlike Kant, the very movement of the historical unfolding of reason is itself rational.<sup>74</sup> This particular fact is critically important, for to Hegel “the history of reason is not only subject to a priori principles in the doctrines it produces, but also in the very process producing them.”<sup>75</sup>

Consequently, this meaning of *Geschichte*, as the a priori logic determinative not only of the forms taken by reason in history, but also of the historical process in which these rational forms are produced, is nothing more than the application of Hegel’s Concept to the object, i.e., thought-content, of history,<sup>76</sup> an “application” not to an external object, but rather of thought to itself, for to Hegel history is itself nothing more than the dialectical movement of thought. Importantly for my argument, Hegel claims in the 1830 second draft of the introduction in the VPW that “[a]ll this is the a priori structure of history to which empirical reality must correspond” (VPW 157/131). This “a priori structure” which determines the course of history is the logical structure of the Concept.<sup>77</sup>

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<sup>74</sup> “World history is therefore a rational process” (VPW 28/27).

<sup>75</sup> Rosemann, “Heidegger’s Transcendental History,” pp. 507-508.

<sup>76</sup> “[T]he philosophy of history is nothing more than the application of thought to history” (VPW 25/25).

<sup>77</sup> “World history...represents the development of mind’s consciousness of its own freedom and of the consequent realization of this freedom. This development is by nature a gradual progression, a series of successive determinations of freedom which proceed from the concept of the material in question, i.e., the nature of freedom in its development toward self-consciousness. The logical – and even more so the dialectical – nature of the Concept in general, i.e., the fact that it determines itself, assumes successive determinations which it progressively overcomes, thereby attaining a positive, richer, and more concrete determination – this necessity, and the necessary series of pure abstract determinations of the Concept, are comprehended by means of philosophy” (VPW 167/138).

Because to Hegel the historical process is determined by the logical structure of the Concept, it therefore exhibits a closed circular structure within which thought *infinitely* opposes itself and returns to itself, rather than an eschatological one. This is of course controversial, but if we turn for a moment to Hegel's most condensed statement of his absolute idealist standpoint in the Doctrine of the Concept section of the WL, we observe that "[t]he identity of the Idea with itself is one with the process" (WL XII 177/759), and that the Concept "contains within itself the highest degree of opposition" (WL XII 236/824) and "eternally creates and eternally overcomes that opposition, in its meeting with itself" (WL XII 177/759).

My argument is therefore that history does not "end" for Hegel. Once one recognizes the fact of Hegel's ontologically relativistic procedure in each of his major works, the untenability of any attempt to "anthropologize" them becomes immediately apparent. As I noted earlier in this chapter, Hegel explicitly identifies his Concept with the Kantian transcendental unity of self-consciousness (cf. WL XII 17-18, 22/583-584, 589). It is the unified activity of thinking that determines what is thought through it, and is therefore neither temporal nor ontological. These categories do not enter into Hegel's dialectical method because, at least in his core theoretical-philosophical works, it proceeds a priori. Many interpret the PhG in historical terms, either as a philosophy of history or a philosophical anthropology. However, as I demonstrate in the following chapter, this interpretation is incorrect, for the determinate conceptual contents contained therein are deduced transcendently and are themselves entirely situated within the transcendental reconstruction of the pure concepts of experience that is the central function of the PhG.

This categorically transcendental position I am arguing for might appear to be radically one-sided. While the core works of Hegel’s theoretical-philosophical project—the PhG and the WL—proceed a priori, thereby conforming to the meaning of *Geschichte* described above, the situation is more complicated with regard to the core works of Hegel’s historical-philosophical project, the VPW and the VPG. While I attempted to demonstrate above that the *basic structure* of each of these latter works conforms to the a priori meaning of *Geschichte* described above, it is nevertheless the case that in each of these latter works Hegel consistently departs from his stated goal of providing a “philosophical” history of history in ways that cannot be summarized here. As Hans Brockard convincingly demonstrates, however, Hegel’s historical-philosophical project, articulated in the VPW and the VPG, is a separate, ancillary addition to his core theoretical-philosophical project and provides a misleading image of the latter, at least partially as a result of its repeated lapses into metaphysical language.<sup>78</sup> The following question remains: Should the PR be categorized with the core works of Hegel’s theoretical-philosophical project, the PhG and the WL, or with the core works of his historical-philosophical project, the VPW and the VPG? Hegel explicitly addresses this question in the following passage from the Introduction to the PR, where he differentiates the empirical “historical” method from the a priori “philosophical” method and discloses that the PR is presented in the “philosophical” form:

To consider the emergence and development of determinations of right as they appear in time is a purely historical task. This task...is meritorious and praiseworthy within its own sphere, and bears no relation to the philosophical approach...[I]f the determinations of right are rightful and rational, it is one thing to demonstrate that this is so – and this cannot truly be done except by means of the Concept – and another to depict their

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<sup>78</sup> Cf. Brockard, *Subjekt. Versuch zur Ontologie bei Hegel*, esp. pp. 118-122.

historical emergence and the circumstances, eventualities, needs, and incidents which led to their introduction... Since it has now been shown that the historical significance of origins, along with their historical demonstration and exposition, belongs to a different sphere from the philosophical view of the same origins and of the concept of the thing, the two approaches can to that extent remain indifferent to one another (PR §3A).

The function of Hegel's PR, as I argued in the beginning of this chapter, is theoretical-philosophical in character and is integrally related to—indeed, is the completion of—Hegel's larger theoretical-philosophical project, articulated in the PhG and the WL. In the above passage, Hegel indicates the correctness of this interpretation. This is not to deny either that Hegel's mature philosophical project is modern in character, or that he provides a robust defense of modernity and the modern world. It is of course true that Hegel acknowledges that his philosophical system could not be constructed during any previous historical period, or he more generally acknowledges there to be certain historical prerequisites for the articulation of any philosophy, political or otherwise. Yet Hegel is clear that neither the foundation nor the exposition of his political argument in the PR is historical in character. This should not be surprising at this point. As I will demonstrate in the following chapters, Hegel's core theoretical position *requires* the a priori form I have been attributing to each of his major works.

### Conclusion

The purpose of this chapter was to disclose my interpretation of the conceptual framework informing the basic structure of Hegel's political argument in the PR and then briefly to describe some of the most important ways in which this theoretical foundation informs the political argument contained in Hegel's PR. More specifically, I advanced the following arguments: Hegel conceives of the practical aspects of his philosophy as

derivative of the principles of his theoretical philosophy; the PR is presented in ontologically relativistic terms; his conception of his political order as an organic totality derives from his idealist Concept and his conception of the object of any philosophical “science”; and his holistic conception of the relation between the individual and the larger political order derives from the theoretical holism through which his absolute idealist standpoint is articulated. Finally, I described the postwar reception of Hegel’s political philosophy, disclosed my interpretation of his general political position, and then advanced an argument with regard to the meaning and place of history in his philosophical system.

The purpose of the following chapter will be to provide an account of the PhG, or Hegel’s “deduction” of the WL and therewith of his mature philosophical project in general. In the third chapter, I will then provide an account of the WL itself, or Hegel’s definitive statement of his mature philosophical standpoint, in particular the pure logical Concept depicted therein. Beginning with the fourth chapter and concluding with the seventh, I will then provide a detailed textual analysis of each of the sections of the PR, demonstrating in each instance how the latter is the determinate reflection of the WL, i.e., of the pure logical Concept depicted therein. My argument is that the rationality of Hegel’s rational state, the final determination in thought’s reconstruction of the conceptual conditions required for the object of freedom to be a determinate object of cognition, derives from the fact that it is the determinate reflection of the Concept, the final determination in thought’s reconstruction of the conceptual conditions required for any object to be a determinate object of cognition.

CHAPTER 2  
THE PROBLEM OF SUBJECTIVITY IN THE *PHENOMENOLOGY OF MIND*

The purpose of the preceding chapter was to disclose the argument of this dissertation, i.e., the rationality of Hegel's rational political order derives from the fact that the PR is the determinate reflection of the pure logical Concept depicted in the WL. The purpose of the present chapter is threefold. First, I argue that the PhG is presented in the form of a transcendental argument, as the logical reconstruction of the conceptual conditions required for any possible experience of a conscious subject. Second, I provide a description of Hegel's argument in the PhG for a social conception of subjectivity to demonstrate that Hegel's absolute idealism, unlike the subjective idealisms of Kant and Fichte, is not solipsistic—and therefore is not incompatible with the intersubjectivism required in the domain of politics. Third, through an examination of Hegel's absolute idealist critique of Kant's subjective idealism and an explanation of the relation of the PhG to Hegel's philosophical science beginning with the WL, I demonstrate that the central systemic function of the PhG is to overcome the "presupposition" of subjectivity altogether. I therefore argue that Hegel overcomes the problem of solipsism allegedly endemic to all "idealisms," but that this overcoming in his transcendently deduced social form of subjectivity is itself sublated in the final determination of Absolute Knowing, the sublation of the opposition between subjectivity and objectivity presupposed in any conscious experience. Absolute Knowing is the universal concept of the identity of subjectivity and objectivity that is presupposed in any determination of a subject-object opposition: It is the sublation of "subjectivity" itself. Hegel's conception of rational self-determining subjectivity, in sum, is to be found not in the PhG, but rather in his philosophical system itself, i.e., in the WL and the PR.

## The Secondary Literature

The PhG has experienced a number of major interpretive transformations in the contemporary secondary literature. The two most significant figures in contemporary PhG interpretation are Charles Taylor and Alexandre Kojève. The “cosmic mind” metaphysical interpretation of the PhG (and of Hegel’s philosophy in general) by Taylor was once the dominant view. To Taylor, the “purpose” of the PhG is to take us “from a view of the subject as isolated consciousness to one which sees him as a vehicle of the self-knowledge of *Geist*.”<sup>79</sup> The prominence of this view, however, has recently given way to the interpretation advanced by Kojève that the PhG should be read as a philosophical anthropology or social theory.<sup>80</sup> Kojève’s interpretation involved a number of radical departures from the text of Hegel’s PhG to interpret it along existentialist, historicist, Marxist, and Heideggerian lines, yet the force of his interpretation has been proven through its immense subsequent influence.<sup>81</sup> However, neither of these accounts of the PhG is satisfactory. Taylor’s partially-transcendent metaphysical interpretation has been disproven by much of the subsequent secondary literature,<sup>82</sup> while Kojève’s idiosyncratic reading necessitates, if one is to understand Hegel, a return to the original.<sup>83</sup>

Most recently, contemporary studies in PhG interpretation have largely fallen into two distinct categories, in which the PhG is understood either as an a priori examination

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<sup>79</sup> Taylor, *Hegel*, p. 137. Cf. Inwood, *Hegel*.

<sup>80</sup> Kojève, *Introduction to the Reading of Hegel: Lectures on the Phenomenology of Spirit*.

<sup>81</sup> The twists and turns in this literature form the subject of Butler, *Subjects of Desire: Hegelian Reflections in Twentieth Century France*.

<sup>82</sup> Taylor himself concedes that it is “not easy to grant” what he takes to be Hegel’s position that “man is the vehicle of cosmic mind” and that the modern world “expresses the underlying formula of necessity by which this mind posits the world” (*Hegel*, p. 387).

<sup>83</sup> Cf. Kelly, “Notes on ‘Lordship and Bondage,’” pp. 29-54.

of conceptual thought presented in the form of a transcendental argument, or an empirical examination of human development in the form of a philosophy of history. If the PhG is presented in the form of a transcendental argument, then it is to be regarded as the a priori reconstruction of the necessary conditions for the possibility of any claim to knowledge. Upon this view, the forms of consciousness depicted therein are to be regarded as conceptual forms and their development as a logically regressive movement of thought. Conversely, if the PhG is a philosophy of history, then the forms of consciousness depicted therein are to be regarded as historical forms and their development as a chronological depiction of empirical human history.

The position adopted here is that the historical interpretation of the PhG should be rejected in favor of the transcendental interpretation, which best captures the philosophical and systemic functions Hegel assigned the PhG in its composition.<sup>84</sup> The view that the PhG should be understood in historical terms—a view promoted by Georg Lukács, Kojève, and most recently Michael Forster (all for different reasons)—should be rejected. This is not to say that the works of these particular figures do not possess their own merits: Lukács convincingly identifies the architectonic of Hegel’s presentation of the developmental sequences in the PhG,<sup>85</sup> Kojève’s original account has proven to be

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<sup>84</sup> Hyppolite argues that the PhG is both historical and transcendental: “[T]he *Phenomenology* is not the history of the world, although in certain respects it is a history and is related to the history of the world” (*Genesis and Structure of Hegel’s Phenomenology of Spirit*, p. 35). Cf. the critical account of Rudolf Haym, in which he describes the PhG as “a history distorted by transcendental psychology and a transcendental psychology distorted by history” (*Hegel und seine Zeit*, p. 243).

<sup>85</sup> “The various aspects of history that are treated do not occur arbitrarily, as has often been thought; in fact they occur in their correct historical sequence, which, however, is repeated three times in the course of the work...Hegel’s point of departure is...the ordinary consciousness of the individual...As the individual works his way individually from the immediate perception of objective reality to the point where its rationality is discerned, he traverses all the phases of man’s history up to the present...The second phase repeats the entire course of history from its beginnings up to the present—*real* history in its concrete social totality...The historical survey in the third stage once again recapitulates the past *in its entirety*. Thus the course of history is repeated for the third time. However, on this occasion we no longer find the *actual*



immensely influential, and Forster's account is comprehensive in its identification of the historical forms Hegel was most likely referencing implicitly in his construction of each of the forms of consciousness.<sup>86</sup> At the same time, however, in my view there are (at least) four reasons to reject the historical interpretation.

First, any attempt to identify a set of empirical historical referents as corresponding to the forms of consciousness appearing in the PhG, despite the supporting textual evidence one might locate, will invariably be question-begging in a fundamental way, given the completely abstract presentation of Hegel's argument in the PhG. His aversion to historical reference may have been instrumental so as to include *all* partisans of a given form of consciousness. The search for a level of specificity beyond that which Hegel presents runs the risk of unduly narrowing the scope of his arguments to certain historical periods or figures, while the adherents of a given form of consciousness may transcend such boundaries.<sup>87</sup> Second, the historical interpretation is incapable of providing an adequate explanation of the PhG as the unified or systematic philosophic text Hegel purports it to be. Hegel's characterization of the PhG as the "deduction" of

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series of events, but a summary of mankind's efforts to comprehend reality. Art, religion, and philosophy are for Hegel the three great instruments by which man cognizes the world... This, in the crudest outline, is the basic structure of the *Phenomenology of Spirit*." Lukács then argues that Hegel organized the PhG to capture the distinction he would make in his mature system between "subjective," "objective," and "absolute" mind, resulting in "the following division of the *Phenomenology*: A. *Subjective Spirit*: Chapters I-V: Consciousness, Self-Consciousness, Reason; B. *Objective Spirit*: Chapter VI: Spirit; C. *Absolute Spirit*: Chapters VII-VIII: Religion, Absolute Knowing" (Lukács, *The Young Hegel*, pp. 470-72).

<sup>86</sup> Forster, *Hegel's Idea of a "Phenomenology of Spirit,"* pp. 291-497. Cf. the account of Pinkard in his *Hegel's Phenomenology: The Sociality of Reason*. Pinkard is more careful in balancing his account of the PhG's historical references with Hegel's theoretical argument.

<sup>87</sup> Moreover, the imposition of such limitations would violate Hegel's claims throughout the PhG to be arguing from the position of totality. In the Introduction, Hegel states that "[t]he completeness [*Vollständigkeit*] of the forms of the unreal consciousness will result from the necessity of the progression and interconnection itself" (PhG 56/¶79) and that the forms of consciousness displayed throughout the PhG comprehend "nothing less than the entire system of consciousness" (PhG 61/¶89).

“pure science,” or his conception of its achievement of Absolute Knowing as signifying the “truth of every mode of consciousness” due to its elimination of the “separation of the object from the certainty of itself” signifies the character of a work whose scope transcends that which the historical interpretation would impose upon it.

Third, to understand many of the concepts presented in the PhG in historical terms results in the introduction of certain assumptions that are *prima facie* inapplicable to Hegel’s argument in the PhG. Frederick Neuhouser for instance notes that it would be problematic, to say the least, to regard Hegel’s introduction of the concepts of desire and recognition at the beginning of *Self-Consciousness* as representing a definable historical period in which humans began either exhibiting desire or recognizing each other.<sup>88</sup> The introduction of such concepts as they appear in the PhG is simply not compatible with the view that the PhG depicts an empirical history of human consciousness. Similarly, while an historical interpretation may assist the reader in identifying the causal mechanisms underpinning the movement from one form of consciousness to another, it fails (perhaps by definition) to explain the various deductions Hegel advances *within* particular forms of consciousness. Finally, to reduce a given form of consciousness in the PhG to a specific historical period is necessarily to render Hegel’s argument in that section dependent upon the actual empirical events of the referential period for its validity. Such implications, as

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<sup>88</sup> Neuhouser, “Deducing Desire and Recognition in the *Phenomenology of Spirit*,” pp. 243-262. The most important part of the *Truth of Self-Certainty* section is Hegel’s deduction of the concepts of desire (*Begierde*) and recognition (*Anerkennung*). It is crucial to note that Hegel does not introduce either of these concepts as an irreducible “given,” but rather demonstrates the necessity of their inclusion. Alexandre Kojève fails to recognize this, claiming that the “multiplicity of Desires is just as ‘undeducible’ as the fact of Desire itself” (Kojève, *Introduction to the Reading of Hegel*, pp. 39-40). Frederick Neuhouser attributes this failure on the part of Kojève to his “tendency to read the *Phenomenology* as an exclusively historical account of human consciousness” (“Deducing Desire and Recognition in the *Phenomenology of Spirit*,” p. 252).

well as the antecedent characterization which gives rise to them, would be emphatically rejected by Hegel.

My argument is that the determinate conceptual contents depicted in the PhG are transcendently deduced and that Hegel's PhG can only be properly understood through reference to its purpose in providing the phenomenological "deduction" of his philosophical standpoint. The most important political argument in the PhG is Hegel's demonstration of the irreducibly social character of subjectivity, and this demonstration is an integral component of the PhG's more general deductive function. One of the most interesting arguments for the necessity of the inclusion of *Mind* or social subjectivity is advanced by Otto Pöggeler, a central figure in contemporary German Hegel scholarship. Pöggeler convincingly argues—in opposition to Theodor Haering's claim that Hegel originally intended to conclude the PhG with the *Reason* chapter but then extended its content to the detriment of the coherence of its argument<sup>89</sup>—that Hegel did in fact have a strong philosophical motivation for extending the PhG in its composition beyond the *Reason* chapter to his treatment of *Mind*. To Pöggeler, the predicament of the subject-object opposition of consciousness is solved by Hegel only through the transition to a social conception of subjectivity.<sup>90</sup> This emphasis on Hegel's appeal to the social

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<sup>89</sup> Haering, "Entstehungsgeschichte der *Phänomenologie des Geistes*," pp. 118-138. Cf. Forster's argument that the first three sections of the PhG—*Consciousness*, *Self-Consciousness*, and *Reason*—constitute not only the core argument and main body of the PhG, but also represent an originally planned *Ur-Phenomenology* of more modest scope that was later expanded into the version that was eventually published in 1807. See his *Hegel's Idea of a "Phenomenology of Spirit"*, pp. 172n103, 247, 297, 501-543 and 547. As a contrast, Hans Friedrich Fulda and Johannes Heinrichs argue that the PhG is a unified text and its structure reflects Hegel's original intention, as evidenced from the structure of his incomplete 1805 *Logic*. Cf. Fulda, "Zur Logik der *Phänomenologie* von 1807"; and Heinrichs, *Die Logik der Phänomenologie des Geistes*.

<sup>90</sup> Cf. Pöggeler, "Zur Deutung der *Phänomenologie des Geistes*," pp. 212-213: "Der üblichen Deutung entgegen möchte ich folgende Deutung des Hegelschen Textes vorschlagen: Die eigentliche Wissenschaft des Geistes ist nicht die Logik, sondern die Geistesphilosophie. Der Punkt in der Geistesphilosophie, wo Erscheinung und Wesen gleich werden und das Bewußtsein nicht mehr auf

character of any conceptual determination allows Pöggeler to incorporate the PhG's examination of "objective mind" into its central epistemological argument and therefore provides an important foundation for the interpretation of the PhG advanced in the present chapter.

So, in the end, the most convincing characterization of the PhG is that it is presented in the form of a transcendental argument with the task of providing a justification for or "deduction" of Hegel's philosophical standpoint.<sup>91</sup> The most important articulation of such an account is Robert Pippin's reconstruction of Hegel's philosophical system as a continuation of the Kantian idealist project of deducing the necessity and objectivity of pure concepts, and the centrality of the PhG to this view is evidenced by Pippin's characterization of its overall project as

the attempt to show that the forms of the subject-object, or concept-truth opposition inherent in natural consciousness (or reflection, or all nonspeculative accounts of knowledge) themselves presuppose the speculative understanding of a subject-object or concept-truth identity, an enterprise that would thereby indirectly establish this identity by effectively disarming the only possible skeptical opposition to it. The identity is established by showing that it cannot be effectively denied.<sup>92</sup>

This account of the PhG, the one adopted here, is that its project consists in demonstrating how the complete set of the forms of the Kantian "subjective idealist"

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Fremdartiges trifft, ist der Beginn des realen oder objektiven Geistes. Den Punkt, an dem das Gleiche in der Wissenschaft der Erfahrung geschieht, hat Hegel selbst bezeichnet: im Selbstbewußtsein werden Wahrheit und Gewißheit, Begriff und Gegenstand einander gleich; das Bewußtsein ist sich selbst Gegenstand." Cf. also Pöggeler, "Die Komposition der *Phänomenologie des Geistes*," pp. 27-74.

<sup>91</sup> Cf. Hartmann, "Hegel: A Non-Metaphysical View"; Hartmann, "On Taking the Transcendental Turn"; Williams, "Hegel and Transcendental Philosophy"; Clasesges, "Darstellung des erscheinenden Wissens," esp. pp. 13-24; Harris, *Hegel's Development: Night Thoughts (Jena 1801-1806)*, p. 343.

<sup>92</sup> Pippin, *Hegel's Idealism: The Satisfactions of Self-Consciousness*, p. 112.

distinction between subject and object presupposes the Hegelian “absolute idealist” subject-object identity of Absolute Knowing.

On a final note, in historical accounts of the PhG, the central theoretical functions of the PhG are either ignored, gestured toward but not engaged, or misrepresented through radical departures from textual fidelity. This is a problem that the present chapter will attempt to resolve through its demonstration that the movement of the social conception of subjectivity depicted in the PhG is the product of a transcendental reconstruction and is itself presented in transcendental terms. Moreover, rather than representing the abandonment of this transcendental procedure, the social forms depicted in the *Mind* chapter are contained within the transcendental argument that forms the PhG in its entirety, from the immediacy of the experience of sense certainty to the final determination of Absolute Knowing, the sublated opposition of subjectivity and objectivity that is presupposed in any conscious experience. The transcendental structure of Hegel’s argument in the PhG therefore consists in the following: The immediacy of sense experience presupposes the mediation or opposition that is consciousness, but consciousness (in any of its forms) itself presupposes the universal concept of the identity (i.e., sublated mediation or opposition) of subject and object that Hegel refers to as Absolute Knowing.

#### Hegel’s Conception of Subjectivity

Is Hegel’s idealism solipsistic? Hegel contrasts his own “absolute” idealism with the “subjective,” i.e., solipsistic, idealisms of Kant and Fichte. Yet, by his retention of the idealist project, is he therefore committed to the subjectivist solipsism for which he criticized his predecessors? The answer to this question, I am arguing in this chapter,

requires reference both to the deduction of social subjectivity *within* the PhG (a deduction I will describe below), but also to the *central thesis* of the PhG in general, i.e., the “sublation” of the “presupposition” of subjectivity altogether. Hegel’s final argument about sociality in the PhG is derivative of its central epistemological thesis: Cognition can only be absolute (i.e., the subject-object opposition of consciousness can only be sublated) when it is conducted by subjects existing within a particular form of mutuality characterized by reciprocal recognition. Hegel refers to this form of mutuality as *Geist*, and it is essentially a social state of “like-mindedness.” It is the final presupposition of any attempt on the part of an *individual* subject to cognize an object determinately. In other words, any subject’s self-reflection into its own criteria of knowledge will refer back to its fundamental social situatedness. Robert Williams nevertheless argues in his study on recognition in the philosophies of Fichte and Hegel that social intersubjectivism and idealism stand in opposition to one another.<sup>93</sup> For Williams, social intersubjectivism is a commitment to the ontological existence of the other, whereas idealism is a rejection of any such independent existence, thereby causing the latter to collapse into solipsism. It is absolutely true that Hegel’s idealism requires the rejection of the ontological existence of the other. However, the incorrect presupposition here is that a rejection of the ontological existence of the other is for Hegel a rejection of the reality of the other. Rather, what is real for Hegel is what is constituted and comprehended by thought, and the other is no exception to this rule. Otherness is therefore compatible with the internalism of Hegel’s idealism. At the same time, the reality as thought of the other precludes the possibility of this internalism collapsing into solipsism: The subject is

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<sup>93</sup> Cf. Williams, *Recognition: Fichte and Hegel on the Other*, pp. 1, 5, 255-256, and his *Hegel’s Ethics of Recognition*. Cf. also Kain, *Hegel and the Other*, pp. 42, 146.

dependent on the recognition of the other for the subject to be a subject in the first place.

Consider the following:

[S]elf-consciousness exists for a self-consciousness. Only so is it in fact self-consciousness; *for only in this way does the unity of itself in its otherness become explicit for it* (PhG 108/¶177) (emphasis added).

The Kantian transcendental unity of apperception, the unity of the subject required for any object of cognition to be an object at all, is for Hegel achieved only through the subject's relation to an other subject. The other is revealed to be a presupposition in any attempt on the part of a subject to cognize an object determinately. The epistemological problematic of the PhG is therefore not abandoned in Hegel's appeal to sociality, but rather is achieved only through this incorporation of the other. This interpretation stands to provide a better explanation of the unified goal of the PhG, the achievement of Absolute Knowledge, than interpretations conceiving of the content of Chapter IV as representing the abandonment of epistemological concerns in favor of a social-theoretic paradigm. Nevertheless, my interpretation can be accepted only if it can be proven to be true in the text of the PhG itself, specifically in the *Self-Consciousness* section, the section in which sociality is introduced and in which it seems apparent to many that Hegel abandons his transcendental argument in favor of an anthropological account of desire, life and death, lords and bondsmen, and other phenomena. It is this task to which I will now turn.

The incorporation of sociality in the PhG occurs in the *Truth of Self-Certainty* and *Lordship and Bondage* sections of *Self-Consciousness*. Hegel refers to the transition between these moments as the "turning-point" (*Wendungspunkt*) (PhG 109/¶177) of consciousness and therewith of the PhG in general. The problem which necessitates the

incorporation of sociality as its solution is epistemological in character, and is inextricable from the PhG's central idealist argument, as I will now demonstrate. The movement from consciousness to self-consciousness is one in which "certainty gives place to truth" (PhG 103/¶166), and Hegel consequently identifies self-consciousness as the "realm of truth" (*Reich der Wahrheit*) (PhG 103/¶167). What does this truth consist in, and why is self-consciousness in particular the "realm of truth"? In consciousness, the subject is drawn away from itself to its object,<sup>94</sup> but in self-consciousness, the subject achieves truth in its movement inward to itself, or it realizes that truth is to be found only within itself. The subject-object distinction of consciousness or the distinction between certainty and truth collapses in the achievement of self-consciousness. In this moment, "certainty is to itself its own object, and consciousness is to itself the truth" (PhG 103/¶166). Hegel's solution to the problem of consciousness, disclosed in the Introduction, is to conceive of the concept as the in-itself of the object, thereby making the concept the criterion for truth, and equally to conceive of the concept itself as the object for-itself. In other words, Hegel conceives of the object, both as it is in-itself and as it is for the subject, as internal to the subjective concept itself. He demonstrates, through the entire course of the PhG, that all possible forms of the concept-object opposition of consciousness lead, through their own immanent self-development, to the sublation of this opposition in the subjective concept itself and therewith the sublation of truth as correspondence. Consider his description of his solution to this problem from the Introduction:

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<sup>94</sup> Referring back to the standpoint of consciousness in the first paragraph of self-consciousness, Hegel states that "[i]n the previous modes of certainty what is true for consciousness is something other than itself" (PhG 103/¶166).



If we designate knowledge as the concept, but the essence or the true as what exists, or the object, then the examination consists in seeing whether the concept corresponds to the object. But if we call the essence or in-itself of the object the concept, and on the other hand understand by the object the concept itself as object, i.e. as it exists for an other, then the examination consists in seeing whether the object corresponds to its concept (PhG 59/¶84).

Now consider Hegel's description of the advancement made in the subject's knowing in the achievement of self-consciousness:

[I]f we call concept what the object is in itself, but call the object what it is qua object or for an other, then it is clear that being-in-itself and being-for-an-other are one and the same. For the in-itself is consciousness; but equally it is that for which an other (the in-itself) is; and it is for consciousness that the in-itself of the object, and the being of the object for an other, are one and the same; the "I" is the content of the connection and the connecting itself. Opposed to an other, the "I" is its own self, and at the same time it overarches this other which, for the "I," is equally only the "I" itself (PhG103/¶166).

The basic problem of consciousness is therefore overcome in the achievement of self-consciousness. The "I" has achieved the truth: The self-conscious subject realizes that it is the source of both the object as it is in-itself and as it is for-itself, or it realizes that "what it distinguishes from itself is only itself as itself" (PhG 104/¶167). This self-conscious subject is Hegel's reference to the subjective idealism of Fichte, as can be evidenced from his description of this moment as the "motionless tautology" (*bewegungslose Tautologie*) of the "I am I" (*Ich bin Ich*) (PhG 104/¶167). It is therefore here, in this first moment of self-consciousness, that the idealism of the self-conscious subject is solipsistic. Hegel, however, then proceeds to argue that this subject is in fact not truly self-conscious: Because "for it [the subject] the difference [between itself as subject and itself as object] does not have the form of being, it is not self-consciousness" (PhG 104/¶167). So while the subject now realizes the truth that it is the source of any

object of its cognitive representation, it at the same time lacks the certainty of the truth of its conception of the world before it, or what Hegel calls “being” (*Sein*). This being is not unified with the subject, because the only unity achieved here is the “unity of self-consciousness with itself” (PhG 104/¶167). Being is therefore to this subject only an “appearance” (*Erscheinung*) (PhG 104/¶167). This problem of self-consciousness, i.e., the problem to be overcome only through the introduction of a form of mutuality characterized by reciprocal recognition, is the following:

This antithesis of its appearance and its truth has, however, for its essence only the truth, viz. the unity of self-consciousness with itself, this unity must become essential to self-consciousness (PhG 104/¶167).

Consciousness as self-consciousness is therefore characterized by the opposition between the immediate appearance of its object and that which is essential, i.e., itself as subject. The sublation of this antithesis, Hegel tells us, is the goal of the movement of self-consciousness, and it will be achieved when the subject’s “identity of itself with itself becomes explicit for it” (PhG 104/¶167). So, in the movement from consciousness to self-consciousness, the subject has achieved the *truth* in its realization that the appearances it confronts are its own, that it is itself responsible for their constitution or production. What self-consciousness lacks, however, is the *certainty* of the truth of its appearances, or it lacks the knowledge that it is its own reflective activity that is the essential element of its appearances. This certainty of the essential character of the subject and its reflective activity manifested in the appearances confronting it can only be made explicit if the truth of the subject’s determinations is positively recognized or affirmed by an other subject, and only if this positive recognition or affirmation by the other is freely conferred. The achievement of self-consciousness has made explicit the

truth of the operative character of the subject and its cognitive capacity in its relation to the object, whereas this operative character was only implicit in consciousness. In the movement of self-consciousness, it will be revealed that it is only through the incorporation of the other that the self-conscious subject's certainty of the truth of itself and its determinations can become explicit.

To state concisely the basic claim of this interpretation, the problem Hegel discloses in *The Truth of Self-Certainty* is a separation of truth from certainty, and its solution begins with the introduction of the other in *Lordship and Bondage* and ends with the Chapter VI achievement of *Mind*. I have already defined the problem and described Hegel's disclosure of it in *The Truth of Self Certainty*. I will now turn to *Lordship and Bondage* to further argue for this interpretation. Why does the self-conscious subject attempt to subordinate an other subject to be its bondsman? Hegel's concise answer to this question is the following: "[I]t must proceed to supersede the other...in order thereby to become certain of itself" (PhG 109/¶180). With the abandonment of truth as correspondence in the movement to self-consciousness, all that remains for the subject is itself and its appearances. This subject now has the self-knowledge that these appearances are *its own* appearances, or that their origin is found within the subject itself. So with the sublation of the object as the criterion of truth, and with the subject relating itself only to itself, the subject therefore has no way of affirming its determinations, i.e., it no longer has a criterion. While the subject possesses certainty in its knowledge that its appearances are its own, it lacks certainty of the truth of these appearances. This latter certainty can only be conferred by an other. Consider Hegel's explanation of this condition in the following passage from the Lordship and Bondage section:

Each is indeed certain of its own self, but not of the other, and therefore its own self-certainty still has no truth. For it would have truth only if its own being-for-self had confronted it as an independent object, or, what is the same thing, if the object had presented itself as this pure self-certainty. But according to the concept of recognition this is possible only when each is for the other what the other is for it, only when each in its own self through its own action, and again through the action of the other, achieves this pure abstraction of being-for-self (PhG 111/¶186).

The subject's certainty of the truth of its appearances, of its conception of being or of "the world," can be achieved only when its relation to the other is such that "each is for the other what the other is for it." Yet this solution is not reached until the institutions of lordship and bondage have been overcome. This overcoming is necessitated by the incapacity on the part of the lord to achieve the certainty of the truth of its appearances from the bondsman. Hegel therefore states that the bondsman "is for the lord the object, which constitutes the truth of his certainty of himself. But it is clear that this object does not correspond to its concept" (PhG 114/¶192). The reason for this incapacity on the part of the lord to achieve correspondence between its concept and the object is Hegel's well-known statement that "[t]he truth of the independent consciousness is the servile consciousness of the bondsman" (PhG 114/¶193). The subject's certainty of its truth cannot be achieved through the subordination of the other, but rather only through the recognition on the part of each subject of its dependence on the other for this certainty. In the dialectic of lordship and bondage, the independent consciousness does not realize that its truth is the servile consciousness, or this implicit truth has not yet become explicit for it. The explicit realization of this truth on the part of every subject does not occur until the achievement of mind, or concrete reason. Consequently, Hegel explains that the movement from the Chapter V depiction of self-conscious reason to the Chapter VI depiction of mind is the achievement of this explicit realization, for reason "is mental

essence that is in and for itself, but which is not yet consciousness of itself. But essence that is in and for itself, and which is at the same time actual as consciousness and aware of itself, this is mind” (PhG 238/¶438). What does it mean for mind to be consciousness that is “aware of itself”? What does this self-awareness consist in for Hegel? Mind is a self-conscious community of subjects. Every subject within this community is aware of its fundamental dependence upon each of the other subjects for the certainty of the truth of its conception of being. Moreover, it is a community of subjects in which each subject is self-consciously aware that there is no reality independent of this community. Mind is therefore the achievement of the fundamental idealist truth that the objectivity of the objective world is nothing more than the reflection of the subjectivity of this self-conscious community of subjects itself to itself. Hegel consequently explains that “[r]eason is mind when its certainty of being all reality has been raised to truth, and it is conscious of itself as its own world, and of the world as itself” (PhG 238/¶438).

Hegel’s idealism, I have demonstrated, is social in character. It does not stand in opposition to social intersubjectivism, despite the fact that the former requires the rejection of the ontological existence of the other. Rather Hegel’s idealism demonstrates the incorporation of the other to be the solution not only to the subjectivism of the idealisms of Kant and Fichte, but also to their skepticism. In Kantian idealism, the subject of consciousness is determined by its noumenal skepticism, i.e., its absolute separation from the object of its cognition as it is in-itself. In Fichtean idealism, in contrast, the subject of the I is entirely undetermined by the object or the not-I, for the not-I is deduced from or posited by the I itself. The limitation of the not-I on the I is therefore never the function of the relation between the not-I and the I, but rather is a limitation posited by

the I itself: It is a spontaneously determined self-limitation. However, given the capacity for revision inherent in the completely spontaneous character of the I's self-determined limitations, the problem of skepticism returns: The relation between the I objectively being limited and the I subjectively taking itself to be limited remains unknowable.<sup>95</sup> Hegel therefore begins with this individual self-conscious subject, the unity of the subject with itself, and, while retaining the complete spontaneity of the apperception of the Fichtean I, overcomes its skepticism by incorporating the recognition or affirmation freely given by the other as the condition required for establishing the certainty of the truth of the self-conscious subject and its determinations: True self-consciousness and true spontaneity are possible only in the self-consistent form of mutuality Hegel refers to as *Geist*.

#### Hegel's Sublation of Subjectivity

Now, in the most general sense, the central philosophical task Hegel sets for the PhG to accomplish can only be properly comprehended through an examination of his critique of Kant's transcendental idealism.<sup>96</sup> To Hegel, the basic problem with Kantian transcendental idealism is its presupposition of a duality between the representation of an object for consciousness and the object as an independent "thing-in-itself" (*Ding an sich*).

Consider Kant's description of the thing-in-itself in the *Critique of Pure Reason*:

[It] follows naturally from the concept of an appearance in general that something must correspond to it which is not in itself appearance, for appearance can be nothing for itself and outside of our kind of

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<sup>95</sup> Cf. the helpful discussion of Fichte's contribution to Hegel's idealism in Pippin, *Hegel's Idealism*, pp. 42-59.

<sup>96</sup> Cf. the discussion of the Kant-Hegel relation in the following: Smith, "Hegel's Critique of Kant," pp. 438-460; Ameriks, "Hegel's Critique of Kant's Theoretical Philosophy," pp. 1-35; Stern, *Hegel, Kant, and the Structure of the Object*; Stewart, *The Unity of Hegel's Phenomenology of Spirit*, pp. 14-52; Pippin, *Hegel's Idealism*, pp. 16-41.

representation; thus, if there is not to be a constant circle, the word 'appearance' must already indicate a relation to something the immediate representation of which is, to be sure, sensible, but which in itself, without this constitution of our sensibility (on which the form of our intuition is grounded), must be something, i.e., an object independent of sensibility (A251-252).

The thing-in-itself, while itself "independent of sensibility," is nevertheless the condition required for the possibility of thought's sensible representations. Any appearance, if it is not to be a "constant circle," must be an appearance *of* something independent of thought's constituting and comprehending activity to which thought nevertheless externally relates itself for the possibility of receptivity or the deliverance of sensibility. The thing-in-itself stands in direct opposition to the Copernican principle of Kant's transcendental idealism: Rather than thought having to model itself on the object of its cognition, it is the object which must model itself on thought. This principle is extended within the framework of Kant's transcendental idealism to such an extent that the unity of thought is the condition required for the possibility of any object of thought's cognition to be an object at all. This latter principle achieves a determinate form in his conception of the transcendental object, of which he provides the following definition, also from the first *Critique*:

It [the transcendental object] signifies, however a something = X, of which we know nothing at all nor can know anything in general (in accordance with the current constitution of our understanding), but is rather something that can serve only as a correlate of the unity of apperception for the unity of the manifold in sensible intuition, by means of which the understanding unifies that in the concept of an object (A250).

The relation between the complete externality of the thing-in-itself and the complete internality of the transcendental object is for Kant one of irreducible opposition.

According to Kant, this relation is reflective of the antinomial character of theoretical or

pure reason in general, a theme to which I will return in the following chapters.<sup>97</sup> For the purpose of the present chapter, Hegel traces the origin of Kant's self-refuting concept of the thing-in-itself to the "subjective" character of his conception of cognition.

Hegel's position, in contrast, is that any object as it is presupposed to be in-itself is itself a subjective conceptual determination. In other words, to Hegel the object of thought's cognition is never independent of consciousness, but rather itself represents a posited or determined determination to which, in the Kantian view, consciousness' representation must correspond.<sup>98</sup> To Hegel, by conceiving of truth as the unattainable

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<sup>97</sup> Cf. Kant's articulation of the antinomies of pure reason in the transcendental dialectic in A498-507/B525-535.

<sup>98</sup> Cf. the Preface to the Second Edition of the WL: "Since, therefore, subjective thought is our very own, innermost, act, and the objective notion of things constitutes their essential import, we cannot go outside this our act, we cannot stand above it, and just as little can we go beyond the nature of things. We can, however, disregard the latter determination; insofar as it coincides with the first it would yield a relation of our thoughts to the object [*Sache*], but this would be a valueless result because it would imply that the thing, the object, would be set up as a criterion for our notions and yet for us the object can be nothing else but our notions of it. The way in which the critical philosophy understands the relationship of these three terms is that we place our thoughts as a medium between ourselves and the objects, and that this medium instead of connecting us with the objects rather cuts us off from them. But this view can be countered by the simple observation that these very things which are supposed to stand beyond us and, at the other extreme, beyond the thoughts referring to them, are themselves figments of subjective thought, and as wholly indeterminate they are only a single thought-thing — the so-called thing-in-itself of empty abstraction" (WL XXI 14/36). Cf. also Hegel's critique of the self-refuting character of the thing-in-itself and explanation that, rather than being external to the thought of the object, the in-itselfness of the thing is in fact contained within the concept of the thing itself: "Things are called 'in themselves' insofar as abstraction is made from all being-for-other, which means simply, insofar as they are thought devoid of all determination, as nothings. In this sense, it is of course impossible to know what the thing-in-itself is. For the question: what? demands that determinations be assigned; but since the things of which they are to be assigned are at the same time supposed to be things-in-themselves, which means, in effect, to be without any determination, the question is thoughtlessly made impossible to answer, or else only an absurd answer is given. The thing-in-itself is the same as that absolute of which we know nothing except that in it all is one. What is in these things-in-themselves, therefore, we know quite well; they are as such nothing but truthless, empty abstractions. What, however, the thing-in-itself is in truth, what truly is in itself, of this logic is the exposition, in which however something better than an abstraction is understood by 'in itself,' namely, what something is in its concept; but the concept is concrete within itself, is comprehensible simply as concept, and as determined within itself and the connected whole of its determinations, is cognizable" (WL XXI 109/121). Finally, cf. Hegel's critique of the thing-in-itself as a self-sublating moment or determination within the dialectical movement of thought: "Now the inadequacy of the standpoint at which this philosophy stops short consists essentially in holding fast to the abstract thing-in-itself as an ultimate determination, and in opposing to the thing-in-itself reflection or the determinateness and manifoldness of the properties; whereas in fact the thing-in-itself essentially possesses this external reflection within itself and determines itself to be a thing with its own determinations, a thing endowed



correspondence between the subjective representation of consciousness and the objective thing-in-itself, Kant's transcendental idealism presupposes an unwarranted skepticism. As William Bristow helpfully explains, Hegel's entire philosophical project in the PhG derives from his critique of Kantian transcendental idealism, the content of which is described in the following passage:

Kant's criticism implicitly presupposes subjectivism—thereby begs its own question and fails to fulfill its own epistemological demand... That objects must conform to our knowing rather than our knowing to objects, hence that we can know things only as they are *for us*, not as they are in themselves, is a conclusion implicitly presupposed in the structure of Kant's critical reflection.<sup>99</sup>

The central task of Hegel's PhG is therefore to demonstrate that the standpoint of consciousness or subject-object opposition presupposes the subject-object identity of Absolute Knowing. Consciousness begins at the moment of sense-certainty or immediacy or the moment in which this opposition is not yet explicit for itself. But the subject of consciousness necessarily makes this opposition explicit for itself in its subsequent movement of thinking through the presuppositions of its experience. Each form of consciousness depicted within the PhG attempts to achieve correspondence between its subjective concept or criterion of objectivity and the object of its cognition. It is not until the final moment of Absolute Knowing that the conscious subject realizes that the object of its cognition, the object to which it relates itself as subject, is itself a subjective determination, the constituted reflection of itself to itself. Absolute Knowing is therefore the sublation of the subjectivity-objectivity opposition in subjectivity only. Hegel

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with properties, in this way demonstrating the abstraction of the thing as a pure thing-in-itself to be an untrue determination" (WL XI 332/490).

<sup>99</sup> Bristow, *Hegel and the Transformation of Philosophical Critique*, pp. 14-15.

explains in the Introduction to the PhG that the subjective concept, and not the object as it is presupposed to be independent of the concept (i.e., in-itself), is the criterion of truth:

But if we call the essence or the in-itself of the object the concept, and on the other hand understand by the object the concept itself as object, viz. as it exists for an other, then the examination consists in seeing whether the object corresponds to its concept (PhG 59/¶84).

So to Hegel the concept itself should be conceived of as the in-itself and the criterion for truth, and not the thing-in-itself as it presupposed to exist independently of the concept.

The PhG does nothing more than to depict how any conscious subject, in thinking through the conceptual conditions required for any possible experience to their final determination, will reach the self-conscious awareness that any form of the subject-object opposition is a presupposition which itself presupposes the determinate universal concept of a subject-object identity that for Hegel is the beginning of his own philosophical standpoint, the standpoint of science. “Subjectivity” is to Hegel the standpoint of consciousness, or the skeptical presupposition that any object of thought’s cognition is knowable only as it is for consciousness, not as it is in itself. The PhG demonstrates that this standpoint itself presupposes the “absolute” idealism of Absolute Knowing, the knowledge that any subject-object opposition is itself the product of the universal concept of the subject-object identity presupposed in any conscious experience, i.e., in any determination of consciousness. Sense certainty, the immediacy of sense experience, is purely “objective” in the sense that the conscious subject has not yet made explicit for itself the dependence of the object on itself as subject. Sense certainty presupposes the mediation that is the standpoint of consciousness, or the standpoint in which this mediation is explicit for the subject, while the standpoint of consciousness itself presupposes the “subjective” immediacy of Absolute Knowing. Absolute Knowing is a

“subjective” immediacy because it is the explicit awareness of the subjective concept (i.e., the holistic inferential system of concepts Hegel will introduce in the WL as the Concept) that (1) contains both all possible subjective concepts or criteria of objectivity and all possible objects of cognition (which are themselves subjective determinations) within itself and (2) is presupposed in any conceptual determination, i.e., in all possible concept-object relations of consciousness. It is from this conception that Hegel rejects not only the Kantian thing-in-itself, but also its corresponding transcendental skepticism.

The PhG is an idealist phenomenology because it involves an examination and comparison of the concept or criterion of objectivity for consciousness with the object for consciousness, i.e., both the concept and the object are *within* consciousness. Hegel states in the Introduction to the PhG that “the essential point to bear in mind throughout the whole investigation is that these two moments, ‘concept’ and ‘object,’ ‘being-for-another’ and ‘being-in-itself,’ both fall within that knowledge we are investigating” (PhG 59/¶84). He does not define truth as correspondence between the subjective cognitive representation and the object of cognition as it exists in-itself because, as stated above, he rejects the idea of an object independent of the concept or criterion of objectivity of the conscious subject. There is therefore no standard that is external to the concept itself. In Hegel’s investigation, therefore, the truth of a conceptual determination of objectivity is a function of its place within the a priori movement of thought of the conscious subject. It is true that the subject of consciousness in Hegel’s PhG does in fact confront objects, but Hegel is very clear that the investigation occurs entirely within consciousness itself and that the content of this investigation is consciousness’ *internal* construction of the object *as* “external.” His clearest statement in this regard is the following: “Consciousness

provides its own criterion from within itself, so that the investigation becomes a comparison of consciousness with itself” (PhG 59/¶84).<sup>100</sup> In the conceptual development of the PhG, each form of consciousness is defined by its presupposition of the externality or independence of the object of its cognition. Or, stated negatively, each form of consciousness is defined by the fact that it does not possess the self-knowledge that any object of its cognition is the constituted reflection of itself to itself, i.e., that it is to itself its own object.

Hegel’s phenomenology argues that the criterion of truth, i.e., the objectivity or the in-itselfness of the object, is entirely internal to the subjective concept itself. The procedure by which this truth is sought, i.e., Hegel’s dialectical method, itself represents another topic. There is a significant secondary literature on Hegel’s dialectical method<sup>101</sup> that cannot be engaged here without transcending the scope of this chapter’s argument, but its basic formal structure is the following: Concept Y is to be regarded as provisionally valid because it resolves the contradictory elements of concept X; moreover, given the contradictory elements of X, Y is the *only* possible resolution of those elements, and is therefore *necessarily* implied by X. In the context of the PhG, it is important to note that what renders each form taken by consciousness susceptible to such dialectical sublation is its presupposition of a subject-object opposition. As Hegel states, consciousness takes

for granted certain ideas about cognition as an instrument and as a medium, and assumes that there is a difference between ourselves and this

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<sup>100</sup> Along these lines, Hegel later states that “we do not need to import criteria, or to make use of our own bright ideas and thoughts during the course of the inquiry” (PhG 59/¶84).

<sup>101</sup> Cf. the critical account in Rosen, *Hegel’s Dialectic and its Criticism*. Cf. also Gadamer, “The Idea of Hegel’s Logic”; Pinkard, *Hegel’s Dialectic: The Explanation of Possibility*.

cognition. Above all, it presupposes that the Absolute stands on one side and cognition on the other, independent and separated from it, and yet is something real (PhG 54/¶74).

The dialectical movement of the PhG, then, consists in consciousness comparing its subjective criterion of objectivity with the object as it is presupposed to exist independently of itself as the conscious subject.<sup>102</sup> As the subjective concept or criterion of objectivity is changed to correspond to the object, the object itself changes because the object is what it is only in and through the subjective concept of that object. The basic form taken by this movement is that each of the posited concepts in the PhG is found to be incomplete and contradictory in its understanding of objectivity and at the same time necessarily implies a more complete and less contradictory concept. This direction of the phenomenological movement is based upon Hegel's understanding that the sublation of a given concept is not an entirely negative event,<sup>103</sup> but rather includes a positive or determinate element that guides its necessary progression. This is Hegel's concept of "determinate negation" (*bestimmte Negation*).<sup>104</sup>

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<sup>102</sup> In other words, the question for consciousness is "whether its knowledge of the object corresponds to the object or not" (PhG 59/¶85). The movement of the dialectic derives from the contradiction between the object and consciousness' criterion of the object: "If the comparison shows that these two moments do not correspond to one another, it would seem that consciousness must alter its knowledge to make it conform to the object" (PhG 60/¶85). Consciousness must then introduce a new criterion of objectivity: "the criterion for testing is altered when that for which it was to have been the criterion fails to pass the test; and the testing is not only a testing of what we know, but also a testing of the criterion of what knowing is" (PhG 60/¶85). However, in altering the criterion of objectivity the object itself is also altered; Hegel states that "in the alteration of the knowledge, the object itself alters for it too" (PhG 60/¶85). Such is the dialectical course taken by consciousness in the PhG. Cf. the excellent account of the method of the PhG and its general structure in Marx, *Hegel's Phenomenology of Spirit: Its Point and Purpose*.

<sup>103</sup> "The exposition of the untrue consciousness in its untruth is not merely a negative procedure" (PhG 56/¶79; cf. PR §31A; EL §82).

<sup>104</sup> "In speculative thinking, as we have already shown, the negative belongs to the content itself, and is the positive, both as the immanent movement and determination of the content, and as the whole of this process. Looked at as a result, what emerges from this process is the determinate negative [*bestimmte Negative*] which is consequently a positive as well (PhG 42/¶59; cf. 56/¶79).

The result of this positive side of the dialectic is that the structure of the PhG's argument is teleological: All concepts necessarily lead to the final and complete concept of Absolute Knowing. However, the equally important negative side of the dialectic consists in the following: The internally contradictory nature of the subject-object concepts posited by consciousness derives from their incapacity to meet their own presupposed standards of objectivity:

If this exposition is viewed as a way of relating science to phenomenal knowledge, and as an investigation and examination of the reality of cognition, it would seem that it cannot take place without some presupposition which can serve as its underlying criterion [*Maßstab*] (PhG 58/¶81).

The phenomenological aspect of this method of observing the subject of consciousness evaluate its own standards for objectivity through its immanent self-development is most clearly evidenced by the third-person perspective that occurs throughout the PhG.<sup>105</sup> Distinctions are made throughout between what is true *for* consciousness and what is true *for us*, or what *consciousness* observes and what *we* observe. The significance of this distance is that Hegel's method is nonfoundational insofar as he is not imposing his own method on the subject of consciousness, but rather observing the latter in its own autonomous self-development.<sup>106</sup>

More generally, the systemic function of the PhG is to provide the justification for the standpoint of science (*Wissenschaft*), or Hegel's own philosophical standpoint. This

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<sup>105</sup> "But not only is a contribution by us superfluous, since Concept and object, the criterion and what is to be tested, are present in consciousness itself, but we are also spared the trouble of comparing the two and really testing them, so that, since what consciousness examines is its own self, all that is left for us to do is simply look on" (PhG 59/¶85); cf. the following statement in the PR: "We merely wish to observe how the concept determines itself, and we force ourselves not to add anything of our own thoughts and opinions" (PR §32Z).

<sup>106</sup> Cf. Dove, "Hegel's Phenomenological Method," pp. 615-641.

justification is achieved through the overcoming and elimination of the standpoint of consciousness. This overcoming is referred to by Hegel as the achievement of Absolute Knowing. As I explained above, consciousness is a knowing defined by its presupposed opposition between subjectivity and objectivity, i.e., each form of consciousness involves an opposition between its subjective criterion of objectivity and its posited object. In contrast, scientific knowledge is characterized by its complete sublation of this subject-object opposition in the pure thought of logic. In the Preface to the PhG Hegel states that “[t]he standpoint of consciousness which knows objects in their antithesis to itself, and itself in antithesis to them, is for science the antithesis of its own standpoint” (PhG 23/¶26). The standpoint of consciousness takes each of its possible forms throughout the PhG, and the task of the latter is to depict the complete series of these forms in their immanent self-development. It is through the necessary progression of this complete depiction to the standpoint of science that the latter is to receive its justification or, as Hegel states in the Introduction to the WL, its deduction: “The concept of pure science and its deduction is therefore presupposed in the present work insofar as the *Phenomenology of Spirit* is nothing other than the deduction of it” (WL XXI 33/49).

Why does the science of Hegel’s system require a deduction in the form of the PhG? Hegel repeatedly explains that the problem with foundationalist theories of epistemic justification is that a truth-claim cannot be based on an antecedent truth-claim without begging the question.<sup>107</sup> A central propaedeutic function of the PhG, then, is to

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<sup>107</sup> Cf. the Preface to the PhG, where Hegel states that the “Absolute” cannot be “shot from a pistol” (PhG 24/¶27). Cf. his later statement that “[o]ne bare assurance is worth just as much as another” (PhG 55/¶76). Or, in EL, he states that “[p]hilosophy misses an advantage enjoyed by the other Sciences. It cannot like them rest the existence of its objects on the natural admissions of consciousness, nor can it assume that its method of cognition, either for starting or for continuing, is one already accepted” (§1). Cf. also the argument in Richard Dien Winfield, “Hegel Versus the New Orthodoxy,” pp. 99-116.

establish a systematic, non-question-begging deduction of the truth and necessity of Hegel's mature philosophical system. In the Introduction to the WL, Hegel describes how the PhG performs this deductive function through its description of the immanent self-development of consciousness to the standpoint of science:

The path of this movement goes through every form of the relation of consciousness to the object and has the concept of science for its result. This concept therefore (apart from the fact that it emerges within logic itself) needs no justification here because it has received it in that work; and it cannot be justified in any other way than by this emergence in consciousness...but a definition of science—or more precisely a logic—has its proof solely in the already mentioned necessity of its emergence in consciousness (WL XXI 32-33/48-49).

Why is it necessary for Hegel's science to obtain its justification from consciousness specifically? To Hegel, the forms of consciousness represent the various viewpoints of nonphilosophical common sense. The main pedagogical task Hegel sets for the PhG is to provide the reader with a "ladder" (*Leiter*) from his nonphilosophical standpoint to the standpoint of science (PhG 23/¶26). This task stems from Hegel's belief that philosophy should not be a closed practice, for it should be able to justify itself to all common sense viewpoints.<sup>108</sup> The "top" of the "ladder" represents, of course, Hegel's philosophical standpoint, which he variously refers to as "science," "speculation," "knowledge of the Absolute," and even "wisdom." In the context of the PhG, Hegel's standpoint is advanced in the final chapter, simply titled "Absolute Knowing."

As I explained above, the achievement of Absolute Knowing is the result of the depiction and sublation of every form of consciousness in the PhG. It is the final and

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<sup>108</sup> "[T]he intelligible form of science is the way open and equally accessible to everyone, and consciousness as it approaches science justly demands that it be able to attain to rational knowledge by way of the ordinary understanding" (PhG 15-16/¶13). In the same passage, Hegel states that "[o]nly what is completely determined is at once exoteric, comprehensible, and capable of being learned and appropriated by all" (PhG 15/¶13).



adequate subjective concept within which the subject-object opposition is itself sublated. This goal is described by Hegel as “the point where knowledge no longer needs to go beyond itself, where knowledge finds itself, where concept corresponds to object and object to concept” (PhG 57/¶80). The PhG culminates in Absolute Knowing because, through its depiction of the self-movement of every possible form of consciousness, it reconstructs all of the necessary conditions for such knowing. Hegel provides the following definition of the term in the Introduction to the WL:

Absolute knowing is the truth of every mode of consciousness because, as the course of the *Phenomenology* showed, it is only in absolute knowing that the separation of the object from the certainty of itself is completely eliminated... Thus pure science presupposes liberation from this opposition of consciousness. It contains thought insofar as this is just as much the object in its own self, or the object in its own self insofar as it is equally pure thought (WL XXI 33/49).

This statement affirms what was stated above: Absolute Knowing is the knowledge by consciousness of *itself*, i.e., of its own criteria of knowledge, rather than a knowledge of some “external” object: *The conscious subject achieves correspondence with its object only when it makes itself its object and achieves correspondence with itself*. Hegel therefore begins his system in the WL from the standpoint of pure thought, i.e., from thought unburdened by the presupposition of subjectivism. In other words, the propaedeutic function of the PhG is to provide the justification for Hegel’s mature system in general, but also for idealist standpoint in particular, and this idealism is “absolute” in character: The distinction between subjectivity and objectivity is itself a subjective determination, a *product* of the concept of Absolute Knowing.

Conclusion

The purpose of the present chapter has been to argue that the PhG is presented in the form of a transcendental argument, as the logical reconstruction of the conceptual conditions required for any possible experience of a conscious subject, to explain how Hegel in the PhG argues for a social conception of subjectivity, and to demonstrate that the central systemic function of the PhG is to overcome the “presupposition” of subjectivity altogether. I therefore argued that Hegel overcomes the problem of solipsism allegedly endemic to all “idealisms,” but that this overcoming in the transcendently deduced form of subjectivity depicted in the *Mind* chapter is itself sublated in the final determination of Absolute Knowing, the sublation of the opposition between subjectivity and objectivity presupposed in any conscious experience. Absolute Knowing is the moment in which consciousness makes explicit for itself its universal concept of the identity of subjectivity and objectivity that is presupposed in any subject-object determination: It is the sublation of “subjectivity” itself.

I have also argued that historical accounts of the PhG fail to comprehend its *purposive argument*. Even more problematically, such accounts *misrepresent* the purposive argument of the PhG by interpreting it through the historical, political-theoretical lens adopted to explain the body of the text. This problem is endemic to all historical interpretations of the PhG. In the account provided by Forster, for instance, the culmination of the PhG’s development is the historical achievement of the agreement of subjects upon the specific social norm of reciprocal recognition.<sup>109</sup> It is certainly true that

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<sup>109</sup> Cf. the following sentence from Forster’s historical account: “[T]he main body of the Phenomenology...contain[s] a treatment of the whole course of human history from ancient times up to Hegel’s present, and...is conceived largely as an account of history’s gradual genesis of and eventual culmination in an enduring communal consensus in the modern world” (Forster, *Hegel’s Idea of a Phenomenology of Spirit*, p. 247).

central to the PhG is Hegel's argument for a social conception of subjectivity, but what Forster fails to consider, however, is *the logically antecedent question of why reciprocal recognition is important to Hegel in the first place*. As I have argued, the answer to this question is that to Hegel it is only in such a state of reciprocal recognition that the social subject of mind can achieve the complete knowledge of its own criteria of knowing. Indeed, Hegel concisely states in the Preface that "[t]he goal is mind's insight into what knowing is" (PhG 25/¶29). And this goal is of course the achievement of Absolute Knowing, or the elimination of "the separation of the object from the certainty of itself," as Hegel defines the term in the WL. The achievement of Absolute Knowing, *the* goal of the PhG, simply cannot be comprehended in an exegetically accurate way if the PhG is understood to be an historical account of human consciousness.

Rather, the concept of Absolute Knowing can only be understood in relation to the problem of the subject-object opposition of consciousness. The original title of the "Phenomenology of Mind" (*Phänomenologie des Geistes*), it should be noted, was "Science of the Experience of Consciousness" (*Wissenschaft der Erfahrung des Bewußtseins*). Consequently, in the final chapter of the PhG, Hegel presents his conception of Absolute Knowing in the terms introduced in the beginning of this chapter, namely, as the complete reconstruction of the concepts necessary for the possibility of any objective determination, with the "Absolute" character of this knowing reflecting Hegel's rejection of the transcendental skepticism of Kant's "thing-in-itself." Consider the following definition Hegel provides of Absolute Knowing:

This last shape of mind—the mind which at the same time gives its complete and true content the form of the self and thereby realizes its concept as remaining in its concept in this realization—this is absolute

knowing; it is mind that knows itself in the shape of mind, or a comprehensive knowing [in terms of the Concept] (PhG 427/¶798).

Absolute Knowing is a “comprehensive” (*begreifend*) knowing because to Hegel the PhG is the *complete* reconstruction of the pure concepts of experience. And it is a knowledge that can only be understood to be a self-reflection on the part of the social subject of mind into its own criteria of knowledge. The “complete and true content” (*vollständiger und wahrer Inhalt*) of this final form is therefore “the form of the self” (*die Form des Selbsts*) and it is a subject that knows itself (rather than some “external” object as it is in-itself) in the shape of subject.<sup>110</sup> Absolute Knowing is therefore *not* consciousness’ knowledge of the thing-in-itself, but rather the knowledge on the part of consciousness that it is to itself its own object, the knowledge of itself *as object*.

So while the PhG has identified the social state in which individuals recognize themselves as reciprocally recognizing one another as a necessary (but not sufficient) condition for the self-reflection of mind into its own criteria of knowing that Hegel has been arguing for, it nevertheless remains the case that the PhG has not identified an actualized concept of a political form capable of structuring such recognition in accordance with the principle of rationality as Hegel conceives of it.<sup>111</sup> Consequently, and as I noted above, Hegel’s conception of rational self-determining subjectivity and its

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<sup>110</sup> Cf. this passage to the last sentence of the Introduction to the PhG: “And finally, when consciousness itself grasps this its own essence, it will signify the nature of absolute knowledge itself” (PhG 62/¶89).

<sup>111</sup> The account I have argued for throughout this chapter should help to resolve the political controversy over why it is that the *Mind* chapter failed to culminate in, as Taylor puts it, “the law-state of modern times” (*Hegel*, p. 172). The transcendental-reconstructive function of the PhG described above seems to be a better candidate for explaining Hegel’s omission than the account of Franz Rosenzweig, that Hegel during the time of the PhG’s composition did not envision the constitutional state as an important element of the modern world (Cf. *Hegel und der Staat*, 1:206-220; 2:3-4), or the account of Merold Westphal, that Hegel did not provide a description of the modern state in the PhG because he envisioned modernity culminating in the abolition of the state (Cf. *History and Truth in Hegel’s Phenomenology*, pp. 176-178, 183, 222).

objectivization is to be found not in the PhG, but rather in his philosophical system itself, i.e., in the WL and the PR.

Hegel in the PR argues that the “Idea of the state,” i.e., his own idealized conception of the modern state, fulfills the criterion of “right,” or the concept of freedom and its actualization. Any concept accompanied by its complete actualization is referred to by Hegel as an “Idea” (*Idee*). Every idea, i.e., every determinate thought activity, is in turn thought in and through the totality as thought that Hegel refers to the Concept (*der Begriff*). The WL is both the depiction of this Concept in its pure logical form and the demonstration that it is not logically possible for there can be any actual object independent of this Concept. It is in the WL that Hegel articulates this doctrine of the Concept and its logical progression to *the* Idea, i.e., the identity of rationality (the Concept, or totality as thought) and actuality (totality as object, which is itself the constituted reflection of thought itself to itself). It is in the WL therefore that Hegel’s criterion of rationality, and therewith of actuality, is to be found. Consequently, it is the WL to which I will now turn.

CHAPTER 3  
THE DOCTRINE OF THE CONCEPT IN THE *SCIENCE OF LOGIC*

The purpose of this chapter is to provide a description of the Subjective Logic or the Doctrine of the Concept section of Hegel's WL. The argument of the present chapter consists of three parts. First, I evaluate the contemporary secondary literature on the WL to determine whether its argument should be understood in uncritically metaphysical terms, in which the logical structure contained therein is presupposed to reflect the ontological structure of being itself, or, rather, as a critical, ontologically relativistic argument in which the necessary conditions for the possibility of determinate thought are ideally reconstructed. I argue for the latter position. In the remainder of the first part I address the textual ambiguities surrounding, first, the relation of the PhG to the WL and therefore to Hegel's mature philosophical system in general and, second, the relation of the WL to its condensed version contained in the EL. Second, I provide an account of the basic argument of the WL in its entirety and explain how its logical form is inextricable from its determinate conceptual content, followed by a summary of this content in its most general form. Finally, I provide a detailed account of the Subjective Logic or the Doctrine of the Concept section of the WL. I argue that the central principle of Hegel's philosophical standpoint of absolute idealism is the Conceptuality of actuality, or the principle that there can be no actual object independent of its determination within the movement of the Concept.

The Secondary Literature

In a way that is similar to the interpretations of the PhG advanced in the contemporary secondary literature, the WL has undergone a number of interpretive transformations. Yet, in my view, contemporary secondary accounts of the WL can most

profitably be categorized into one of two approaches: metaphysical and critical.

Metaphysical interpretations of the WL, from the early account of John McTaggart to the more recent accounts of Charles Taylor, Errol Harris, and Clark Butler, have long been the dominant approach.<sup>112</sup> In a characteristic statement of this view, Taylor states that “the *Logic* provides us [with] a picture of the conceptual formula of rational necessity that is the essence of *Geist*, or God. It shows us God in his inner nature, as it were, rather than as we may see him reflected in nature and history.”<sup>113</sup>

I have already indicated in my treatment of the PhG that I do not believe the standard metaphysical interpretations of Hegel’s philosophy to be justified by the textual evidence, and, as I will describe below, the best recent secondary accounts have illuminated the critical character of the argument of the WL. Most recently, a metaphysical interpretation of the WL is advanced by Stephen Houlgate, who provides an “ontological” account of the WL’s conceptual structure, attributing to Hegel the view that “thought is minimally the thought of indeterminate *being* and thus is ontological.”<sup>114</sup> Houlgate therefore attributes to Hegel the view that the logical structure of the WL, from its very beginning in the thought of immediate being, is presupposed to be identical with the ontological structure of “being itself.”

In my view, this represents a mischaracterization of Hegel’s position on the status of “being itself,” and therewith of the central argument of the WL. It is not Hegel’s

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<sup>112</sup> Cf. McTaggart, *A Commentary on Hegel’s Logic*; Taylor, *Hegel*; Harris, *An Interpretation of the Logic of Hegel*; Butler, *Hegel’s Logic: Between Dialectic and History*.

<sup>113</sup> Taylor, *Hegel*, p. 231. Cf. pp. 225-226.

<sup>114</sup> Houlgate, “Thought and Experience in Hegel and McDowell,” p. 258n61. This statement represents a concise summary of the position Houlgate argues for in his *The Opening of Hegel’s Logic: From Being to Infinity*, esp. pp. 115-143, 436-441.

position, as Houlgate alleges, that because he begins with the thought of indeterminate being he is “thus” advancing the argument that thought is, in this immediate and indeterminate sense, “ontological.” Hegel’s argument in the WL does not exhibit the precritical, metaphysical form Houlgate takes it to, but rather the form of a critical, dialectical extension of transcendental logic that is not insensitive to the problems raised by metaphysical arguments. As such, Hegel does not simply begin with the concept of indeterminate being and presuppose it to be a successful determination of what is real; rather, throughout the WL, Hegel is concerned with the thought of the real, and so with what is not necessarily real. As I noted in the first chapter, Hegel in the WL explains that “[a]ll that is present is simply the resolve...that we propose to consider thought as such” (WL XXI 56/70), defines “truth” (*Wahrheit*) not as the agreement of thought with an external object, but rather as “the agreement of a thought-content with itself” (EL §24Z), and, finally, conceives of “logic” (*Logik*) itself as a “pure knowledge” (*reine Wissenschaft*) which “no longer has the object over against it but has internalized it, knows it as its own self” (WL XXI 55/69). Consequently, the position adopted here is that Hegel’s WL exhibits, from immediate being to the absolute Idea, an “ontological relativism.”<sup>115</sup>

Critical interpretations of the WL emerged from the recognition that Hegel situates his dialectical logic in the WL in direct relation to Kant’s transcendental logic (cf. WL XXI 46-47/61-62). Jean Hyppolite, for example, correctly identifies this situation as necessitating both the incapacity of a return to precritical metaphysics and moreover the reconceptualization of what constitutes “metaphysics” itself:

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<sup>115</sup> I have adopted this term from Longuenesse, *Hegel’s Critique of Metaphysics*, p. 8.



Transcendental logic is already the seed of Hegel's speculative logic, which no longer recognizes the limits of the thing-in-itself. This logic of being replaces the old metaphysics that opened out upon the transcendent world. Hegel does not return to the prior dogmatism; he extends transcendental logic into dialectical logic.<sup>116</sup>

Upon this ground, one of the earliest critical characterizations of the WL interprets the latter in the form of a "categorical analysis," focusing upon the interrelation of logical categories and how such categories are rendered determinate through the Hegelian processes of "negation" and "contradiction."<sup>117</sup> The foundational figure in this literature is Klaus Hartmann,<sup>118</sup> though the central principles of this position are subsequently worked out in a series of articles by Terry Pinkard and Thomas Bole. While Bole's concerns are to clarify Hegel's position on the concept of "contradiction" (Hegel does not deny the law of noncontradiction)<sup>119</sup> and to argue for the objectivity of the categories (as deduced transcendently, not metaphysically presupposed),<sup>120</sup> Pinkard helpfully uncovers the various "logics" Hegel employs in each of the different sections of the WL<sup>121</sup> and interprets Hegel's idealist argument in the WL to be a form of compatibilism.<sup>122</sup> Collectively, these works are quite helpful in extrapolating the core

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<sup>116</sup> Hyppolite, *Logic and Existence*, p. 58. Cf. the account of the movement from transcendental logic to dialectical logic in Kroner, *Von Kant bis Hegel*, pp. 1921-1924.

<sup>117</sup> Cf. Henrich's argument that Hegel elevates negation to the highest principle of his philosophical system. According to Henrich, Hegel "wants to construct self-reference and determinateness as direct implications of one elementary, independent, and autonomous term: negation" ("The Logic of Negation and its Application" p. 319).

<sup>118</sup> Cf. Hartmann, "Hegel: A Non-Metaphysical View." Cf. the earlier, more general account in Findlay, *Hegel: A Re-examination*.

<sup>119</sup> Bole, "Contradiction in Hegel's *Science of Logic*," pp. 515-534.

<sup>120</sup> Bole, "The Dialectic of Hegel's Logic as the Logic of Ontology," pp. 144-151.

<sup>121</sup> Pinkard, "The Logic of Hegel's *Logic*," pp. 417-435.

<sup>122</sup> Pinkard, "Hegel's Idealism and Hegel's Logic," pp. 210-226. The implications of Hegel's compatibilism for his practical philosophy are immense, especially with regard to the freedom-necessity

critical structure of the WL's argument. At the same time, however, in my view these studies fail to properly account for the *purposive argument* of the WL, i.e., Hegel's final argument *for* his absolute idealist standpoint. This argument includes Hegel's demonstration of the following: The impossibility of conceiving of being in immediate, unconceptualized terms in the Being Logic; the necessity of conceptually-mediated reflection and constituted character of thought's object of actuality in the Essence Logic; and, most importantly, the metalogical account of the movement of the unity of thought in and through which any actual object is thought, i.e., the Concept, and its intraconceptual determination of objectivity in the Concept Logic.

The first successful integration of a critical interpretation of the WL with its argument in favor of Hegel's idealist standpoint is provided by Robert Pippin, who interprets Hegel's "basic position" in the WL to be the following:

Hegel's basic position preserve[s], even while greatly transforming, a Kantian project; that a Conceptual "foundation" (*Grundlage*) of actuality refers to the conceptual conditions required for there to be possibly determinate objects of cognition in the first place, prior to empirical specification, and that the key element in such an investigation will be a focus on the self-reflexive character of any possible judgment and what *that* condition requires.<sup>123</sup>

While this general characterization is foundational for any critical understanding of the idealist argument of the WL, thereby providing an important basis for the present chapter, it is refined in a brilliant recent study by Béatrice Longuenesse on the critique of

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opposition. Cf. Pippin, "Naturalness and Mindedness: Hegel's Compatibilism" and "What is the Question for which Hegel's Theory of Recognition is the Answer?"

<sup>123</sup> Pippin, *Hegel's Idealism: The Satisfaction of Self-Consciousness*, p. 176. This interpretation of Kant's transcendental idealism as an investigation of the conceptual conditions necessary for the possibility of experience or of determinate thought is articulated in Allison, *Kant's Transcendental Idealism: An Interpretation and Defense*.

metaphysics contained within the WL.<sup>124</sup> Longuenesse carefully situates Hegel's dialectical logic in the WL in relation to the principles of Kant's transcendental logic as they appear in the *Critique of Pure Reason*. Building upon the work of Pippin and Dieter Henrich, she reveals how Hegel argues in the WL against the possibility of a return to precritical metaphysics, and, in following Henrich in particular,<sup>125</sup> she demonstrates Hegel's entire science of logic to be an idealist "logic of reflection."<sup>126</sup> Specifically, Longuenesse shows that, in Hegel's argument for the sublation of the opposition between "essence" and "appearance," his position is that the "revealing" of the essence of a thing, i.e., its appearance, is nothing more than to reveal the movement of thought through which such appearances are constituted. In Longuenesse's view, to Hegel

There is nothing other than appearance, nothing is beyond appearance. And yet, appearance is not what is true...The "true" will be the developed exposition of the Concept that organizes appearances even in their most "immediate" presentation, in other words, the exposition of the thought mediations that condition the very production of appearance.<sup>127</sup>

In my view this interpretation accurately reflects the critical idealist character of the WL's argument, illuminating its central tasks of demonstrating essence to be a product of reflection (cf. WL XI 243/391), of overcoming the opposition within reflection between essence and appearance through demonstrating that thought's reflection into itself is the

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<sup>124</sup> Cf. Longuenesse, *Hegel's Critique of Metaphysics*.

<sup>125</sup> Cf. Henrich, "Hegels Logik der Reflexion," pp. 95-156; see esp. p. 104, in which Henrich argues that the chapter on Reflection in the Doctrine of Essence section in the WL provides the central principle of the WL's argument: "Signifikant ist dieses Kapitel aus mehreren Gründen, vor allem aber wegen seiner Beziehung zum Methodenproblem der Logik. Denn die Begriffe, die in der Schlußerörterung über die Methode im Zentrum stehen, haben nicht dort, sondern im Kapitel über die Reflexionsbestimmungen ihren eigentlichen Ort."

<sup>126</sup> Longuenesse, *Hegel's Critique of Metaphysics*, p. 30.

<sup>127</sup> *Ibid.*, p. 6.

essence of appearances,<sup>128</sup> and of demonstrating the result of thought's reflection into itself to be actuality (*Wirklichkeit*), or reality that is constituted, in all of its determinations, by thought itself.

To Hegel, the determinateness of a concept is achieved only as the result of thought's movement of opposing itself and returning to itself (cf. WL XXI 73/86). The development of the WL is regressive, and its teleological end in the Concept is the meta-logical realization that the entire preceding development, from immediate being to the absolute Idea, was nothing more than the movement of the pure Concept itself. In other words, any attempt on the part of thought to think its object determinately necessarily leads to the final determination that thought thinks only itself. In Hegel's final position, the Concept determines through its own internal movement its own unity with the totality of objectivity, which itself is determined to be a determination or moment of the Concept.

The WL can only be properly understood when considered in its totality. Consequently, sense cannot be made of the Concept Logic's completion of Hegel's argument in the WL without at least a brief examination of the preceding moments of being and essence. Clearly, a detailed commentary on the entire WL is beyond the scope of this chapter, and so the final part of the second section of this chapter will provide a

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<sup>128</sup> Hegel identifies Kant's *uncritical* presupposition about the immediate determinateness of appearances and in contrast argues that the determinateness of appearances derives from their essentiality, i.e., the activity of reflection inherent in them. In other words, while the immediacy of appearances is presupposed by Kant to be independent of thought's reflective activity, Hegel demonstrates this immediacy to be thought's reflection into *itself*. Cf. Hegel: "The sublating of this determinateness of essence, therefore, consists simply and solely in showing that the unessential is only illusory being and that the truth is rather that essence contains the illusory being within itself as the infinite immanent movement that determines its immediacy as negativity and its negativity as immediacy, and is thus the reflection of itself within itself. Essence in this its self-movement is reflection" (WL XI 249/399). Hegel's solution to the noumenal skepticism of Kant's critical philosophy therefore consists in its *extension*. If Nietzsche and Kant are in agreement (for manifestly disparate reasons) on the position that "human beings have no access to anything beyond appearances" (Botwinick, *Skepticism, Belief, and the Modern*, p. 200), it is *Hegel* who identifies their shared *uncritical* presupposition about the apparent "access" that human beings *do* have.

concise overview of only the basic contents of each of Logics of the WL, including the Doctrines of Being and of Essence.

However, before any consideration of the argument of the WL can be advanced here, there are two textual ambiguities that must be addressed: first, Hegel's position on the relation of the PhG to his mature philosophical system beginning with the WL and, second, his position on the relation of the WL to its condensed version in the EL.

The first textual ambiguity arises from the fact that while the PhG of 1807 has historically been the most popular of Hegel's major works, it nevertheless remains the case that after its publication he abandoned the work entirely as the "first part" of his philosophical system and at least partially abandoned the work as the "introduction" to that system. As early as the Preface to the first edition of the WL in 1812, Hegel indicates that he no longer intends for the PhG to be the first part of his system and that the WL is now to be regarded as the true foundation of his philosophical system, to be followed by the two "concrete" philosophical sciences of nature and mind.<sup>129</sup> Moreover, in the Heidelberg *Encyclopedia* of 1817, he then relegates the contents of Chapters I-V of the PhG to the section containing his treatment of subjective mind, while the Berlin *Encyclopedia* of 1827 and then 1830 contains a new introduction to the philosophical system (EL §§1-83), apparently to replace the original introduction of the PhG, as he intimates in EL §25A. The matter is complicated, however, by the fact that at the time of his death Hegel had begun the process of actively revising the PhG for the publication of a new edition (the so-called Berlin *Phenomenology*). Given that he was also actively revising the second and third books of the WL, after having completed revisions of the

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<sup>129</sup> Cf. WL XXI 8-9/28-29.

first book of the WL and the entire *Encyclopedia*, it appears that Hegel did not entirely abandon the PhG as an integral part of his philosophical system.

My position on this matter is that the WL is the true foundation of Hegel's mature philosophical project. At the same time, however, Hegel never abandoned the central "deductive" function of the PhG depicted in the preceding chapter. I base the first part of my position on the textual evidence cited above, as well as on the argument convincingly advanced by Henrich that Hegel based his PhG upon what he calls the negative, critical "system of reflection" as separate and excluded from the positive, constructive "system of reason" that was to characterize his philosophical system proper, yet then came to the realization that these two "systems" could not be conceived of as separate, that they are in fact two parts of the same system, or that "the system of reason is at the same time critical, and the system of reflection is simultaneously the analysis of preliminary structures of the ultimate discourse."<sup>130</sup> According to Henrich, then, the WL constitutes the true beginning of Hegel's philosophy because it integrates the two systems into a "one-dimensional analysis of all concepts and principles of discourse."<sup>131</sup>

I base the second part of my position on the fact that, in the last completed revision of any of his works before his death, the first book of the WL (the *Doctrine of Being*) in 1831, Hegel retains the various statements positing the integral relation of the PhG to the WL and therefore to his philosophical system in general, the most important of which is the following: "The Concept of pure science and its deduction is therefore presupposed in the present work insofar as the *Phenomenology of Mind* is nothing other

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<sup>130</sup> Henrich, "The Way to the Fifth Philosophy (The Science of Logic)," p. 313.

<sup>131</sup> *Ibid.*, 314.

than the deduction of it” (WL XXI 33/49). It can be deduced from this statement that at least this particular function of the PhG remains integral in its “introduction” of Hegel’s philosophical system.

The second textual ambiguity involves the two versions of Hegel’s logic, the *Science of Logic* (WL) and the *Encyclopedia Logic* (EL). Hegel’s first logic is the WL of 1812-1816; it is divided into three books: the Doctrine of Being, published in 1812 and revised in 1831, the Doctrine of Essence, published in 1813, and the Doctrine of the Concept, published in 1816. Hegel’s second logic is the EL, the first book of his *Encyclopedia*, which contains an abbreviated version of the contents of the WL and was first published in 1817 and revised in 1827 and 1830. The question here is whether one of the two books better reflects Hegel’s logical argument.<sup>132</sup> The vast number of contemporary studies of Hegel’s political philosophy which draw from his logic to make their arguments turn overwhelmingly to the EL rather than to the WL.

My position, in contrast, is that this strategy is to evade Hegel’s conception of his own project, for he considered the WL to be his greatest philosophical achievement and intended for it to be nothing less than the completion of philosophy. As Longuenesse notes, Hegel intended for the WL to be his own equivalent to, and therefore to be read against, all three of Kant’s *Critiques* (the *Critique of Pure Reason*, the *Critique of Practical Reason*, and the *Critique of Judgment*).<sup>133</sup> It is not an overstatement to note that in Hegel’s view, “science” (*Wissenschaft*) in the strictest sense *is* the WL, and it is for this reason that this dissertation is based upon the WL rather than the EL.

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<sup>132</sup> For an interesting, if inconclusive treatment of this question, cf. Kolb, *The Critique of Pure Modernity: Hegel, Heidegger, and After*, pp. 81-84.

<sup>133</sup> Cf. Longuenesse, *Hegel’s Critique of Metaphysics*, p. 10.

The EL in my view is plagued by a number of problems. It is a highly compressed adaptation of the WL and, while its presentation may at times be clearer, it contains neither the comprehensive detail nor the informative explanations found within the WL. It is schematic in form, and in many instances it simply presents the logical categories without containing the justificatory arguments either for the inclusion of a particular category or for the movement from one category to the next. Hegel's intended purpose for the EL was to be a textbook summary for his students outlining the arguments of his major, truly foundational work, the WL.

As a result of these limitations, throughout this chapter I include references to the EL only as supplemental to my depiction of the logical-idealist argument contained in the WL, and only in instances in which a particular aspect of the WL's argument is stated more clearly and/or concisely in the EL.

#### The Form and Content of Hegel's *Science of Logic*

Hegel's WL is divided into two volumes and three books. The first volume, the Objective Logic, includes the first two books, the Doctrine of Being and the Doctrine of Essence. The second volume is identical with the third book, the Subjective Logic or the Doctrine of the Concept. The Objective Logic depicts the movement from the original thought of immediacy as being (*Sein*) to the final thought of immediacy as actuality (*Wirklichkeit*), or reality that is entirely constituted by thought itself. The Subjective Logic then depicts the Concept in and through which any actual object of thought is constituted. Hegel's argument in the WL is therefore that the thinking through of any attempt on the part of thought to think an object culminates in the realization that thought thinks only itself. More particularly, the development of the Objective Logic from



immediate being to actuality is the increasing self-conscious awareness on the part of thought of its constitution or production of the object of its cognition. So while each of the preceding conceptions of reality is presupposed by thought to be independent of its constituting activity, the moment of actuality is thought's realization of the incorrectness of this presupposition. It is consequently defined by Hegel as the moment in which thought posits "its immediacy as reflection-into-self, and conversely" (WL XI 380/541). The object of thought's cognition is constituted in all of its determinations by thought itself, it is thought's *product*, and so the "truth" of actuality is the Concept that is responsible for its constitution or production in the first place. The Subjective Logic, then, consists of the "reconstruction" of this Concept itself from the most basic thought activities, culminating in thought's final realization that "there is no...immediate determination that is not equally posited and itself Concept" (WL XII 253/843). The basic thought of being in the WL therefore can only be a determinate object of cognition if it is determined to be actuality, or pure reflection, a product of the Concept. In other words, the entire development of the WL is a logical *regression* from the original thought of immediate being to its final *presupposition* in the Concept. Hegel then depicts the unity of totality as thought (the Concept) and totality as object (actuality), which he refers to as the Idea (cf. WL XXI 108/120). In this moment, thought abandons its "presupposition" that the objective world exists "as something already there," and "posit[s] the object as determined by the Concept" (WL XII 161-162/742). It should be clear from the above description that the form of Hegel's WL is inextricable from its content, and its content is Hegel's argument for the Conceptuality of actuality, or the position that there can be no actual object independent of its determination within the

movement of the Concept. Hegel summarizes his final argument in the WL in the following passage:

its [the WL's] entire course, in which all possible shapes of a given content and of objects came up for consideration, has demonstrated their transition and untruth; also that not merely was it impossible for a given object to be the foundation to which the absolute form stood in a merely external and contingent relationship but that, on the contrary, the absolute form has proved itself to be the absolute foundation and ultimate truth. From this course the method has emerged as the self-knowing Concept that has itself, as the absolute, both subjective and objective, for its subject matter, consequently as the pure correspondence of the Concept and its reality, as a concrete existence that is the Concept itself. Accordingly, what is to be considered here as method is only the movement of the Concept itself, the nature of which movement has already been cognized; but first, there is now the added significance that the Concept is everything, and its movement is the universal absolute activity, the self-determining and self-realizing movement (WL XII 237-238/826).

This final argument of Hegel's in the WL that its entire content is nothing more than the movement of the Concept and that there can be no actual object independent of this movement is at the same time the final statement of his absolute idealism. Every syllogistic triad of logical categories in the WL—the most general syllogism from being to essence to the Concept, the more particular syllogisms within being (from quality to quantity to measure), essence (from essence as reflection within self to appearance to actuality), and the Concept (from subjectivity to objectivity to the Idea), and the even more particular syllogisms within each of these subcategories—is therefore nothing more than the repeated exposition of the moments of the Concept itself. The “true” meaning of the Concept is therefore not that it is simply the “third” moment, or the result of the preceding moments of being and essence, but rather that *it is the totality within which the movement from being through essence occurs*, i.e., the entire movement of the Objective Logic, from immediate being through actuality, is in fact nothing more than “the genetic

exposition of the Concept” (WL XII 11/577), while the Concept Logic is a meta-logical account of that movement. This is to say that the thinking through of any attempt on the part of thought to think an object determinately culminates in the realization that thought is to itself its own object. It is not logically possible for there to be anything other than thought, or the Concept. The dialectical-logical form of Hegel’s WL is therefore inextricable from its absolute idealist content.

Hegel’s ground for this final, ontologically relativistic standpoint—captured in his definition of “truth” (*Wahrheit*) as “the agreement of a thought-content with itself” (EL §24Z) and his statement that “what anything actual is supposed in truth to be, if its concept is not in it and if its objectivity does not correspond to its concept at all, it is impossible to say; for it would be nothing” (WL XII 174/756)—is his acceptance of the basic justification provided by Kant for the transcendental project, i.e., an object of cognition can only be an object insofar as it is constituted by thought.<sup>134</sup> The WL is the absolute realization of this principle. As I noted in the first chapter, Hegel in the WL replaces Kant’s transcendental unity of apperception with his Concept (cf. WL XII 17-18/583-584, 22/589) and attributes to the latter a unifying function identical to that of Kant’s unity, though while Kant’s unity is that of a finite subject, Hegel’s unity is absolute or infinite. Hegel’s exclusive concern in the WL is with the constitution by

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<sup>134</sup> Cf. the following passage from the *Critique of Pure Reason*: “An *object*, however, is that in the concept of which the manifold of a given intuition is *united*. Now, however, all unification of representations requires unity of consciousness in the synthesis of them. Consequently the unity of consciousness is that which alone constitutes the relation of representations to an object, thus their objective validity, and consequently is that which makes them into cognitions and on which even the possibility of the understanding rests” (B137).

thought of its object, and its object, i.e., actuality, is itself rational: it is thought itself.

What is rational is therefore actual, and what is actual is rational.<sup>135</sup>

More particularly, the content of the WL consists in the following. The thought of being is the indeterminate immediate.<sup>136</sup> However, in the first moment of being, quality, this indeterminateness is contrasted with its contrary of determinateness and as such achieves a qualitatively determinate character as determinate being.<sup>137</sup> The finitude of determinate being, however, sublates itself and passes over into the infinite relation of being to its own self, or being-for-self.<sup>138</sup> In the second moment of being, quantity, the immediate determinateness of quality becomes a determinateness which is no longer limited to being, or it is a being-for-self that is identical with being-for-other, no longer excluding its other.<sup>139</sup> Quantity begins as the purely indeterminate identity with itself or

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<sup>135</sup> “What is rational is actual; and what is actual is rational” (*Was vernünftig ist, das ist wirklich; und was wirklich ist, das ist vernünftig*) (PR 24/20). Cf. Karl Rosenkranz on the origin of Hegel’s idea of the “rationality” of the “actual” (*Hegels Leben*, pp. 201-206).

<sup>136</sup> The thought of being is “pure indeterminateness and emptiness”; it is “empty thinking”; it is in fact “nothing, and neither more nor less than nothing.” Nothing is “complete emptiness,” and so the conclusion to be drawn is that “pure being and pure nothing are...the same. What is the truth is neither being nor nothing...[but rather] this movement of the immediate vanishing of the one in the other: becoming” (WL XXI 69-70/82-83).

<sup>137</sup> “[T]hey are expressly determined as indeterminate and this—to go back to its simplest form—is being. But it is this very indeterminateness which constitutes its determinateness” (WL XXI 85-86/99).

<sup>138</sup> “[W]e say that something is for itself insofar as it transcends otherness...For it, the other has being only as sublated, as its moment; being-for-self consists in having so transcended limitation, its otherness, that it is, as this negation, the infinite return to itself.” Cf. also Hegel’s later notation that “being-for-self is infinity which has collapsed into simple being; it is determinate being insofar as the negative nature of infinity, which is the negation of negation, is from now on in the explicit form of the immediacy of being. But being, which in such determinateness is determinate being, is also at once distinct from being-for-self, which is only being-for-self insofar as its determinateness is the infinite one above-mentioned; nevertheless, determinate being is at the same time also a moment of being-for-self; for this latter, of course, also contains being charged with negation” (WL XXI 145/158-159).

<sup>139</sup> The movement from quality to quantity is explained in the following passage: “The one as infinitely self-related—infinitely, as the posited negation of negation—is the mediation in which it repels from itself its own self as its absolute (that is, abstract) otherness, (the many), and in relating itself negatively to this its non-being, that is, in sublating it, it is only self-relation; and one is only this becoming in which it is no longer determined as having a beginning, that is, is no longer posited as an immediate,

pure quantity. It is determined, however, that a determinateness is posited in this identity, but *as* indeterminate or external, and Hegel refers to this moment as quantum.<sup>140</sup> In the movement to the third moment of measure, the determinateness of quantum derives from its indifference to its in-itself. It is referred to as a “self-transcending” or “self-negating” determinateness, and so infinite quantity, as the sublation of this indifferent determinateness, is for Hegel the “restoration” of quality.<sup>141</sup> Quantum in a qualitative form is quantitative ratio.<sup>142</sup> This identity of qualitative and quantitative is initially formal, however, and the sublation of this indeterminateness is achieved in the determinate identity of these terms as posited or determined “moments” in the completion of measure, a completion which in turn necessitates the sublation of measure itself, i.e., its reduction to the status of a posited or determined moment in the movement of

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affirmative being, neither is it as result, as having restored itself as the one, that is, the one as equally immediate and excluding; the process which it posits and contains it throughout only as sublated. The sublating, at first determined as only a relative sublating of the relation to another determinately existent one—a relation which is thus itself not an indifferent repulsion and attraction—equally displays itself as passing over into the infinite relation of mediation through negation of the external relations of the immediate, determinately existent ones, and as having for result that very process of becoming which, in the instability of its moments, is the collapse, or rather going-together-with-itself, into simple immediacy. This being, in the determination it has now acquired, is quantity” (WL XXI 165/177).

<sup>140</sup> “This limit [contained within the concept of discrete magnitude], which is related to the unity and is the negation in it, is also, as the one, self-related; it is thus the enclosing, encompassing limit. Limit here is not at first distinguished from its determinate being as something, but, as the one, is immediately this negative point itself. But the being which here is limited is essentially a continuity, by virtue of which it passes beyond the limit, beyond this one, to which it is indifferent. Real discrete quantity is thus a quantity, or quantum—quantity as a determinate being and a something” (WL XXI 191-192/201).

<sup>141</sup> “At first, then, quantity as such appears in opposition to quality; but quantity is itself a quality, a purely self-related determinateness distinct from the determinateness of its other, from quality as such. But quantity is not only a quality; it is the truth of quality itself, the latter having exhibited its own transition into quantity. Quantity, on the other hand, is in its truth the externality which is no longer indifferent but has returned into itself. It is thus quality itself in such a manner that apart from this determination there would no longer be any quality as such” (WL XXI 320/323).

<sup>142</sup> “The quality of quantum, the specific nature of its concept, is its externality as such, and in ratio the quantum is now posited as having its determinateness in its externality, in another quantum, and as being in its beyond what it is... This relation [of quantum to quantum or of quanta] is itself also a magnitude; the quantum is not only in a ratio, but it is itself posited as a ratio; there is only a single quantum and this has the said qualitative determinateness within itself” (WL XXI 310-311/314).

thought's cognition.<sup>143</sup> It is with this reduction that thought makes explicit for itself the fact that the determinateness of the object of its cognition is a function of its posited or determined character, that the essential character of its cognition is this positing or determining itself. Being therefore becomes essence, as Hegel explains in the following passage:

[E]ach quality enters within each side into relation to the other, and does so in such a manner that, as has been determined, this relation too is to be only a quantitative difference. If the two qualities are self-subsistent... then the whole determinateness of indifference falls asunder; their unity and totality would be empty names. But they are at the same time expressly determined as comprised in a single unity, as inseparable, each as having meaning and reality only in this one qualitative relation to the other. But now, because their quantitativity [*Quantitativität*] is simply and solely of this qualitative nature, each reaches only as far as the other. If the qualities are regarded simply as distinct quanta, then the one would reach beyond the other and would have in its more an indifferent determinate being which the other would not have. But in their qualitative connectedness, each is only insofar as the other is. From this it follows that they are in equilibrium; that by as much as the one increases or decreases, the other likewise would increase or decrease in the same proportion... This unity thus posited as the totality of the process of determining, in which it is itself determined as indifference, is a contradiction in every respect; it therefore has to be posited as sublating this its contradictory nature and acquiring the character of a self-determined, self-subsistent being which has for its result and truth not the unity which is merely indifferent, but that immanently negative and absolute unity which is called essence (WL XXI 376-377/378-379).

In being, thought reflects into a content it presupposes to be external, but this reflective activity is for thought only implicit in its immediate relation to this content. Essence, or

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<sup>143</sup> "Measure is, in the first instance, only the immediate unity of quality and quantity as an ordinary quantum which is, however, specific. As thus a specific quantity which is related not to another but to itself, it is essentially a ratio. It therefore also contains its moments as sublated and undivided within itself... [I]t [measure in its final determination] is as yet only a substrate, a material, and for its differentiation into totalities, i.e., into differences embodying the nature of the unchanged substrate, it is dependent solely on the external, quantitative determination which shows itself at the same time as a difference of quality. In this unity of the substrate with itself the measure determination is sublated and its quality is an external state determined by the quantum. This process is equally the progressive determination of measure in its realization and also the reduction of measure to the status of a moment" (WL XXI 371-372/373-374).

the moment in which thought becomes for-itself or explicitly aware of itself, is the explicit realization on the part of thought that its content is posited or determined by itself. Being therefore becomes essence, and the movement to essence is therefore an internalization: thought no longer reflects into an other, but rather into itself.<sup>144</sup>

It is through this internalization that thought separates itself in the first moment of essence (Essence as Reflection within Self) from externality and from all determinateness, becoming rather an illusory being. Nevertheless, as thought in the second moment (Appearance) begins its reflection into otherness, it begins the process of making explicit for itself the fact that the object and its determinateness are the entirely constituted products of its own reflective activity, a process that is completed in the final moment (Actuality). Thought is the identity of being that is both in-itself and for-itself, but in the beginning of essence it is only its for-itselfness that is explicit for it, while its in-itselfness is only implicit for it. The goal of the movement of essence is for thought to make explicit for itself the fact that it contains not only for-itselfness (appearance), but also in-itselfness (essence), within itself, i.e., for thought to sublimate the opposition between essence and appearance through making explicit for itself the fact that what appears manifests what is essential because it is its own reflective activity that is alone

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<sup>144</sup> “This knowledge [of the necessity of reflection in cognition] is a mediated knowing, for it is not found immediately with and in essence, but starts from an other, from being, and has a preliminary path to tread, that of going beyond being or rather of penetrating into it. Not until knowing inwardizes, recollects [*erinnert*] itself out of immediate being, does it through this mediation find essence. The German language has preserved essence [*Wesen*] in the past participle [*gewesen*] of the verb to be [*sein*]; for essence is past—but timelessly past—being. When this movement is pictured as the path of knowing, then this beginning with being, and the development that sublates it, reaching essence as a mediated result, appears to be an activity of knowing external to being and irrelevant to being’s own nature. But this path is the movement of being itself...If, therefore, the absolute was at first defined as being, now it is defined as essence. Cognition certainly cannot stop short at manifold determinate being, nor yet at being, pure being; the reflection that immediately forces itself on one is that this pure being, the negation of everything finite, presupposes an internalization, a recollection [*Erinnerung*] and movement which has purified immediate, determinate being to pure being” (WL XI 241/389).

essential.<sup>145</sup> While essence begins with the reflection-into-self of thought as indeterminate,<sup>146</sup> in which determinateness is presupposed to be an external immediacy, the movement of essence is completed when thought explicitly posits all determinatenesses as the result of its own reflective activity and therefore as contained within itself, and so while the determinatenesses thought achieves through its appearances in the second moment of essence are presupposed by thought to be external immediacies, i.e., independent of thought's activity of reflection,<sup>147</sup> in actuality these immediacies, and therewith all possible determinatenesses, are revealed to be, and explicitly posited by thought as, reflections-into-self. Actuality is therefore the moment in which thought posits its determinateness as its internal reflection: it is thought's positing of its immediacy as reflection-into-self and its reflection-into-self as immediacy.

In sum: essence's first moment, illusory being, is an indeterminate reflection-into-self. Its second moment, appearance, is a reflection-into-otherness, into the other of

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<sup>145</sup> "What something is, therefore, it is wholly in its externality; its externality is its totality and equally is its unity reflected into itself. Its appearance is not only reflection-into-an-other but reflection-into-self, and its externality is, therefore the expression or manifestation [*Äußerung*] of what it is in itself; and since its content and form are thus utterly identical, it is, in and for itself, nothing but this, to express or manifest itself. It is the manifesting of its essence in such a manner that this essence consists simply and solely in being that which manifests itself" (WL XI 368/528).

<sup>146</sup> "Being is illusory being. The being of illusory being consists solely in the sublatedness of being, in its nothingness; this nothingness it has in essence and apart from its nothingness, apart from essence, illusory being is not. It is the negative posited as negative...[I]llusory being is this immediate, negated determinate being in the determinateness of being...All that is left to it, therefore, is the pure determinateness of immediacy; it is reflected immediacy, that is, immediacy which is only by means of its negation and which, when contrasted with its mediation, is nothing but the empty determination of the immediacy of negated determinate being" (WL XI 246/395-396).

<sup>147</sup> "[E]ssence appears. Reflection is the showing of illusory being within essence itself [*Die Reflexion ist das Scheinen des Wesens in ihm selbst*]. Its determinations are enclosed within the unity simply and solely as posited, sublated determinations; or, reflection is essence which, in its positedness, is immediately identical with itself. But since this essence is ground, it gives itself a real determination [*bestimmt es sich real*] through its reflection, which is self-sublating or which returns into itself; further, since this determination, or the otherness, of the ground relation sublates itself in the reflection of the ground and becomes existence, this endows the form determinations with an element of self-subsistence. Their illusory being completes itself to become appearance" (WL XI 323/479).



existence, and the achievement of a determinateness presupposed by thought to be an external immediacy, i.e., independent of or external to thought's reflective activity. In the third moment, actuality, thought posits, i.e., makes explicit for itself, its immediacy as a reflection of itself into itself. Thought therefore turns from its object to itself as subject and to its own absolute spontaneity, to the unified activity of thinking—the moment in which thought simultaneously posits the totalities of universality, particularity, and individuality—that is the final condition of possibility for any object of cognition to be an object at all: the Concept. Hegel:

[Thought], which as absolute form distinguishes itself from itself, therefore no longer repels itself as necessity from itself, nor, as contingency, does it fall asunder into indifferent [external determinations]; on the contrary, it differentiates itself, on the one hand, into the totality...which is originative as reflection out of the determinateness into itself, as a simple whole, which contains within itself its positedness and is posited as self-identical therein—the universal; on the other hand, it differentiates itself into the totality...into the reflection equally out of the determinateness into itself to a negative determinateness which, as thus the self-identical determinateness is likewise posited as the whole, but as self-identical negativity—the individual. But because the universal is self-identical only in that it contains the determinateness within itself as sublated, and therefore the negative as negative, it is immediately the same negativity which individuality is; and individuality, because it is equally the determinate determinate, the negative as negative, is immediately the same identity which universality is. This their simple identity is particularity, which contains in immediate unity the moment of determinateness of the individual and the moment of reflection-into-self of the universal. These three totalities are, therefore, one and the same reflection, which, as negative self-relation, differentiates itself into these two, but into a perfectly transparent difference, namely, into a determinate simplicity or simple determinateness which is their one and the same identity. This is the Concept, the realm of subjectivity or of freedom (WL XI 409/571).

In the first moment of the Concept, subjectivity, it is a formal or indeterminate identity as a result of its “inwardness” (*Innigkeit* or *Innerlichkeit*) (WL XII 30/597, 125/703) in relation to external objectivity. The subjective Concept begins with these three totalities

in the pure Concept as an immediately formal or indeterminate identity. Its determinations within itself are only in-itself or implicit for itself. The movement of the subjective Concept is to make explicit for itself the determinations by which its identity is mediated, and then the identity of these determinations as determined by itself. This movement begins in the second moment with its particularization or self-diremption in the form of the judgment, i.e., its positing or making explicit for itself the determinations within itself. The third moment, syllogism, is the explicit “restoration” of the identity or unity of the Concept in its determinations and at the same time the elimination of its subjectivity, for it is in the explicit positing of its identity in its determinations in the form determination of the syllogism that the subjectivity of the Concept achieves its determinateness through its reflection into externality, or becomes objectivity.

Objectivity is the immediacy to which the subjective Concept relates itself as a result of its sublation of the mediation it posits in the syllogism. It is “the totality of the Concept withdrawn into its unity” (WL XII 133/711). It is, in other words, *the Concept itself*. In its first moment, mechanism, the moments of the immediacy of objectivity are presupposed by thought to exist in a state of indifference to one another. Any relation between one moment and another is presupposed by thought to be externally imposed by itself, and the moments themselves are presupposed to be entirely undetermined by any such posited relation. In its second moment, chemism, thought makes explicit for itself the fact that the identity of the moments posited by itself is internal to the moments themselves, and the movement of chemism consists in the sublation of the independence of the moments and their identity from within thought itself. In the third moment, teleology, the essential identity of the moments is posited as distinct from that identity

which was posited in mechanism as external or independent. This essential identity is posited no longer as external, but rather as internal to the Concept itself, and, consequently, the Concept becomes the Idea.

The Idea is the identity of the subjective Concept and immediate objectivity, an identity that is both immediate and mediated, for the immediate objectivity to which the Concept is related within this identity is an immediacy only through the “self-sublating mediation” of the Concept itself. In its first moment, the Idea as life, the identity is only immediate because objective externality does not yet exist for the Concept explicitly or for-itself as Concept. The Concept is distinguished from its objectivity and has individuality for the form of its existence. But the reflection-into-self of its absolute process is the sublating of this immediate individuality, and so the Concept converts externality into universality and posits its objectivity as identical with itself. In the second moment, the Idea as cognition, the abstract objectivity the Concept has given itself for its reality in the form of a presupposition is sublated and converted by its cognitive activity into a positedness, so that “the objective world is the ideality in which it cognizes itself” (WL XII 178/760). In the third moment, the absolute Idea, mind cognizes the Idea, the identity of the subjective Concept and objectivity, as the absolute truth.

### The Concept in General

The Concept in General section of the WL is critically important for understanding not only the central concept in Hegel’s philosophical system, but also how Hegel conceives of his own absolute idealism in general and his Concept in particular as the extension and completion of Kant’s transcendental idealism. In order to differentiate his own absolute idealism from the subjective idealisms of Kant and Fichte, Hegel states

that the Concept is to be regarded not merely as a “subjective presupposition” (*subjektive Voraussetzung*) but rather as thought’s “absolute foundation” (*absolute Grundlage*) (WL XII 11/577). Kant’s argument that intuitions constitute the foundation of any concept and its determinateness is rejected by Hegel, and his rejection is based on the following argument:

Abstract immediacy is not doubt a first; yet insofar as it is abstract it is, on the contrary mediated, and therefore if it is to be grasped in its truth its foundation must first be sought. Hence this foundation, though indeed an immediate, must have made itself immediate through the sublation of mediation (WL XII 11/577).

Hegel’s argument is therefore that Kant did not adequately think through the presuppositions of his own philosophy, that the logical regression of his transcendental project did not regress to its final determination in the pure Concept within which all immediacies and mediations are contained. This argument is integrally related to the argument internal to Hegel’s WL regarding the relation of the Concept to its preceding moments of being and essence, for the latter are “the moments of its [the Concept’s] becoming” and the Concept is their “foundation and truth as the identity in which they are submerged and contained” (WL XII 11/577).<sup>148</sup> The Concept is not only the foundation or presupposition of both being and essence, but also their unity. This unity of the “objective” moments of immediacy and reflection, however, is the identity of reflection with itself, for being or immediacy is itself the moment of thought’s reflection-into-itself. It is not until the moment of actuality, the final determination of the Objective

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<sup>148</sup> Hegel further notes that the preceding moments of the Concept “are contained in it because it is their result, but no longer as being and essence. That determination they possess only insofar as they have not withdrawn into this their unity” (WL XII 11/577). Cf. also EL §160Z: “The Concept, in short, is what contains all the earlier categories of thought merged in it.”

Logic, that thought (explicitly, self-consciously) posits its immediacy as reflection-into-self and its reflection-into-self as immediacy. Consider the following sentence:

Now the Concept is that absolute unity of being and reflection in which being is in and for itself only insofar as it is no less reflection or positedness, and positedness is no less being that is in and for itself ( WL XII 12/578).

He then notes that this “absolute unity” of being and essence that is the Concept is nothing more than the reflection of the Concept itself into itself: “This infinite reflection-into-self, namely, that being is in and for itself only insofar as it is posited, is...the Concept, the subject” (WL XII 14/580). The ontological relativism of Hegel’s philosophy is therefore in no way abandoned in this identity that is the Concept: It is the identity of thought with itself. Finally, Hegel clearly states that the objectivity of thought’s object depicted in the Objective Logic is contained within the unity of thought that is the Concept itself:

The object therefore has its objectivity in the Concept and this is the unity of self-consciousness into which it has been received; consequently its objectivity, or the Concept, is itself none other than the nature of self-consciousness, has no other moments or determinations than the I itself (WL XII 18-19/585).

I have already noted that Hegel replaces Kant’s transcendental unity of apperception with his Concept and attributes to the latter a unifying function identical to that of Kant’s unity, though while Kant’s unity is that of a finite subject, Hegel’s unity is absolute or infinite. It is in this particular section of the WL that this replacement is explicitly disclosed. First, Hegel praises Kant by noting that

[i]t is one of the profoundest and truest insights to be found in the *Critique of Pure Reason* that the unity which constitutes the nature of the Concept is recognized as the original synthetic unity of apperception, as unity of the I think, or of self-consciousness (WL XII 17-18/584).

And, second:

The original synthesis of apperception is one of the most profound principles for speculative development; it contains the beginning of a true apprehension of the nature of the Concept and is completely opposed to that empty identity or abstract universality which is not within itself a synthesis (WL XII 22/589).

At the same time, however, it is important to note those aspects of Kant's transcendental idealism which Hegel then proceeds to reject. For instance, Hegel rejects both "ordinary psychology" and the "Kantian transcendental philosophy" as a result of their shared conception of the relation between concept and intuition, a conception, according to Hegel, in which

the empirical material, the manifold of intuition and representation, first exists on its own account, and that then the understanding approaches it, brings unity into it and by abstraction raises it to the form of universality (WL XII 20/587).<sup>149</sup>

Hegel rejects this conception because in it "the Concept is not regarded as the *independent* factor, not the essential and true element of the prior given material" (WL XII 20/587) (emphasis added). So in Hegel's view, in contrast, if the Concept is to be regarded as "independent" (*unabhängig*) or truly free, it must be the case that the entire content of the empirical manifold be completely deduced from within the Concept itself. Consequently, Hegel anticipates the final determination of the WL in the Idea in his explanation in this section that the unity of the subjective Concept and objectivity must be demonstrated to be "the *spontaneous* outcome of the nature of the Concept itself" (WL XII 20/587) (emphasis added). Hegel's disclosure of his indebtedness to Kant's philosophy continues as he explains that this "requirement of science" that "reality"

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<sup>149</sup> Cf. Hegel's statement that "the Kantian philosophy has not got beyond the psychological reflex of the Concept and has reverted once more to the assertion that the Concept is permanently conditioned by a manifold of intuition" (WL XII 22/589).

(*Realität*) “be derived from the Concept itself” (WL XII 21/587), or that the objectivity of thought be derived from its own internal movement is based on Kant’s “extremely important thought” of the possibility of “synthetic judgments a priori” (WL XII 22/589).<sup>150</sup>

Finally, Hegel presents his Concept as the extension and completion of Kant’s subjective idealism through a further critique of Kant’s skeptical position that “truth” (*Wahrheit*), defined as the “unity of the object and the Concept,” is “only appearance,”<sup>151</sup> and that the Concept’s “content is only the manifold of intuition” (WL XII 24/590-591). In Hegel’s position, by contrast, it is *in* the Concept that the manifold is “sublated” (*aufgehoben*) and it is *through* the Concept that “the object is reduced to its non-contingent essential nature,” thereby leading to his conclusion that “[a]pppearance is not devoid of essential being, but is a manifestation of essence. But the completely liberated manifestation of essence is the Concept” (WL XII 24/591). So, in the end, the Concept has been revealed to be the “unconditioned ground” (*unbedingter Grund*) of all other *apparent* “starting points” (*Ausgangspunkte*) such as “feeling” (*Gefühl*), “intuition” (*Anschauung*), and “representation” (*Vorstellung*) (WL XII 24/591). Kant failed to think through the conceptual conditions required for any object to be a determinate object of cognition to their final determination in the Concept. To Hegel, the immediacy of intuition is itself an expression of reflection, a product of the pure logical Concept. Hegel then concludes this section by disclosing that the goal of the movement of the Concept is

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<sup>150</sup> To be sure, “one would have expected the Concept to lose its conditionedness” in Kant’s philosophy, but “this expectation is disappointed” (WL XII 23/589).

<sup>151</sup> Cf. Kant’s presentation of transcendental idealism as consisting in the determination that “everything intuited in space or in time, hence all objects of an experience possible for us, are nothing but appearances, i.e., mere representations, which, as they are represented, as extended beings or series of alterations, have outside our thoughts no existence grounded in itself” (A490-491/B518-519).

to unify itself with its object as determined by itself in the form of the Idea. This final moment will be

the self-revealed truth in which the Concept possesses the realization that is wholly adequate to it, and is free, inasmuch as it cognizes this its objective world in its subjectivity and its subjectivity in the objective world” (WL XII 30/597).<sup>152</sup>

### The Subjective Concept

In the Subjectivity section of the Concept Logic, Hegel depicts the conceptual mediation or interdetermination of even the most basic thought activities in his reconstruction of the constituent elements of the Concept. The basic thought of individuality, i.e., of the “this,” exhibits a “negative self-relation” (i.e., the object “relates itself to the other, because otherness is posited in it as its own moment”). Upon this ground, Hegel then argues for the conceptual mediation or interdetermination of the constituent elements of the judgment (subject-copula-predicate) and then of individual judgments themselves as the constituent elements of the syllogism (universal-particular-individual), which is then revealed to be the form determination of the Concept. The Concept, then, is the syllogism of the totalities of universality, particularity, and individuality, and any actual object that is thought is thought in and through this totality as thought. It is, as Robert Brandom helpfully explains, “the holistic inferential system of determinate concepts and commitments articulated by means of those concepts.”<sup>153</sup>

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<sup>152</sup> Cf. Hegel’s statement that “[w]ith the Concept, therefore, we have entered the realm of freedom” because thought’s “opacity” has become a “self-transparent clarity” in that it now realizes itself to be “the cause of itself” (WL XII 15-16/582). And, more concretely, his presentation of objectivity as a “moment” of the Concept itself is integrally related to this theoretical conception of freedom: “the Concept’s own determination can only be the result of its free determining, [a determining] in which the Concept is identical with itself, its moments also being Concepts and posited by the Concept itself” (WL XII 29/596).

<sup>153</sup> Brandom, “Some Pragmatist Themes in Hegel’s Idealism,” p. 211.



As I noted in the first chapter, Hegel's conceptual holism derives from his conception of the determinateness of thought as a function of its relation to other concepts and ultimately to the holistic system of concepts, i.e., the Concept, in which it is situated. This argument is presented in a more determinate form in the Subjectivity section of the Concept Logic. Consider the following:

The true meaning and resolution of these determinations is just this, that they attain to their Concept, their truth; being, determinate being, something, or whole and parts, substance and accidents, cause and effect, etc. are by themselves [merely] thought determinations; but they are grasped as determinate concepts when each is cognized in unity with its other or opposite determination (WL XII 38/607).

Hegel's argument is a rejection of the position that any individual thought determination can be independent of its "absolute foundation" in the Concept. "[T]he truth," Hegel informs us, "is that the different determinate concepts, far from falling apart into number, are simply only one and the same Concept" (WL XII 43/613). The movement to Hegel's examination of the individual judgment of objectivity is achieved by a brief description of the "self-diremption" of the original (indeterminate universal) identity of the Concept. It must differentiate its identity with itself into its particular determinations, beginning the most basic thought activity: the thought of individuality, or of the "this," as Hegel explains in the following passage:

This, as the one reflected into itself, is for itself and without repulsion; or repulsion in this reflection is one with abstraction and is the reflecting mediation which attaches to the this in such wise that the this is a posited immediacy pointed out by someone external to it. The this is; it is immediate; but it is only this insofar as it is pointed out. The 'pointing out' is the reflecting movement which collects itself inwardly and posits immediacy, but as a self-external immediacy. Now the individual is certainly a this, as the immediate restored out of mediation; but it does not have the mediation outside it—it is itself a repelling separation, posited abstraction, yet in its very act of separating, it is a positive relation (WL XII 52/622).

Hegel's argument is that any thought of an individual exhibits a negative self-relation, or the immediacy of its identity contains within itself the conceptual presupposition of mediation, difference, opposition, reflection, etc. This particular idealist argument is also advanced in the *Sense-Certainty* section of the PhG. Yet while in the PhG Hegel is concerned with the conditions of possibility for any experience of consciousness, in the WL his concern is with the conditions of possibility for any coherent thought activity. The following passage from the PhG corresponds to the above passage from the WL:

The truth for consciousness of a this of sense is supposed to be universal experience; but the very opposite is universal experience. Every consciousness itself supersedes such a truth as e.g. here is a tree, or, now is noon, and proclaims the opposite: here is not a tree, but a house; and similarly, it immediately again supersedes the assertion which set aside the first so far as it is also just such an assertion of a sensuous this. And what consciousness will learn from experience in all sense-certainty is, in truth, only what we have seen viz. the this as a universal, the very opposite of what that assertion affirmed to be universal experience (PhG 69/¶109).

To state the matter more concisely, "the act of judgment necessarily implies an underlying concept" (WL XII 54/624).

Individual judgments are not to be conceived of as independent of the Concept. The judgment is defined as the "determinateness of the Concept posited in the Concept itself" (WL XII 53/623), the "proximate realization of the Concept" (WL XII 53/623), and finally the "posited determinateness of the Concept" (WL XII 56/627).<sup>154</sup> More determinately, Hegel delineates judgments by differentiating them from what he refers to as "propositions" (*Sätze*). And, as is clear from the following passage, Hegel regards

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<sup>154</sup> In the EL, Hegel defines judgment variously as the "realized particularity of the Concept" (§165), as the "the Concept in its particularity, as a connection which is also a distinguishing of its functions, which are put as independent and yet as identical with themselves, not with one another" (§166), and finally by noting that "the judgment itself is nothing but the Concept specified" (§171A).

judgments to be coherent in relation to the incoherence of propositions not only because the former necessarily involve the employment of “reasons,” but also because its subject-predicate relation achieves the mediation or interdetermination of universality and individuality:

[T]hough a proposition has a subject and a predicate in the grammatical sense, this does not make it a judgment. The latter requires that the predicate be related to the subject as one Concept determination to another, and therefore as a universal to a particular or individual. If a statement about a particular subject only enunciates something individual, then this is a mere proposition (WL XII 55/626).<sup>155</sup>

The various judgmental forms are presented by Hegel in a qualitative hierarchy in the particular sequence of “existence” (*Dasein*), “reflection” (*Reflexion*), “necessity” (*Notwendigkeit*), and “the Concept” (*der Begriff*). Judgments of existence are of no concern to Hegel, as evidenced by his explanation that “[t]he ability to form judgments of existence such as ‘the rose is red,’ ‘snow is white,’ and so forth will hardly count as evidence of great powers of judgment” (WL XII 84/657).<sup>156</sup> Judgments of reflection are then presented as characterized by a subject-predicate opposition, as opposed to a mediation between these terms. In the end, Hegel is concerned only with judgments of the Concept, which he describes in normative terms, as capable of discerning “true appreciation” (*wahrhafte Beurteilung*) and by stating that in such judgments

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<sup>155</sup> The illustration Hegel provides of this principle is somewhat strange: “For example, ‘Aristotle died at the age of 73, in the fourth year of the 115<sup>th</sup> Olympiad,’ is a mere proposition, not a judgment. It would partake of the nature of a judgment only if doubt had been thrown on one of the circumstances, the date of the death, or the age of that philosopher, and the given figures had been asserted on the strength of some reason or other” (WL XII 55-56/626).

<sup>156</sup> Things get even more strange when Hegel claims that “the news that my friend N. has died is a proposition; and it would be a judgment only if there were a question whether he was really dead or only in a state of catalepsy” (WL XII 56/626).

the predicates good, bad, true, beautiful, correct, etc. express that the thing is measured against its universal Concept as the simply presupposed ought-to-be and is, or is not, in agreement with it (WL XII 84/657-658).

To articulate a normative judgment is to relate an individual to a conceptual universal, and it is this relation that is revealed to be the requirement for Hegel's final argument about the judgment, i.e., that the subject and predicate of the judgmental form are interdetermined by the conceptual mediation which occurs through its copula. Hegel summarizes this argument as follows:

The identity just demonstrated, namely, that the determination of the subject equally applies to the predicate and vice versa, is not, however, something only for us; it is not merely in itself, but is also posited in the judgment; for the judgment is the connection of the two; the copula expresses that the subject is the predicate. The subject is the specific determinateness, and the predicate is this posited determinateness of the subject; the subject is determined only in its predicate, or, only in the predicate is it a subject; in the predicate it has returned into itself and is therein the universal (WL XII 57-58/628).

So while subject and predicate have been determined to determine each other and to have the same content, this content is identified by Hegel as a "posited concrete universality" (*gesetzte konkrete Allgemeinheit*) (WL XII 88/662). The judgmental form, the most basic individual determination of the still purely formal Concept, therefore represents the first moment of the Concept's self-determined ("posited") movement toward its achievement of determinateness. Yet, at the same time, judgments taken in their isolation are incapable of sufficiently embodying either the conceptual interdependence or the determinateness that Hegel ascribes to the Concept. Indeed, it is as a result of this "incompleteness" that the judgmental form to Hegel necessarily implies its own sublation into the syllogistic form. In a strange but nevertheless important statement, Hegel transitions out of his treatment of judgment through a description of how the copula of the judgment is

“pregnant” with the determinate content of the “form relation” of the syllogism. So while the copula of the judgment (i.e., the “is”) is determined to be the source of its conceptual mediation and therefore its determinateness, the movement now proceeds to the form relation of the syllogism, which will be determined to be the source of its (the syllogism’s) conceptual mediation and will in fact constitute the determinateness not only of the syllogism, but also of the subjective Concept in general. Syllogism (*Schluß*) will therefore be Hegel’s final topic in his reconstruction of the subjective side of the “unity of the Concept,” and it is “through this impregnation of the copula” that “the judgment has become the syllogism” (WL XII 89/663).

Hegel in the WL presents three different syllogistic forms (existence, reflection, necessity [respectively]) (*Dasein, Reflexion, Notwendigkeit*), with each possessing a different permutation of its three constituent terms (universality, particularity, individuality) (*Allgemeinheit, Besonderheit, Einzelheit*) presented in the following sequence: P-U-I, U-I-P, I-P-U. Thought thinks rationally if and only if it thinks through the syllogistic form, and in particular through the form determination of the syllogism of the Concept (U-P-I). The Concept is Hegel’s criterion of rationality, or, more directly, it *is* rationality. Syllogism is presented by Hegel as the “truth” of judgment,<sup>157</sup> for unlike the judgmental form, the syllogistic form is taken by Hegel to be a complete structure or “form relation” or “form determination” in and through which conceptual mediation occurs. This form relation, or the “essential feature of the syllogism,” is defined by Hegel as “the unity of the extremes, the middle term which unites them, and the ground which supports them” (WL XII 91/665). This definition is representative of Hegel’s argument

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<sup>157</sup> Literally, in fact: “syllogism is the truth of judgment” (WL XII 95/669).

throughout this section that all thought determinations exhibit a conceptual mediation or interdetermination that cannot be captured when taken in their formal-logical form.

Consider the following sentence:

This syllogistic process that advances by means of separate propositions is nothing but a subjective form; the nature of the fact is that the differentiated Concept determinations of the fact are united in the essential unity (WL XII 95/669).<sup>158</sup>

Syllogism is the form relation through which all conceptual mediation occurs, and the content of Hegel's final absolute idealist position that there can be nothing other than the Concept is anticipated in his statement in this section that "[e]verything is a syllogism, a universal that through particularity is united with individuality" (WL XII 95/669).<sup>159</sup>

Hegel's task in the subjective Concept has been to reconstruct its identity from its most basic individual determinations, beginning with the isolated judgment.<sup>160</sup> Now, Hegel tells us, in syllogism we have reached the "restoration" (*Wiederherstellung*) of the Concept (WL XII 90/664).<sup>161</sup>

While the syllogism conceptually mediates a series of judgments, a conceptual mediation that cannot occur if judgments are considered in their isolation, the mediation performed by the syllogism is, in its initial moment, with regard to form, but not to

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<sup>158</sup> Cf. Hegel's later statement describing how the unity of the syllogism itself constitutes a conceptual "mediation" (*Vermittlung*) (WL XII 107/683).

<sup>159</sup> Cf. Hegel's later claim that "the rational is nothing but the syllogism" (WL XII 91/665).

<sup>160</sup> Hegel introduced judgment by stating that the Concept's "return into itself is therefore the absolute, original *partition of itself*, or, in other words, it is posited as judgment" (WL XII 52/622) (emphasis added) and in the judgment section referred to judgment as "the self-diremption of the Concept" (WL XII 55/625). Later Hegel defines judgment in accordance with this conception, stating that "judgment is in general the determinate being or otherness of the Concept which has not yet restored itself to the unity whereby it is as Concept" (WL XII 56/627). In the EL, Hegel refers to judgment as the "self-surrender" and "self-alienation" of the Concept at §177A.

<sup>161</sup> Earlier, Hegel had stated that "this Third Book of the Logic is...the exposition of how the Concept builds in and from the reality that has vanished in it" (WL XII 24/591).

content (though Hegel notes that this problem of formality is not a “defect” [*Mangel*] of the “form” of the syllogism itself).<sup>162</sup> That is, when understood in traditional formal-logical terms, the content of the syllogism is not internal to the form, but rather is “contingent” or “indifferent” because it is derived externally. This external derivation means that the content is incorrectly presupposed to be immediate, given, independent of thought’s constituting activity, etc.<sup>163</sup> In its subsequent movement, however, the syllogism will be revealed to be the form through which thought derives its own determinate content through its reflection into itself.<sup>164</sup>

So when the syllogism is finally posited in its entire “form determination,” the result is that the initial immediacy from which it received its content is sublated. That is, when the syllogism is conceived of by thought in all of its possible permutations simultaneously, it is revealed that the totality of the determinations of the Concept is thereby conceptually-constituted, or that all of the possible determinations of rational thought are in fact determinations the Concept. Hegel refers to this determination as the “consummation” (*Vollendung*) of the syllogism and describes it as a state in which the distinction between mediating and mediated is sublated: “That which is mediated is itself an essential moment of what mediates it, and each moment appears as the totality of what is mediated” (WL XII 125/703).

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<sup>162</sup> Cf. EL §186.

<sup>163</sup> As Hegel explains, “each syllogism, although by itself mediation, is none the less not in its own self the totality of the mediation but contains an immediacy whose mediation lies outside it” (WL XII 103/678).

<sup>164</sup> Hegel alludes to this subsequent movement in his notation that the terms of the syllogism are at this stage “determinations of form which have not yet reflected themselves into determinations of content” (WL XII 103/678).

It is with this that Hegel transitions out of both syllogism and the subjective Concept as such.<sup>165</sup> In his final transitional statements into the objective Concept or objectivity, Hegel goes so far as to say that “the Concept as such has been realized,” or, “more exactly,” “it has obtained a reality that is objectivity” (WL XII 125/703). It is important to note Hegel’s idealist argument that the Concept’s determination of the “reality that is objectivity” is the *result* of the completed internal movement of the formal, subjective Concept. The key element of the transition to the Objectivity section of the Concept Logic is therefore Hegel’s conception of objectivity as itself a determination of the subjective Concept. Hegel states in the conclusion to the subjective Concept that “objective universality is no less *posited as* totality of the form determinations” (WL XII 125/703) (emphasis added) and “this determination of the Concept [i.e., objectivity] which has been considered as reality, is, conversely, equally a positedness” (WL XII 125/703). In closing, Hegel concludes the subjective Concept by describing how its completed movement is the achievement of the complete holistic form determination of the Concept and how the immediacy of its determinateness achieved in this completion is the result of this mediating movement:

The syllogism is mediation, the complete Concept in its positedness. Its movement is the sublating of this mediation, in which nothing is in and for itself, but each term is only by means of another. The result is therefore an immediacy which has issued from the sublating of mediation, a being which is no less identical with the mediation, and which is the Concept

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<sup>165</sup> Hegel summarizes the preceding movement of the entire subjective Concept in the following way: “The first reality was that the Concept, as within itself negative unity, sunders itself, and as judgment posits its determinations in a determinate and indifferent difference, and in the syllogism sets itself in opposition to them. In this way it is still the inwardness of this its externality, but the outcome of the course of the syllogisms is that this externality is equated with the inner unity; the various determinations return into this unity through the mediation in which at first they are united only in a third term, and thus the externality exhibits in its own self the Concept, which therefore is no longer distinguished from it as an inner unity” (WL XII 125/703).



that has restored itself out of, and in, its otherness. This being is therefore a fact [*eine Sache*] that is in and for itself—objectivity (WL XII 126/704).

Objectivity is therefore nothing more than the immediacy resulting from the Concept's mediation of the antecedent mediation of the syllogism. Thought's endless movement of opposing itself and returning to itself results in the constitution or production of immediacies or immediate identities with itself.<sup>166</sup> In this moment of the Concept's movement, the immediacy it produces—the immediate identity with itself it achieves—constitutes its own objectivity.

### The Objective Concept

Hegel in the Objectivity section of the WL deduces the totality of objectivity from within the internal movement of the Concept itself. Objectivity will, in the completion of this section, be revealed to be a moment or determination of the Concept itself. This totality of objectivity, according to Hegel, is to be determined through three types of conceptual properties: mechanical, chemical, and internal-teleological. This is of course a monumental task. Nevertheless, this section of the WL is a critical component of Hegel's absolute idealist rejection of the limitations placed by Kant upon the capacity of reason to determine for itself its own reality.

More specifically, Hegel in this section attempts to overcome the limitation enunciated by Kant in the *Critique of Pure Reason* that conceptual thought cannot deduce a priori its own objectivity, or that “existence cannot be extracted from the Concept” (WL

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<sup>166</sup> Indeed, Hegel provides a helpful review of such immediacies: “we have already met with several forms of immediacy, though in different determinations. In the sphere of being immediacy is being itself and determinate being; in the sphere of essence it is existence, and then in actuality and substantiality; in the sphere of the Concept, besides immediacy as abstract universality, there is now objectivity” (WL XII 130/708).

XII 127/705).<sup>167</sup> For Hegel, in contrast, the Concept is formal only insofar as it has not yet progressed beyond the moments of its subjective movement. Hegel states that

[t]his pure Concept passes through the finite forms of the judgment and syllogism because it is not yet posited as in its own nature explicitly one with objectivity but is grasped only in its process of becoming it (WL XII 129/707).<sup>168</sup>

As stated above, the sublation of the formal character of the Concept occurs in syllogism when the “whole form determination of the Concept is posited in its determinate difference and at the same time in the simple identity of Concept.” And this sublation is integrally related to Hegel’s *definition* of objectivity as “the immediacy to which the Concept determines itself by the sublation of its abstraction and mediation” (WL XII 130/708). Objectivity is the immediacy to which the Concept relates itself at this stage of its movement, but it is an immediacy achieved only as the result of the Concept’s internal mediation or sublation of its antecedent mediation. It will be revealed in this section to be the Concept’s reflection of itself into itself.

The first section of the objective Concept, Mechanism (*Mechanismus*), is Hegel’s description of the Concept’s determination of the mechanical properties of objectivity. Mechanism is defined by Hegel as the determined or posited relation of “indifference” on

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<sup>167</sup> Kant’s specific position in the *Critique of Pure Reason* that Hegel is here rejecting is the following: “If a cognition is to have objective reality, i.e., to be related to an object, and is to have significance and sense in that object, the object must be able to be given in some way. Without that the concepts are empty, and through them one has, to be sure, thought but not in fact cognized anything through this thinking, but rather merely played with representations” (A155-156/B194-195). Or, more generally, Kant’s position that “[t]he possibility of experience is therefore that which gives all of our cognitions a priori objective reality” (A156/B195).

<sup>168</sup> Cf. Hegel’s earlier statement in the Concept in General section that “it is only the inability of the understanding to assimilate [the empirical manifold] that compels it to content itself with the impoverished abstraction” (WL XII 21/587). Cf. also Hegel’s statement in the EL that “our own action often stops short at the mere negative and abstract form of the Concept, when we might have also proceeded to apprehend the Concept in its true nature, as at once positive and concrete” (§182Z).

the part of the object to the determining capacity of the Concept.<sup>169</sup> As a result of this apparent incapacity of the Concept to determine its object spontaneously, Hegel describes mechanism as the standpoint of “determinism” (*Determinismus*), and states that in it the “principle of self-determination is nowhere to be found” (WL XII 135/713).<sup>170</sup> Yet, at the same time, there are two exceptions to this presupposed determinism in this section that are worth noting in any account of Hegel’s idealism. It is in mechanism that thought realizes, first, that the terms of the causal relation are in fact ideal, or that the “truth of the causal relationship” is that “cause, which is supposed to be the original and self-subsistent factor is essentially effect, positedness, as well” (WL XII 137/715) and, second, that the determinate conceptual content achieved by thought in mechanism is in fact posited or determined, despite the incapacity for spontaneous reflection presupposed in this section.<sup>171</sup>

It is with this that Hegel then proceeds to his second topic of Chemism (*Chemismus*), or his description of the Concept’s determination of the chemical properties of objectivity. The chemical process is defined as one in which

the object does not relate itself to another in accordance with an immediate, one-sided determinateness, but that in accordance with the inner totality of an original relation *it posits the presupposition which it requires for a real relation and thereby gives itself a middle term through*

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<sup>169</sup> Hegel defines mechanism as a state in which “whatever relation obtains between the things combined, this relation is one extraneous to them that does not concern their nature at all, and even if it is accompanied by a semblance of unity it remains nothing more than composition, mixture, aggregation and the like” (WL XII 133/711).

<sup>170</sup> “Consequently, [in Mechanism] a principle of self-determination is nowhere to be found; determinism—the standpoint occupied by cognition when it takes the object, just as we have found it here, to be the truth—assigns for each determination of the object that of another object; but this other is likewise indifferent both to its being determined and to its active determining” (WL XII 135/713).

<sup>171</sup> “Now further, since the determinateness is a posited one and the Concept of the object has returned to itself through mediation, the object contains the determinateness as one that is reflected into itself” (WL XII 140/719).

*which it unites its Concept with its reality*; it is absolutely determined individuality, the concrete Concept as principle of the disjunction into extremes whose re-union is the activity of the same negative principle, which thereby returns to its first determination, but returns objectified (WL XII 152/731) (emphasis added).

It is important to note the idealist character of Hegel's argument about the chemical process and its relation to the movement of the Concept. Thought *posits* the presupposition which *it* requires, and it therefore *gives itself* the mediating term through which it will *unify itself* with reality. It is therefore clear that Hegel does not in any way violate in this section the principle of the absolute spontaneity of conceptual thought that he has consistently maintained throughout the entire WL. As I have noted above, for Hegel there can be no external limitations upon what thought can determine for itself; rather, thought determines for itself the limitations upon its own self-determining activity. This position is articulated through Hegel's statement in the transition to teleology describing how the preceding movement of the objectivity section has achieved the sublation of the Concept's conditionedness and externality:

[T]hese various [mechanical and chemical] processes, which have proved themselves necessary, are so many stages by which externality and conditionedness are sublated and from which the Concept emerges as a totality determined in and for itself and not conditioned by externality (WL XII 153/732).

This determination is an important moment in the argument of the WL, for "reality" (*Realität*) itself has undergone a fundamental reconceptualization: "objective externality" (*objektive Äußerlichkeit*) is now determined by thought to be "unessential reality" (*unwesentliche Realität*). In other words, that which is presupposed to be independent of the movement of the Concept is now no longer to be conceived of as "real." This is the

end of conceptual thought: to produce its own reality from within itself and to sublimate that which it presupposes to be external to itself. Hegel's statement:

The Concept which has thus sublated all the moments of its objective existence as external, and posited them within its simple unity, is thereby completely liberated from objective externality, to which it relates itself only as to an unessential reality. This objective free Concept is end (WL XII 153/733).

It is with this that Hegel proceeds to teleology (*Teleologie*), the final moment of the objective Concept. This section contains many of Hegel's most important statements of his absolute idealist argument. The content of the teleological end of the Concept is situated by Hegel within his internalist argument, for the Concept "aims at cognizing the properties of nature not as extraneous, but as *immanent determinateness* and accepts only such cognition as a valid comprehension" (WL XII 155/735) (emphasis added). As such, "[e]nd" (*Zweck*) or purpose is now nothing more than "the Concept itself in its existence" (WL XII 155/735).

Hegel's justification for this claim is equally revelatory of his absolute idealist standpoint, for it provides a crucially important summary statement of his general conception of the relation between thought and the objectivity of the object of its cognition:

[T]he objective world may present us with mechanical and final causes; but their existence is not the standard of truth: on the contrary, truth is the criterion that decides which of these existences is the true one (WL XII 154/734).<sup>172</sup>

The idealism of this statement should be familiar, for Kant attempts to provide a solution to the question of the relative priority of thought and its object by arguing that, rather

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<sup>172</sup> Cf. Hegel's later statement that "the mechanical and chemical objects...do not, according to their various natures, have their Concept existent in them in their free forms. But they can only be true at all insofar as they are the union of their Concept and reality" (WL XII 174-175/756-757).

than thought modeling itself on the object, it is the object which must model itself on thought. Hegel's philosophical project in the WL, however, is to extend and to complete this movement through the demonstration that thought is to itself its own object.

Consequently, Hegel opposes his conception of teleology to Kant's. Kant, Hegel explains, conceives of teleology as directly related to his conception of "reflective judgment" (*reflektierende Urteilskraft*) as an intermediary between the universality of reason and the determinate individuality of external intuitions. Hegel, as is known, categorically rejects both Kant's reliance upon "intuition" (*Anschauung*) as the ground of conceptual thought and his view of cognition as an instrument or middle term between the subject of thought and the object of its cognition for the reasons discussed in the preceding chapter. Hegel also rejects Kant's view that the conceptual universal merely "subsumes" the particular, or that the conceptual universal is an "abstraction" which can only become "concrete" in "something else, in the particular [i.e., in the object]" (WL XII 159/739).

To Hegel, by contrast, "end...*is* the concrete universal, which possesses *in its own self* the moment of particularity and externality" (WL XII 159/739) (emphasis added).<sup>173</sup> This is a remarkable claim, for the totality of particularity and externality is now to be regarded as a moment or determination of the Concept itself. The Concept has therefore reached its end as the complete determination of objectivity, and this achievement has occurred from entirely within itself.<sup>174</sup> Hegel in the most general sense is now explicitly

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<sup>173</sup> This position is also stated in terms of the subjective and objective movements of the Concept: "The Concept, as end, is of course an objective judgment, in which one determination, the subject, namely the concrete Concept, is self-determined, while the other is not merely a predicate but external objectivity" (WL XII 159/739).

<sup>174</sup> "It has now attained the determination of objectivity; but as moment of the Concept, this complete difference is enclosed within the simple unity of the Concept" (WL XII 161/741).

arguing for nothing less than the complete internality and positedness of any object of cognition at all.<sup>175</sup>

In closing, the following transitional statement is one of the most important in the entire WL, as it contains Hegel's summary of the preceding subjective and objective movements of the Concept and his explanation of how the Concept, now to be regarded as completely developed and determinate, a "concrete totality" (*konkrete Totalität*) in the form of the Idea, is the determinate universal concept presupposed in any thought determination. Note, however, that Hegel assigns logical priority to the subjective Concept in its identity with immediate objectivity, for the latter exists only as the result of the "self-sublating mediation" (*sich selbst aufhebende Vermittlung*) of the former:

First we saw subjectivity, the Concept's being-for-self, pass over into its in-itself, objectivity, to be followed by the reappearance in the latter of the negativity of the Concept's being-for-self; in that negativity the Concept has determined itself in such a manner that its particularity is an external objectivity, or it has determined itself as a simple concrete unity whose externality is its self-determination. The movement of the end has now reached the stage where the moment of externality is not merely posited in the Concept, where the end is not merely an ought-to-be and a striving to realize itself, but as a concrete totality is identical with the immediate objectivity. This identity is on the one hand the simple Concept and the equally immediate objectivity, but on the other hand, it is just as essentially a mediation, and only through the latter as a self-sublating mediation is it that simple immediacy; the Concept is therefore essentially this: to be distinct as an explicit identity from its implicit objectivity, and thereby to possess externality, yet in this external totality to be the totality's self-determining identity. As such, the Concept is now the Idea (WL XII 172/753-754).

### The Idea

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<sup>175</sup> "Accordingly, the movement of end can now be expressed as having for its aim to sublimate its presupposition, that is the immediacy of the object, and to posit the object as determined by the Concept" (WL XII 161/742).

The Idea (*die Idee*) is the identity of totality as thought (the Concept) and totality as object (actuality). It is therefore the resolution of the Objective Logic and the Subjective Logic. There are two key elements of the Idea. First, it is the determinate conceptual universal presupposed in any thought activity. Hegel consequently explains that “[w]hen anything whatever possesses truth, it possesses it through its Idea, or something possesses truth only insofar as it is Idea” (WL XII 173/755), and that “everything actual is only insofar as it possesses the Idea and expresses it” (WL XII 174/756).<sup>176</sup> Second, it is the source of the objectivity of any object of thought’s cognition, as he explains in the following sentence: “[W]hat anything actual is supposed in truth to be, if its Concept is not in it and if its objectivity does not correspond to its Concept at all, it is impossible to say; for it would be nothing” (WL XII 174/756). As this sentence indicates, the ontological relativism Hegel has maintained throughout the WL is not in any way abandoned in the final moment of the Idea, for his philosophical project in the WL remains limited to an examination of the universal determinations at work in any attempt to think an object determinately, and the final such determination, i.e., the Idea, is nothing more than the identity of thought with itself.

Consequently, Hegel is careful to note that “the subject [the Concept] does not possess objectivity in an immediate manner, for if it did it would be merely the totality of the object as such lost in objectivity” (WL XII 176/758), and that “objectivity is the realization of the end, an objectivity posited by the activity of the end, an objectivity

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<sup>176</sup> Cf. Hegel’s corresponding passage in the EL: “everything actual, insofar as it is true, is the Idea, and has its truth by and in virtue of the Idea alone. Every individual being is some one aspect of the Idea: for which, therefore, yet other actualities are needed, which in their turn *appear* to have a self-subsistence of their own. It is only in them altogether and in their relation that the Concept is realized” (§213) (emphasis added).



which, as positedness, possesses its subsistence and its form only as permeated by the subject” (WL XII 176/758). Moreover, the antinomial opposition between thought and itself in its endless movement of opposing itself and returning to itself is in no way negated in its final identity with itself in the Absolute Idea. Rather, the latter is the mediated identity of these terms and is itself this movement, as Hegel explains in the following passage:

The identity of the Idea with itself is one with the process; the thought which liberates actuality from the illusory show of purposeless mutability and transfigures it into the Idea must not represent this truth of actuality as...without impulse or movement. [Rather], by virtue of the freedom which the Concept attains in the Idea, the Idea possesses within itself also the most stubborn opposition; its repose consists in the security and certainty with which it eternally creates and eternally overcomes that opposition, in its meeting with itself (WL XII 177/759).<sup>177</sup>

The opposition between thought and itself remains irreducible even within its final identity with itself in the Idea. Hegel even states in his description of the Absolute Idea that it “contains within itself the highest degree of opposition” (WL XII 236/824).

The Idea is the identity of thought with its object, and its object is itself thought, and so this identity that is the Idea is consequently *the identity of thought with itself*. The subject-object or form-content opposition is sublated by Hegel in the logical form of thought only. Thought has its form for its content. Consequently, Hegel variously states that “the logical Idea has itself as the infinite form for its content” (WL XII 237/825), “the absolute Idea itself has for its content merely this, that the form determination is its own completed totality, the pure Concept” (WL XII 237/825), and “determinateness does not have the shape of a content, but exists wholly as form” (WL XII 237/825).

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<sup>177</sup> Cf. Hegel’s corresponding passage in the EL: “The Idea is essentially a process, because its identity is the absolute and free identity of the Concept, only insofar as it is absolute negativity and for that reason dialectical” (§215).

It is in and through this a priori movement of thought opposing itself and returning to itself that it deduces its own determinateness, actuality, and objectivity. Any such movement occurs within the totality that is the Idea, and, finally, the Idea is itself this movement. It is here that Hegel introduces his dialectical conception of all rational cognition as the “absolute method,” the method that has determined the WL in its entirety. Consider the following:

In the absolute method the Concept maintains itself in its otherness, the universal in its particularization, in judgment and reality; at each stage of its further determination it raises the entire mass of its preceding content, and by its dialectical advance it not only does not lose anything or leave anything behind, but carries along with it all it has gained, and inwardly enriches and consolidates itself (WL XII 250/840).

With this it is revealed that the logical form of the WL is circular and this form is functional to its determinate conceptual content:

The method is the pure Concept that relates itself only to itself; it is therefore the simple self-relation that is being. But now it is also fulfilled being, the Concept that comprehends itself, being as the concrete and also absolutely intensive totality (WL XII 252/842).

It is with this return to the original determination of immediate being as the identity of the Concept itself with itself in the completion of the WL that inaugurates its repetition. This second movement of the Concept that is the WL will be at the higher level of determinateness that is nature, i.e., nature is the movement of the pure logical Concept itself at a higher level of determinateness. The absolute spontaneity of the pure logical Concept inaugurates its own absolute necessity in the form of nature. The truth of necessity, however, is freedom, and the absolute spontaneity of the pure logical Concept will be restored in the third and final repetition of the movement of the pure logical Concept that is the WL at its highest level of determinateness, i.e., the Concept as mind.

The WL demonstrates the totality of actuality to be a reflection of the Concept itself into itself. The natural and mental forms of actuality are nothing more than movements of the Concept at increasingly higher levels of determinateness. The closed conceptual system of logic, nature, and mind is therefore nothing more than the iterated exposition of the WL itself, i.e., nature and mind are determinations *of* logic. *This* is how I am interpreting Hegel's project of a philosophical science (*Wissenschaft*), and it is this conception which determines the interpretation of Hegel's political argument advanced in this dissertation.

The final realization on the part of thought in the WL is therefore that it thinks only itself, i.e., its final, retrospective determination is that that "there is no longer any immediate determination that is not equality posited and itself Concept" (WL XII 253/843), and it is with this, Hegel explains, that "the science of logic has grasped its own Concept" (WL XII 252/842).

### Conclusion

The importance of Hegel's logic for his political argument is clearly understood by three figures in the contemporary German Hegel scholarship: Dieter Henrich, Henning Ottmann, and Michael Wolff. Each of these authors interprets the Idea of the state defended by Hegel in the PR in terms of the conceptual mediation of the syllogism, rather than in causal or functional terms.<sup>178</sup> And, while Henrich for instance is not concerned with the particular task of providing an explication of the relation between Hegel's idealist doctrine of the Concept and his political order, it is clear that he understands the

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<sup>178</sup> Cf. Henrich, "Logical Form and Real Totality: The Authentic Conceptual Form of Hegel's Concept of the State," pp. 241-267; Ottmann, "Hegelsche Logik und Rechtsphilosophie: Unzulängliche Bemerkungen zu einem ungelösten Problem," pp. 382-392; Wolff, "Hegel's Organicist Theory of the State: On the Concept and Method of Hegel's 'Science of the State'," pp. 291-322.

basic structure of this relation based on the following rich description he provides of how the syllogistic form determines the form and content of actual phenomena:

The logic of the syllogism allows us to gather together the concepts of what actually exists in a unified conceptual form that simultaneously implies all the particular relationships that are involved and clarifies them as a totality...The internally mediated conclusions of the syllogism thus represented for Hegel the appropriate conceptual form and the conditions of possibility for any concrete interpretation of the actual world. This approach essentially results in a theory concerning the form of the world as such.<sup>179</sup>

The logic of the syllogism possesses this capacity for Hegel, I have demonstrated, because the syllogism is the form determination of the Concept, and the latter is the syllogistic totality in and through which any actual object is constituted and comprehended.

Hegel, for his part, explicitly states throughout the PR that the form and content of its argument is determined by the logical requirements of the WL (cf. PR §§31, 32, 141).

His most detailed statement in this regard appears in the Preface to the PR:

Since I have fully developed the nature of speculative knowledge in my *Science of Logic*, I have only occasionally added an explanatory comment on procedure and method in the present outline. Given that the subject-matter is concrete and inherently of so varied a nature, I have of course omitted to demonstrate and bring out the logical progression in each and every detail. But on the one hand, it might have been considered superfluous to do so in view of the fact that I have presupposed a familiarity with scientific method; and on the other, it will readily be noticed that the work as a whole, like the construction [*Ausbildung*] of its parts, is based on the logical spirit. It is also chiefly from this point of view that I would wish this treatise to be understood and judged. For what it deals with is science, and in science, the content is essentially inseparable from the form (PR 12-13/10).<sup>180</sup>

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<sup>179</sup> Henrich, "Logical Form and Real Totality," p. 249.

<sup>180</sup> Cf. Hegel's earlier statement that "[i]t is certainly true that the primary difference between the present outline and an ordinary compendium is the method which constitutes its guiding principle. But I am here *presupposing* that the philosophical manner of progressing from one topic to another and of conducting a scientific proof – this entire speculative mode of cognition – is essentially different from other modes of cognition" (PR p. 10) (emphasis added).

“Science,” I have noted, in the strictest sense to Hegel *is* the WL, and its depiction of the movement of the Concept from the thought of immediate being to the absolute Idea is explicitly presupposed by Hegel in his definitive political argument in the PR because, I am arguing, the latter is nothing more than the determinate reflection of the former.

In closing, I have argued in this chapter that the WL is presented in the form of a critical, ontologically relativistic argument in which the necessary conditions for the possibility of determinate thought are ideally reconstructed. I provided an account of the basic argument of the WL in its entirety, explained how its logical form is inextricable from its determinate conceptual content, and provided a summary of this content in its most general form. Finally, I provided a detailed account of the Subjective Logic or the Doctrine of the Concept section of the WL. I argued that the entire progression of Hegel’s WL from being to essence to the Concept is nothing more than a depiction of the pure logical Concept itself, the totality as thought in and through which any actual object is thought. The Concept is Hegel’s criterion of rationality, or, more directly the Concept *is* rationality. I will now turn to the PR in the remaining chapters to demonstrate that the latter is nothing more than the determinate reflection of the WL, i.e., of the pure Concept depicted in the WL, and so the rational state depicted therein is rational because it is nothing more than the Concept itself.

## CHAPTER 4 THE IDENTITY OF RATIONALITY AND ACTUALITY

In the preceding chapter, I provided an account of Hegel's logic of absolute idealism through a detailed textual analysis of the Subjective Logic or the Doctrine of the Concept section of Hegel's WL. The purpose of the following chapters will be to provide a detailed textual analysis of the PR, demonstrating in each section how the PR is the determinate reflection of the pure logical Concept depicted in the WL. The purpose of the present chapter is to argue that Hegel's statement positing the identity of rationality and actuality in the Preface to the PR refers to his final argument in the WL positing the identity of totality as thought or the Concept and totality as object or actuality and to outline the conceptual framework Hegel articulates in the Introduction to the PR.

### Hegel's Preface: Rationality and Actuality

Hegel was contemptuous of the use of prefaces, disparaging them in general as "superfluous" (*überflüssig*), "inappropriate" (*unpassend*), and even "misleading" (*zweckwidrig*). A preface, Hegel tells us *in his Preface to the PhG*, is "a string of random assertions and assurances about truth" (PhG 9/¶1), rather than a demonstration of the truth of the prefaced work. Yet every one of his major works contains a preface, as well as an introduction. The PR is no exception. What is more, despite Hegel's aversion to the aphoristic style of presentation for these very reasons, his most important statement in the Preface to the PR is articulated in the form of an aphorism:

What is rational is actual; and what is actual is rational (*Was vernünftig ist, das ist wirklich; und was wirklich ist, das ist vernünftig*) (PR 24/20).

This apparently scandalous statement is referred to as the *Doppelsatz* or "double-dictum." Historically, it has been a focal point in the perennial internecine conflict over the

dominant interpretive paradigm—“critical” or “conservative”—of Hegel’s political position.<sup>181</sup> According to conservative interpretation, Hegel’s identification of the rational with the actual and the actual with the rational is taken to be the sanctification of what “is,” or a statement positing the normative validity of all that exists. The first figure to advance this interpretation is Rudolph Haym,<sup>182</sup> and this conception of the basic meaning of the *Doppelsatz* continues even into the postwar twentieth-century, appearing in the works of figures such as Bertrand Russell and Karl Popper.<sup>183</sup>

In contrast to the conservative interpretation, the dominant contemporary interpretive paradigm of the *Doppelsatz* highlights the apparently critical character embodied in Hegel’s differentiation of that which is “actual” (*wirklich*), or in accordance with Hegel’s theoretical notion of “actuality” (*Wirklichkeit*), from that which simply exists. The first instance of the critical interpretation is advanced by Walter Kaufmann, which then provides the basis for a series of variations on this same general argument subsequently advanced by T.M. Knox and Shlomo Avineri, and most recently by Allen Wood, Michael Hardimon, and Frederick Neuhouser, as well as many others.<sup>184</sup> The normative dimension of the critical interpretation is best captured in the account provided by Frederick Neuhouser: “It is precisely here—in the disparity between real (existing)

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<sup>181</sup> Cf. Löwith, *From Hegel to Nietzsche*, esp. pp. 53-136, 137-173.

<sup>182</sup> Cf. Haym, *Hegel und seine Zeit*, pp. 367-368.

<sup>183</sup> Cf. Russell, *History of Western Philosophy*, p. 702; Popper, *The Open Society and its Enemies*, p. 41.

<sup>184</sup> Cf. Walter A. Kaufmann, “The Hegel Myth and its Method,” p. 469; T.M. Knox, “Translator Notes,” p. 302; Shlomo Avineri, *Hegel’s Theory of the Modern State*, p. 127; Allen Wood, *Hegel’s Ethical Thought*, pp. 10-11; Michael O. Hardimon, *Hegel’s Social Philosophy: The Project of Reconciliation*, pp. 53-54; Neuhouser, *Foundations of Hegel’s Social Theory: Actualizing Freedom*, p. 257.

institutions and those that are actual in Hegel's technical sense—that the possibility of social criticism is to be found.”<sup>185</sup>

Most recently, Robert Stern has advanced a “neutral” reading of the *Doppelsatz*, interpreting its meaning to be methodological in character, rather than normative or political at all:

The *Doppelsatz* is thus a defense of philosophical rationalism, rather than a normative claim about *was ist wirklich* in either a conservative sense (as simply what is) or a progressive sense (as what is when properly realized).<sup>186</sup>

It is true that Hegel rejects his contemporaries' abandonment of reason, but this rejection is integrally related to his normative argument in the Preface. He strongly criticizes the “ethics of conviction” (*Überzeugungsethik*) of Jacob Friedrich Fries throughout the Preface, opposing it to his own Kantian-rationalist ethical standpoint. Rejecting his contemporaries' morally relativistic appeals to subjectivism and to the inner convictions of one's actions as evidence of their validity, Hegel argues that ethical truths are universal and are derived only a priori through human reason.

My argument is that an accurate and complete answer to the question of the meaning of the *Doppelsatz* requires reference to Hegel's logic of absolute idealism articulated in the WL, and that none of the existing interpretations adequately fulfills this requirement. In what follows, I will provide a description of the meanings of actuality and rationality as these terms are articulated by Hegel in the WL. My interpretation of the meaning of the *Doppelsatz* will be that it refers to Hegel's argument for the sublation of the thought-reality opposition in thought only, in the identity of the Concept (the subject

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<sup>185</sup> Neuhauser, *Foundations of Hegel's Social Theory: Actualizing Freedom*, p. 257.

<sup>186</sup> Stern, “Hegel's *Doppelsatz*: A Neutral Reading,” p. 236.



of the Subjective Logic in the WL) and actuality (the subject of the Objective Logic in the WL) referred to by Hegel as the Idea.

### Hegel's Concept of Actuality

Practically every “critical” interpreter of the *Doppelsatz* references Hegel's concise definition of *Wirklichkeit* as the “unity of essence and existence” (*Einheit des Wesens und der Existenz*) (WL XI 369/528) in order to differentiate the term from existence as such. Yet, as an explanation, this definition, taken by itself, is question-begging. The problems here are manifold. First, Hegel would argue that a proper comprehension of the meaning of actuality can only be achieved through reference to its place within the entire progression of the WL from being to essence to the Concept. Moreover, not only does actuality take the three different forms of formal actuality, real actuality, and absolute actuality in Hegel's depiction of its movement in the WL, but these terms are introduced by Hegel in relation to a number of other terms whose meanings are not immediately apparent: Formal actuality is introduced in relation to contingency, formal possibility, and formal necessity (WL XI 381-385/542-546); real actuality is introduced in relation to relative necessity, real possibility, and real necessity (WL XI 385-389/546-550); and absolute actuality is introduced in relation to absolute necessity (WL XI 389-392/550-553).<sup>187</sup> A detailed analysis of each of these terms would be beyond the scope of this chapter. My argument is that the true meaning of actuality, in

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<sup>187</sup> These forms of actuality, possibility, and necessity constitute the main focus of Longuenesse's exegesis of Hegel's theory of the identity of rationality and actuality. Her concern is with explaining Hegel's appropriation of Kant's theory of the modal categories and his critique of the metaphysical doctrines of Spinoza and Leibniz. My concern is with the absolute idealist argument contained within this section and its application to Hegel's political argument. Cf. her *Hegel's Critique of Metaphysics*, pp. 110-159.

its final and complete form, can be determined only through reference to Hegel's logic of absolute idealism in the WL.

It is to be recalled from the third chapter of this study that *Wirklichkeit* is the final moment of reflection in the Essence Logic section of the WL. It is the thought of reality when it is thought to be entirely conceptually-constituted. Whereas being, essence, existence, and appearance are each in some way an immediacy independent of thought's constituting activity, actuality is entirely constituted by thought, or, more precisely, the preceding forms are *presupposed* by reflection to be independent of its constituting activity, whereas the moment of actuality is thought's realization of the *incorrectness* of this presupposition. Consequently, the moment of actuality is one of completion or finality. It is the final moment of both the Essence Logic in particular and the Objective Logic in general.

In what is Hegel's most important statement on the meaning of actuality, he defines it as the moment reached by thought in which "its final reflection is the positing of its immediacy as reflection-into-self, and conversely" (WL XI 380/541). This statement will require some explanation. It is to be recalled that a central argument of the Essence Logic is that reflection confronts posited contradictions and aporiae in its cognitions as a result of its differentiation between the thought of reality as it is in itself (essence [*Wesen*]) and the thought of being as it is reflected by thought (appearance [*Erscheinung*]). Once this differentiation is posited, thought reflects not into itself, but rather into an other, into an object it presupposes to be external to or independent from itself and immediately given. Despite the fact that thought posits any object it confronts, it does not follow that it exhibits a self-awareness of this positing activity. Actuality is the

moment of the resolution to this problem in the completion of the Objective Logic. In thought's opposition to itself, its relation to the object is mediated, whereas in its return to itself its relation to the object is immediate. Thought thereby produces both mediations and immediacies through its internal movement. It is thought's failure to comprehend the fact that it is its own unifying activity which produces these determinations that to Hegel necessitates the movement from one moment to the next. Any reflection on the part of thought into an other as immediately given (i.e., as unreflected) is therefore representative of its lack of self-awareness. This problem is overcome in actuality, in which thought posits its immediacy *as* reflection-into-self and reflection-into-self *as* immediacy. The Essence Logic begins with thought making explicit for itself the posited or determined character of its activity of opposing itself or reflecting into an other, whereas this activity was merely implicit in the Being Logic. The Essence Logic finds its completion in actuality, or the moment in which thought makes explicit for itself the posited or determined character not only its activity of opposing itself or producing its mediation or reflecting into an other, but also of its activity of returning to itself or producing its immediacy or reflecting into itself. The meaning of the following passage should now be clear:

[T]his unity in which existence or immediacy, and the in-itself, the ground or the reflected are simply moments, is actuality. The actual is therefore manifestation; it is not drawn into the sphere of alteration by its externality, nor is it the reflecting of itself in an other, but it manifests itself; that is, in its externality it is itself and is itself in that alone, namely only as a self-distinguishing and self-determining movement (WL XI 380-381/542).

“Manifestation” (*Äußerung*) is a term Hegel employs to denote his conception of the relation between thought as form and the content it confronts, for it is thought itself

which produces its content from within its own internal movement, and so its content is nothing more than a manifestation of itself to itself.<sup>188</sup> In actuality, thought is therefore completely self-aware of this identity of form and content, positing the immediacy before it as a reflection-into-self, and conversely.

In the moment of actuality, thought is no longer “drawn into the sphere of alteration by its externality, nor is it the reflecting of itself in an other.” The problem of the Objective Logic has been the problem of the relative priority of thought and its object. It is in the moment of actuality that this problem is overcome with thought’s realization that it is to itself its own object, i.e., that its object is itself. Thought’s complete self-awareness of its production or constitution of the object it confronts in the moment of actuality thereby completes the Objective Logic through resolving its central problem. All that remains when thought reaches the moment of actuality is reflection, described above simply as a “self-distinguishing and self-determining movement.” There is no longer any given; there is no determination of thought that is not a product of reflection. Actuality, the object of thought’s cognition, is therefore a reflection of thought itself to itself, and thought, or more particularly the unified activity of thinking in and through which any object is thought, is the Concept. It is with this that Hegel then goes on in the next section to describe the unifying activity which determines the movement of thought from its immediate thought of being to its realization that being is in fact actuality, i.e., the Concept.

### Hegel’s Concept of Rationality

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<sup>188</sup> Cf. the following passage: “The manifestation of [mind] itself to itself is therefore itself the content of mind and not, as it were, only a form externally added to the content; consequently mind, by its manifestation, does not manifest a content different from its form, but manifests its form which expresses the entire content of mind, namely, its self-manifestation” (EG §383Z).

As I have noted, the logical structure of the Concept is presented either as a completed syllogism, the instantiation of universality by individuality through its particularity, or as a logical movement from universality to particularity to individuality. Hegel defines *Vernünftigkeit* as a completed syllogism, and in particular as the completed syllogism of the Concept. An object is rational to Hegel if and only if it is comprehended by thought in and through the syllogistic totality of the Concept. To review briefly Hegel's presentation of this argument in the WL, he first identifies rationality with the form determination of the syllogism, stating that "the rational is nothing but the syllogism" (WL XII 91/665) and "not only is the syllogism rational, but everything rational is a syllogism" (WL XII 90/664). Despite these general remarks, Hegel does not identify the rational with simply *any* syllogism, but rather with the syllogism of the Concept in particular. This claim is proved through reference to Hegel's later statements that "[e]verything is a syllogism, a universal that through particularity is united with individuality" (WL XII 95/669), in which he identifies the syllogism with the particular sequence of terms of the syllogism of the Concept, and, most importantly, his statement that "the syllogism is the completely posited Concept; it is *therefore* the rational" (WL XII 90/664) (emphasis added). It is the "therefore" in this remark which indicates that while the rationality of the content of thought derives from its organization in the syllogistic form, the syllogistic form is only rational insofar as it is organized in the particular form of the syllogism of the Concept. Indeed, Hegel then identifies the syllogism as such with the Concept: "The syllogism is mediation, the complete Concept in its positedness" (WL XII 126/704). The Concept is the criterion of rationality to Hegel, or, more directly, the Concept *is* rationality.

## From Kant to Hegel: The Logical Impossibility of the Given

A proper comprehension of Hegel's principle of the identity of rationality and actuality requires reference to a number of aspects of Kant's transcendental idealism that Hegel accepts and employs, albeit in a transformed way, in his absolute idealism. First, consider Kant's introduction of his basic conception of transcendental apperception:

Now no cognitions can occur in us, no connection and unity among them, without that unity of consciousness that precedes all data of the intuitions, and in relation to which all representation of objects is alone possible. This pure, original, unchanging consciousness I will now name *transcendental apperception* (A107).

Kant's justification, accepted by Hegel, for this transcendental system of cognition, as I noted in the first chapter, is that an object of cognition can only be an object insofar as it is constituted by thought (cf. B137). In addition, as the above passage anticipates, the very possibility of this conception depends entirely upon what Kant refers to as the transcendental unity of apperception, which he describes as

an objective condition of all cognition, not merely something I myself need in order to cognize an object but rather something under which every intuition must stand *in order to become an object for me* (B138).

Kant therefore argues that there is no object of cognition except through the transcendental unity of apperception. It is important to distinguish this transcendental unity of apperception from the subjective unity of consciousness, for the latter is described by Kant as merely a "determination of inner sense" (*Bestimmung des inneren Sinnes*) through which the manifold of intuition is empirically given in its unity, whereas the transcendental unity of apperception is that unity "through which all of the manifold given in an intuition is united in a concept of the object" (B139).

This belief in a unity of thought is completely accepted by Hegel and elevated to the central principle of his philosophical system, and the latter cannot be understood at all without reference to it. Yet while Kant's transcendental unity of apperception, which he refers to as the "I think" (*ich denke*), is that of the finite subject, Hegel's Concept is infinite or absolute, not limited, as I noted in the second chapter discussion of the PhG, by the presupposed skepticism of finite subjectivism. It is for this reason that Hegel refers to the "I" from the distance of a third person perspective. Consequently, Hegel introduces his Concept as such a unity in the following way:

The Concept, when it has developed into a concrete existence that is itself free, is none other than the I or pure self-consciousness. True, I have concepts, that is to say, determinate concepts; but the I is the pure Concept itself which, as Concept, has come into existence (WL XII 17/583).

This passage is critical for an understanding not only of the Kant-Hegel relation, but moreover of the argument of this dissertation: Free self-conscious subjectivity, the self-determining individual subject, is the determinate reflection, i.e., the "concrete existence," of the unified activity of thinking that is the Concept in its pure logical form. Consequently, the PR, as the depiction of the objectivization of mind and its freedom, is the logic of the Concept depicted in the WL in its "concrete existence." It is clear that Hegel conceives of the unity of thinking that is his Concept, and therewith his philosophical system of absolute idealism in general, as the realization of Kant's transcendental unity of apperception, as opposed to his more limited notion of a subjective unity of consciousness. The central implication of this realization is that there can be no actual object independent of the Concept and its unifying activity.

As I noted in the first chapter, Hegel then deduces from this position an argument for the impossibility of a posteriori knowledge, or he argues that the a posteriori sensible

data “received” by thought is itself already thought in a priori terms. I would now like to draw attention to the following sentence in the PR concisely articulating precisely this argument:

When I think of an object, I make it into a thought and deprive it of its sensuous quality; I make it into something which is essentially and immediately mine (PR §4Z).

Hegel’s extension of Kant’s transcendental unity of self-consciousness and transcendental system of cognition into an infinite or absolute unity therefore culminates in a categorical denial of the logical possibility of an empirical “given” to which thought could be related, let alone to which it could be conditioned or determined. This position is derived from his resolution to the problem of the relation between thought and its object in the moment of actuality in the WL described above. The realization on the part of thought that the immediacy it confronts is not independent of its constituting activity, but rather is nothing more than the reflection of itself into itself is at the same time Hegel’s demonstration of the logical impossibility of the givenness of any actual object of cognition. This argument of Hegel’s is described by Longuenesse in the context of her brilliant explication of Hegel’s theory of reflection. To Hegel,

[t]here is no “mere” given. There is a *Vorhandensein*, determinations that reflection finds in itself, whose origin it would be at pains to account for and explain, or whose determinations it would be at pains to unify. But what is found is, on the one hand, *always already* thought; on the other hand, *rethought* and consequently transformed into thought just as soon as it is “found”...The activity of reflection preexists the terms between which it establishes [their] unity...In other words, it is the unifying aim of thought that establishes *as* thing and conditions the thing and its conditions, and establishes the mutual reflection of each side into the other.<sup>189</sup>

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<sup>189</sup> Longuenesse, *Hegel’s Critique of Metaphysics*, pp. 149-150.



Hegel's position is therefore that there is no "is," or no empirical given to which thought could be related, let alone conditioned or determined, *thereby precluding the possibility of his sanctification of that which simply exists*. The question of what thought relates itself to in its cognitions is answered by Hegel through his argument that thought relates itself only to itself. It is not logically possible for there to be anything other than thought, or the Concept. "Truth," it is to be recalled, is defined by Hegel as the "agreement of a thought-content with itself" (EL §24Z), rather than the correspondence of thought with an object presupposed to be external to itself. This argument is also articulated through Hegel's argument for the identity of form and content: Thought is not simply an empty form which derives its content from externality, but is rather a form which derives its content from within its own internal movement: Thought has its form for its content. It is possible that Hegel's argument against the logical impossibility of the given is anticipated in Kant's theory of sensation, at least insofar as sensation itself must be constituted by the transcendental unity of apperception for it to be given at all. As Longuenesse explains in her earlier book on Kant,

*Sensation...is strictly given, in no way a product of synthesis. But "what corresponds to sensation" becomes matter of the appearance only insofar as sensation itself is "apprehended," and insofar as figurative synthesis "affects inner sense" with the given and apprehended manifold of sensation...[Thus] in the context of our empirical cognition, the "given" appears as given only insofar as it is also synthesized by imagination under the unity of apperception (synthesis speciosa); and synthesis speciosa itself has for its raison d'être the function it fulfills in "affecting inner sense" with a "given" manifold (which is represented "as" given only insofar as it is synthesized by imagination), to be reflected under concepts.*<sup>190</sup>

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<sup>190</sup> Longuenesse, *Kant and Capacity to Judge*, p. 300. Cf. also her discussion of "synthesis and givenness" in her more recent *Kant and the Human Standpoint*, pp. 64-78. The passage upon which she bases this interpretation is the following: "But space and time are represented a priori not merely as forms of sensible intuition, but also as intuitions themselves (which contain a manifold), and thus with the determination of the unity of this manifold in them (see the Transcendental Aesthetic). Space, represented

Nevertheless, the givenness of sensation, and the consequent opposition between the spontaneity and receptivity of apperception that is based on this givenness, remains unresolved in Kant's final analysis:

Our cognition arises from two fundamental sources in the mind, the first of which is the reception of representations (the receptivity of impressions), the second the faculty for cognizing an object by means of these representations (spontaneity of concepts); through the former an object is *given* to us, through the latter it is *thought* in relation to that representation (as a mere determination of the mind) (A50/B74).

It is therefore Hegel's, rather than Kant's, philosophy that is definitively based on the principle of the logical impossibility of the given and therewith on the absolute spontaneity of thought in its determinations. It is for this reason that Hegel rejects any theory of government professing to be an ideal incapable of being realized, or incapable of corresponding to actuality, for if a criterion of right cannot be actualized or objectivized, then it must be the case that it is the criterion itself which is self-contradictory, rather than some deficiency with an actuality that to Hegel is itself a reflection of thought to itself. This is the basis for his critique of Plato's ideal republic, the paradigmatic example of a criterion of right incapable of being actualized (cf. WL XXI 99/112).

### The Concept, Absolute Idealism, and the *Doppelsatz*

To review, actuality is reality as entirely constituted by thought and rationality is the pure logical Concept. It is from here that I will now argue that Hegel's *Doppelsatz*

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as object (as is really required in geometry), contains more than the mere form of intuition, namely the comprehension of the manifold given in accordance with the form of sensibility in an intuitive representation, so that the form of intuition merely gives the manifold, but the formal intuition gives unity of the representation. In the Aesthetic I ascribed this unity merely to sensibility, only in order to note that it precedes all concepts, though to be sure it presupposes a synthesis, which does not belong to the senses but through which all concepts of space and time first become possible" (B160-161).

refers to his sublation of the thought-object opposition in thought only. I am referring to the Idea, i.e., the identity of rationality (the Concept, or totality as thought) and actuality (totality as object, which is itself a manifestation or expression [*Äußerung*] of thought to itself). This final moment of the WL is anticipated by Hegel in the *Truth of the Enlightenment* section of the PhG. In the following passage, he argues that thought and being should be conceived of as an identity, even emphasizing the thoroughgoing nature of this identity by articulating it in the form of a *Doppelsatz*:

[B]eing and thought are, in themselves the same...[B]eing, pure being, is not something concretely real but a pure abstraction, and conversely, pure thought, self-identity or essence, partly is the negative of self-consciousness and therefore being, partly, as immediately simple, is likewise nothing else but being; thought is thinghood, or thinghood is thought [*Denken ist Dingheit, oder Dingheit ist Denken*] (PhG 313/¶578).

Stated in terms of the transcendental character of Hegel's argument in the WL, this identity, the determinate concept of the identity of the totalities of subjectivity and objectivity, is the final determination in the reconstruction of the universal determinations at work in any attempt to think an object determinately. In the *Encyclopedia Philosophy of Mind*, Hegel provides a concise statement of this transcendental argument in practical terms:

Those who have no comprehension of philosophy become speechless, it is true, when they hear the proposition that thought is being. None the less, underlying all our actions is the presupposition of the unity of thought and being. It is only as rational, thinking beings that we make this presupposition (EG §465Z).

I will now turn to the Preface of the PR itself to further argue for this interpretation. In the section of the EG from which the above passage was taken, Hegel rejects Epicurus' empiricist theory of knowledge, which he takes to be the contrary of his own standpoint. Importantly, in his opposition to the moral subjectivist and/or emotionalist positions

taken by his Romantic contemporaries (Fries in particular) in the Preface to the PR, Hegel explicitly identifies the epistemological ground for these positions with the standpoint articulated by Epicurus (cf. PR 19/16). Consider also the following sentence, in which Hegel identifies the Romantic ethical view with the empiricist theory of knowledge described above and opposes it to his own absolute idealism:

The chief tendency of this superficial philosophy is to base science not on the development of thought and the Concept, but on *immediate perception* and contingent imagination (PR 18-19/15) (emphasis added).

Hegel's critique of the moral subjectivism and emotionalism of the Romantics is therefore derivative of his theoretical critique of the empiricist appeal to the givenness of experience or "immediate perception." There is simply no difference between a theoretical philosophy and a practical philosophy to Hegel, for to him the only true philosophical approach is "the development of thought and the Concept."

Now, in what is critically important for my argument, in the passage leading up to his presentation of the *Doppelsatz*, Hegel makes the following claim, referring back to his argument in the WL for the Conceptuality of actuality to explain the meaning of the *Doppelsatz*:

It is this very relation of philosophy to actuality which is the subject of misunderstandings, and I accordingly come back to my earlier observation that, since philosophy is exploration of the rational, *it is for that very reason* the comprehension of the present and the actual (PR 24/20) (emphasis added).

I emphasize the phrase "it is for that very reason" to indicate the importance of Hegel's conception of actuality as the *predicate* of rationality. This sequence is critical to comprehend not only the meaning of Hegel's argument in this particular passage, but also the meaning of the *Doppelsatz*, for it is to be recalled that actuality is the *result* of

thought's internal logical movement, a content or determinateness that is the *product* of its reflective activity. It is the final immediacy confronted by logical thought in its cognitions. In its original determination in being, thought's immediacy was presupposed to be independent of its constituting activity. But thought reaches the self-conscious realization that the immediacy before it, the object of its cognition in the most general sense, is a reflection of itself to itself, or that it is to itself its own object. This is actuality, and it is a transformation of the object itself: the object of being or reality, if it is to be a determinate object of cognition, must be cognized as actuality. On the other hand, the Idea, the final determination of the WL, is the reconciliation of the Objective and Subjective Logics because it is the moment in which thought or the Concept unites itself with its object or actuality as determined by itself. So while the Objective Logic, the first volume of the WL, depicts the movement whereby the actual (thought's object) becomes rational (explicitly posited or determined as constituted by thought), the Subjective Logic, the second volume of the WL, depicts the movement whereby the actual (thought, or the Concept) becomes actual (unites itself with its object of actuality through the sublation of its subjectivity, i.e., through the abandonment of its "presupposition" that the objective world exists as something "already there," and rather posits it as determined by itself). Hegel consequently articulates the *Doppelsatz* in terms of a process of becoming in his *Rechtsphilosophie* lectures: "[W]hat is rational becomes actual, and the actual becomes rational" (PRW 51).

Now, in the passage directly following the *Doppelsatz*, Hegel claims that "philosophy...takes it [i.e., the identity of rationality and actuality] as its point of departure in considering both the mental and the natural universe" (PR 25/20). It is clear

that this statement refers to the Idea, given his statement in the WL that the achievement of the Absolute Idea inaugurates its transition to the determinations of “[n]ature and mind,” which to Hegel “are in general different modes of presenting its [i.e., the Idea’s] existence” (WL XII 236/824).<sup>191</sup> Hegel refers to his argument that the identity of thought and its object in the Idea is the identity of thought with itself because actuality is itself thought when he later claims in the Preface to the PR that “[t]o comprehend what is is the task of philosophy, for what is is reason” (PR 26/21). It should be clear at this point that Hegel’s remark that “what is is reason” does not represent some horrific accommodationist political position, but rather refers to his theoretical argument that reality must be conceived of as actuality, or reality as entirely constituted by thought itself.

Even Hegel’s argument about reconciliation in the Preface to the PR requires reference to his logic of absolute idealism in the WL, for in the following sentence he interprets modern individuals’ failure to reconcile themselves to the modern political world as a failure to comprehend his own philosophical principle that there can be no actual object independent of or external to the Concept:

What lies between reason as self-conscious mind and reason as present actuality, what separates the former from the latter and prevents it from finding satisfaction in it, is the fetter of some abstraction or other which has not been liberated into [the form of] the Concept (PR 26/22).

Hegel therefore argues that it is only when modern individuals think in accordance with the principles of his own philosophical standpoint of absolute idealism that they can be truly reconciled with the modern world. Consider the following:

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<sup>191</sup> Cf. Hegel’s statement that “it is the Concept alone which has actuality, and in such a way that it gives actuality to itself” (PR §1A).

To recognize reason as the rose in the cross of the present and thereby to delight in the present – this rational insight is the reconciliation with actuality which philosophy grants to those who have received the inner call to comprehend (PR 26-27/22).

By “philosophy,” Hegel is referring to his own philosophy of absolute idealism.

Interestingly, he then advances his familiar argument about the identity of form and content as a more specific discussion of “what was described above in more abstract terms.” This obscure reference refers to the *Doppelsatz*, which, as the identity of the totalities of form and content, refers to the Idea. Consider the full passage in which this reference occurs:

This is also what constitutes the more concrete sense of what was described above in more abstract terms as the unity of form and content. For form in its most concrete significance is reason as conceptual cognition, and content is reason as the substantial essence of both ethical and natural actuality; the conscious identity of the two is the philosophical Idea (PR 27/22).

Rationality is form, or the unifying activity of the Concept is the imposition of form on the object of its cognition, and actuality, in both its natural and mental forms, is its object or content, which is itself the product of the Concept. Hegel’s final position, therefore, is the identity of the Concept and actuality in the form of the Idea, as he indicates even at the beginning of the WL at XXI 108/120.<sup>192</sup>

Finally, in what is one of the most famous passages of the PR, Hegel limits the capacity of philosophy to comprehend historical phenomena, arguing that the comprehension of historical actuality can only be retrospective in character. At first

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<sup>192</sup> “This identity [of form and content] is already formally given in the sphere of determinate being, but more expressly in the consideration of essence and of the relation of inner and outer, and most precisely in the consideration of the Idea as the unity of the Concept and actuality.”

glance, this might appear to be a practical claim without a theoretical antecedent. Yet this appearance would be incorrect. Consider the following passage:

As the thought of the world, it [philosophy] appears only at a time when actuality has gone through its formative process and attained its completed state. This lesson of the Concept is necessarily also apparent from history, namely that it is only when actuality has reached maturity that the ideal appears opposite the real and reconstructs this real world, which it has grasped in substance, in the shape of an intellectual realm (PR 28/23).

This argument is derived from Hegel's absolute idealist argument that thought is not immediately determinate, or actual, or objective, but rather that it achieves determinateness, actuality, and objectivity only as the *result* of its internal movement of opposing itself and returning to itself. It is from this theoretical antecedent that Hegel in this passage argues that the ideal determines, even "reconstructs" the real. Hegel's idealist argument here is not simply, to invert Marx's claim, that it is not agents' being which determines their consciousness, but rather their consciousness which determines their being. Rather, there is a stronger idealist argument implicitly referenced in this passage that more accurately reflects Hegel's philosophical standpoint. It is his principle that actuality to Hegel is reality as constituted, in all its determinations, by thought itself. The relation between the "ideal" of thought and the "real" of actuality is therefore the relation between thought and itself, and so Hegel's response to Marx would involve a demonstration of the posited or determined character of "being" itself, thereby *subsuming* the terms of the discourse set by the materialist framework.

### The Introduction

Hegel's Introduction to the PR summarizes the entire content of the work in terms of its abstract conceptual framework. His statements therein indicate that he conceives of the unity of the will and the activity of willing as the determinate reflection of the unity



of the Concept and the activity of thinking. I noted in the first chapter that Hegel conceives of the will as a “particular form of thinking – thinking translating itself into existence, thinking as the drive to give itself existence” (PR §4Z), and the Introduction to the PR in general reflects this principle.

Another central element of the Introduction is Hegel’s conception of the will as a form which derives its determinate content from within its own internal movement, a conception that is identical with how the logical form of thought derives its determinate conceptual content from within its own internal movement. Hegel’s theory of the will and its freedom in the Introduction to the PR is therefore derived directly from his critique of Kant’s argument for the separation of the formal logical form of thought from its determinate conceptual content.

It is to be recalled from the preceding chapter that Hegel rejects Kant’s argument that the content of thought, i.e., the manifold of intuition and representation, exists independently of thought’s constituting activity, and that the latter merely “brings unity into it and by abstraction raises it to the form of universality” (WL XII 20/587). Rather, according to Hegel, the content of thought must be demonstrated to be “the spontaneous outcome of the nature of the Concept itself” (WL XII 20/587). This argument, articulated by Hegel in the important Concept in General section of the WL, is the theoretical antecedent of his conception of the free will articulated in the PR. The most important sources of support for this interpretation are Hegel’s opening statement in §1 and its *Anmerkung*. First, Hegel introduces the PR by proclaiming that

[t]he subject matter of the philosophical science of right is the Idea of right – the concept of right and its actualization (PR §1).

Then, in the *Anmerkung* which directly follows this statement, he concisely discloses his core theoretical-philosophical position in the following way:

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, external contingency, opinion, appearance, untruth, deception, etc. (PR §1A).

Rather than being an empty form which must derive its content from externality, the Concept derives its determinate conceptual content from within its own internal movement. In its final moment, it becomes the determinate, internally mediated identity of the totalities of subjectivity and objectivity: the Idea. It is with this that the Objective and Subjective Logics of the WL find their resolution. This is Hegel's core philosophical position, and, I am arguing, the PR cannot be properly comprehended without reference to it.

Now, in what is critically important to note, this absolute idealism determines Hegel's notion of "right" (*Recht*) itself, the putative object of the PR, for the Idea of right is not merely the indeterminate concept of freedom, but also its "actualization" (*Verwirklichung*).<sup>193</sup> Hegel consequently tells us that "[r]ight is any existence in general which is the existence of the free will. Right is therefore in general freedom, as Idea" (PR §29). In the next paragraph, he tells us that it is "the existence of the absolute concept, of self-conscious freedom" (PR §30). Finally, and most importantly, he tells us that "right" does not simply mean abstract, i.e., indeterminate, right, but rather the complete system

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<sup>193</sup> Cf. Pippin, "Hegel's Political Argument and the Problem of *Verwirklichung*," pp. 509-532 for an analysis of some of the difficulties Hegel encounters in his various attempts in the PR to fulfill this requirement of actualization.

of the increasingly determinate forms taken by the thought of right or freedom in the movement to its final, completely determinate determination, for the reason that “the Concept brings thoughts together in their true relationship” (PR §33Z).

So, importantly, while the “subject matter” of the “philosophical science of right” is the “concept of right and its actualization,” “right” itself is “freedom, as Idea” or the concept of freedom and its actualization.

Hegel therefore does not argue that the will is an indeterminate form which derives its content from externality, nor does he argue that the will immediately possesses its own determinate content. Rather, the determinate content of the will, and therewith its “existence,” is demonstrated to be the product of its internal movement, for the will is only truly and completely free when it has taken the form of each of the moments of the pure logical Concept. Hegel describes this movement from universality to particularity to individuality as the “activity” (*Tätigkeit*) of the will and explains that the will is “actualized” only after it has traversed this movement. “The will is not complete and [determinately] universal,” Hegel tells us, “until it is this self-mediating activity and this return into itself” (PR §7A). This is the movement of the will in accordance with the logical structure of the Concept, and its result is the instantiation of its original indeterminate universality as determinate: “Freedom is to will something determinate, yet to be with oneself [*bei sich*] in this determinacy and to return once more to the universal” (PR §7Z). And, finally, while Hegel argues that the will can only be free if it achieves a determinate content, he also argues that a content can only *be* a content if it is derived internally from this logical movement: “Insofar as the will’s determinations are its own – that is, its internally reflected particularization in general – they are its content” (PR §9).

I would now like to return to Hegel's conception of the unity of the will and its activity of willing as the determinate reflection of the unity of the Concept and its activity of thinking. Consider the following statement: "[I]t [the will] *is* the process of translating the subjective end into objectivity through the mediation of activity" (PR §8) (emphasis added). The will *is* its activity, and this activity is identical to the unifying activity of thinking described above, in which thought "gives itself" determinateness, or the subjective Concept "gives itself" actuality. Importantly, the "content" of the will is then *defined* in terms of this logical movement: "[T]he content of the will...[is] actualized and accomplished through the mediation of its activity as it translates the subjective into objectivity" (PR §9). If the will does in fact complete this progression and thereby achieves determinate universality or individuality, i.e., if it has traversed each of the moments of the Concept, it is then referred to by Hegel as a "resolving" will. So, importantly, while the will can only be resolving will if its willing movement is in accordance with the logical structure of the Concept, in which it thereby "gives itself the form of individuality," the will can only *be* a will if it is a resolving will, for "only insofar as it makes any resolutions at all is it an actual will" (PR §12).

Hegel therefore articulates in the Introduction to the PR the conceptual conditions required (1) for the free will to be a will, (2) for this will to obtain a determinate content, and (3) for this determinate content to be a content. It is from the fulfillment of these conditions that the original abstract concept of the freedom will be thought through to its final determination in the state. These conditions of possibility are identical to those articulated in the WL for any object of thought's cognition. In the most basic sense, Hegel takes his argument in the PR to be justified, to be adequately grounded, because of

the demonstration articulated in the WL. Longuenesse nevertheless argues that, because the WL “makes no claim to providing the structure of any other knowledge than itself,” it “does not provide any recipe for progress in those sciences which Hegel calls ‘finite’.”<sup>194</sup> This position is absolutely incorrect. The object of the WL is the totality of actuality, while the object of the PR is the objective-mental form of actuality in particular. The philosophical science of right is “finite” in character, but this finite science is contained entirely within the conceptual system articulated in the WL: The mental (and natural) forms of actuality are the constituted reflections of the Concept because the totality of actuality is the constituted reflection of the Concept.

Consequently, the failure on the part of the understanding to comprehend the free will is therefore derivative of its failure as an account of rational cognition. First, it is to be recalled from the preceding chapter that Hegel in the WL rejects the Kantian presupposition that thought approaches the empirical manifold of determinate particularity as something “already there,” only then to be raised to the form of universality through the unifying activity of the subjective unity of consciousness. Hegel rejects this conception because to him the universal Concept derives its determinate particularity from within its own internal movement, and is therefore in no way *determined* by externality. In other words, Hegel argues that Kant conceives of the form of thought as *determined* by its content, whereas Hegel conceives of the form of thought as *determining* its content. So, to Hegel, the understanding conceives of thought in its cognitions to be determined by the “the prior given material” of the empirical manifold and only “approaches it, brings unity into it and by abstraction raises it to the form of

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<sup>194</sup> Longuenesse, *Hegel's Critique of Metaphysics*, p. 8.

universality,” whereas in his own conception, the Concept is infinitely self-determining because determinate particularity is determined to be “the spontaneous outcome” of the unifying activity of the Concept itself (WL XII 20/587).

In an identical way, Hegel argues in the PR that Kant’s conception of the will is such that its content “comes to it from outside,” and so “its content is not derived from its own self-determining activity” (PR §15A). Now consider Hegel’s following description of the way in which the understanding conceives of the relation of the form of the free will to its content:

[T]he understanding...takes the relationship of freedom to what it wills, or in general to its reality, merely as its application to a given material, an application which does not belong to the essence of freedom itself (PR §10A).

The derivation of this practical argument from its theoretical antecedent should be clear. Hegel argues that Kant conceives of the subjective form of the will as determined by its objective content in the same way he conceives of the form of thought to be determined, whereas Hegel conceives of the subjective form of the will as determining its objective content in the same way he conceives of the form of thought to be determining. This opposition of the understanding between the form of thought or the will and its content is also described by Hegel in terms of thought’s or the will’s “certainty” (*Gewißheit*) and its “truth” (*Wahrheit*). “Reflection,” Hegel tells us *in the PR*, “is the will’s abstract certainty of its freedom, but it is not yet the truth of this freedom, because it does not yet have itself as its content and end, so that the subjective side is still something other than the objective” (PR §15A). It is to be recalled from the first chapter of this study that the purpose of the PhG is to liberate thought from the opposition of consciousness, thereby

elevating it to standpoint of “science,” i.e., of Hegel’s philosophical system.

Consequently, in the WL, Hegel explains that

[a]bsolute knowing is the truth of every mode of consciousness because, as the course of the *Phenomenology* showed, it is only in absolute knowing that the separation of the object from the certainty of itself is completely eliminated (WL XXI 33/49).

The WL and the PR, then, represent the standpoint of science in its pure-logical and determinate or “objective” forms, for the reason that the presentation of each is grounded in the overcoming performed by the PhG of the subjectivism presupposed by the understanding, i.e., its presupposition of the opposition between the object as it is for consciousness and as it is in itself. Hegel therefore refers to the understanding in the PR as the standpoint of “finitude,” noting in particular that “[f]initude...consists in the fact that what something is in itself or in accordance with its concept is difference from existence or appearance from what it is for itself” (PR §10A). The understanding conceives of the practical application of pure reason in the will to be infinite and the theoretical application of pure reason in thought to be finite. Hegel argues for the contrary position: Practical reason or the will is finite, whereas theoretical reason or thought is infinite, and so the finitude of willing is nothing more than “thinking reason...deciding on its own finitude” (PR §13A), or theoretical reason spontaneously determines itself to *be* finite in the form of the will.

Hegel’s critique of the understanding in the PR in the most general sense can therefore be summarized in the following way. First, he argues that the understanding separates the form of the subjective will from its objective content: “free reflection, which abstracts from everything, and dependence on an inwardly or externally given content and material” (§15Z). Consequently, the option presented by this framework of

the understanding, Hegel tells us, is between “the indeterminacy of the I and the determinacy of the content” (PR §15Z). My argument is therefore that Hegel’s political-philosophical argument cannot be comprehended without reference to his theoretical-philosophical critique of the option between indeterminate conceptual universality and the determinateness of external intuitions advanced by Kant and refuted by Hegel in the WL, i.e., the principle that “neither concepts without intuition corresponding to them in some way nor intuition without concepts can yield a cognition” (A50/B74).

Hegel then argues that highest principle of the rational political order is the modern principle of freedom, rather than the ancient principle of happiness, as a result of the incapacity on the part of the latter to achieve a “unity of content and form” (*Einheit des Inhalts und der Form*) (PR §20Z). The will and its freedom, when comprehended in the particular way Hegel is arguing for, are capable of achieving this unity, as he explains in the following:

When the will has universality or itself as infinite form, as its content, object, and end, it is free not only in itself but also for itself – it is the Idea in its truth (PR §21).

The meaning of this sentence should be clear, given that I have already noted in the first chapter that to Hegel the will is in-itself free, but is only completely free when it becomes for-itself free, or self-consciously aware of its in-itself freedom. Hegel in this section extends this argument by identifying the will which is free in-and-for-itself and its willing with its theoretical antecedent in reflective thought and its activity of thinking in accordance with the principles of his absolute idealism. “The reflective will,” Hegel explains, “has as its object the will as such, and hence itself in pure universality. This universality is such that the immediacy of the natural and the particularity...produced by



reflection are superseded by it.” The parallel to the activity of thinking should already be clear enough. Yet Hegel then further explains that “this process whereby the particular is superseded and raised to the universal is what is called the activity of thought.” This is “the point at which it becomes clear” that “it is only as thinking intelligence that the will is truly itself and free” (PR §21A). This argument, rejecting the ancient elevation of *eudaimonia* or happiness to the highest principle of any political order in favor of the modern principle of freedom,<sup>195</sup> clearly illumines the modern character of Hegel’s political-philosophical position.

This is of course not to say that Hegel simply accepts the validity of the conceptions of freedom advanced by his modern predecessors. It is to be recalled from above that Hegel defines “right” (*Recht*) as the concept of freedom and its actualization, or the Idea of freedom, and states that the philosophy of right begins with the will which is free both in-itself and for-itself. These positions provide the basis for Hegel’s critique of Kant’s conception of right, which he articulates in the following sentence from the *Metaphysics of Morals*: “Right is therefore the sum of the conditions under which the choice of one can be united with the choice of another in accordance with a universal law of freedom” (MS 230/24). The problem with this conception of right according to Hegel

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<sup>195</sup> For Aristotle’s statements elevating happiness to the highest principle of his polity, cf. the *Politics*, §§1328a26, 1331b24. Cf. also Aristotle’s argument that happiness is the highest good in the realm of practical ethics in the *Nicomachean Ethics*, §§1095a18-20, 1176a30-1181b20. In Plato’s *Republic*, by contrast, Adeimantus argues that members of the ruling guardian class will be unhappy as a result of the requirements that they be prohibited from owning any property or having any privacy (§§419a-420b). Socrates implicitly acknowledges this unhappiness on the part of the guardians through his response that the concern should not be with the happiness of a particular class, but rather with the “happiness of the city as a whole” (§§420b-421c). Aristotle criticizes this argument of Plato’s in his *Politics* at §§1264b6, 1329a17. However, as Plato argues, the life of the ruling guardians must be good only “in-itself,” rather than good as a consequence of ruling, so as to ensure that they rule in the interest of the city as a whole, rather than in their own interest, thereby indicating that the nonphilosophical guardians—they are loyal to philosophy but are not themselves philosophical—are essentially not unlike the lower classes over which they rule. It is only the philosopher in the strict sense who would rule in the interest of the city as a whole, but this is an impossibility.

is that it is based on a conception of the will as that of “the particular individual, as the will of a single person,” rather than the will “as rational will which has being in and for itself.” In other words, the problem with this conception is that it conceives of freedom only as the freedom of the particular individual subject, thereby leading directly to a negative or voluntaristic conception of the freedom of the individual in his relation to the state. As Hegel explains, “[o]nce this principle is accepted, the rational can of course appear only as a limitation on the freedom in question, and not as an immanent rationality, but only as an external and formal universal.” So the problem is that the Kantian and the Rousseauian conceptions of freedom are based exclusively upon the principle of “particularity” (*Besonderheit*) (PR §29A). The (determinate) universality of the state, referred to by Hegel here as “the rational,” can only be an external impediment to the freedom of the individual in this conception. The thought of freedom to Hegel must therefore proceed beyond the opposition between its indeterminate universality and its particularity to the moment of their resolution in the moment of determinate universality or individuality.

As I will now argue, Hegel’s critique of the Kantian conception of right requires reference to his critique of Kant’s conception of rational cognition. According to Kant, cognition is an activity which begins with a universal concept and then involves the subsumption of given determinate particulars under that conceptual universal. Cognition is therefore a matter of classification.<sup>196</sup> Kant then extends this “classificatory” model beyond cognition into consciousness generally, arguing that conceptual classification is a

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<sup>196</sup> Hegel by contrast argues that “[t]he lowest conception one can have of the universal in its connection with the individual is this external relation of it as merely a common element” (WL XII 51/621).

condition required for the possibility of any consciousness or awareness. Importantly, Kant applies his classificatory conception of cognition to the realm of rational action. The rational will is conceived of by Kant in the *Critique of Practical Reason* as a cognitive faculty of determining the validity of particular actions through the conception of a universal law. The Fundamental Law of Pure Practical Reason is: “So act that the maxim of your will could always hold at the same time as a principle in a giving of universal law” (KPV 30/28).<sup>197</sup>

Hegel, in contrast, presents his Concept as the resolution of the opposition between conceptual universality and determinate particularity which the classificatory model of cognition cannot resolve. To Hegel, the universal concept is the *source* of the determinate particulars to which it is related. So while Hegel agrees with Kant that cognition begins with a formal universal concept, he rejects Kant’s notion that the particulars to which the concept is related exist in any external or independent sense from the concept itself. In other words, to Hegel the particularity to which the concept is related is simply the second moment of the concept itself, it is the *concept’s* particularization, and the determinateness of the universal is then achieved as the concept unifies its own particulars in its third moment of individuality (or *determinate* universality). So Hegel replaces Kant’s externalist classificatory model with an internalist one based upon the principle of thought’s immanent self-development.

The importance of Hegel’s rejection of Kant’s classificatory model of cognition cannot be overstated, for this argument about cognition *determines* both the form and content of Hegel’s argument both in the WL and the PR, for, in the latter, Hegel presents

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<sup>197</sup> “Handle so, daß die Maxime deines Willens jederzeit zugleich als Princip einer allgemeinen Gesetzgebung gelten könne.”

his conception of ethical life as the resolution of the opposition between the universality of abstract right and the particularity of morality in the PR. Indeed, when Hegel discloses the general form through which the content of the PR will be presented, i.e., the logical structure of the Concept, he describes this set of “subdivisions” in *cognitive* terms, even explicitly identifying this structure as the theoretical solution to the problem of the classificatory model of thinking. Consider the following statement from the PR:

Philosophical subdivisions are certainly not an external classification – i.e., an outward classification of a given material based on one or more extraneous principles of organization – but the immanent differentiation of the concept itself (PR §33A).

The political problem of “right” or modern freedom is to Hegel essentially cognitive in nature: It is a failure to think through the limitations presupposed by the standpoint of the understanding, for to think through these limitations completely is to overcome them, and this overcoming is to Hegel the achievement of the standpoint of reason, or his own philosophical standpoint.

It is from this theoretical framework that Hegel then rejects Kant’s conception of right as an external, formal, and universal law or regulative principle which is simply to subsume the particularity of the individual subjects, which are taken to exist freely independent of or external to that universal. This rejection of Kant’s political argument is, I am arguing, derived from Hegel’s rejection of Kant’s theoretical conception of cognition as the external application of a formal, universal concept which subsumes the particulars taken both to exist and to be determinate independent of that concept. Kant’s (and Rousseau’s, according to Hegel) exclusive emphasis on the particular will of the individual subject necessitates its opposition to the universal state, and so freedom is consequently defined in voluntaristic or negative terms, and the universal right of the

state can only be an impediment to the will of the particular subject. This binary opposition between the universal and the individual, central to modern liberal political philosophy, is to Hegel a misconception. The relation between the individual subject and the universal state is, as Hegel says, “of quite a different kind.” Rather, “[s]ince the state is objective mind, it is only through being a member of the state that the individual himself has objectivity, truth, and ethical life” (PR §258A). The Concept is the *source* of the objectivity of the object of its cognition, and so the state is consequently the *source* of the objectivity or reality of its members and their freedom. As I have argued, Hegel’s political position in this regard derives from his rejection of the Kantian classificatory model of cognition and consciousness described above. He even completes his discussion of the Kantian definition of right by claiming that “[t]his view is devoid of speculative thought and is refuted by the philosophical Concept” (PR §29A).

The remainder of Hegel’s Introduction is directed toward explaining how the method or procedure of the PR is the logic of the movement of pure thought depicted in the WL. As noted above and described in detail in the preceding chapter, thought to Hegel is formal only insofar as it has not yet progressed beyond the moments of its subjective movement (cf. WL XII 129/707, 21/587; EL §182Z). This argument is determinative of both the form and content of the PR in general. Hegel first explains that “the formalism of right...arises out of the different stages in the development of the concept of freedom” (PR §30), and then states more particularly that “it is only at a more advanced stage...that the moments of development attain...[the] distinctive shape of existence” (PR §32A) and “what is actual, the shape which the concept assumes, is therefore from our point of view only subsequent and further stage” (PR §32Z). This

basic argument is presented by Hegel in opposition to the “empirical sciences” and “representational thought,” where each takes its object to be immediately given and then conceives of cognition as the “subsequent application of the universal to such material of extraneous origin” (PR §31).

It is in opposition to this conception that Hegel then advances his own method as one in which “the concept...develops out of itself and is merely an immanent progression and production of its own determinations,” a method, Hegel tells us, which is “assumed to be familiar from logic” (PR §31) or is “presupposed from speculative logic” (PR §33A). These “determinations,” appearing in the second, “particularity” moment of each movement, might appear to be the abandonment of the conceptual universal of the first moment of each movement, but Hegel assures us that “if the concept appears to have become fragmented in its existence, this is merely a semblance [*Schein*],” for the truth is rather “subsequently confirmed” in the third, “individuality” moment of each movement in the “return in the concept of the universal” (PR §32Z). This process of the self-particularization of the Concept is outlined in the WL in the transition from its original self-identical universality to its particular determination in the judgment, described Hegel as the Concept’s “partition” (*Teilung*) of itself (WL XII 52/622) or its “self-diremption” (*Diremption durch sich selbst*) (WL XII 55/625), while the movement from the judgment to the syllogism, the completion of the form determination of the Concept, constitutes its “restoration” (*Wiederherstellung*) (WL XII 90/664). Determinateness, actuality, and objectivity are achieved only as the result of this restoration of the original indeterminate universality from its particularization as the determinate mediated identity of universality and particularity. Hegel emphasizes the internally self-grounding character of this

conception of cognition in his disclosure that “we do not begin with the highest instance, that is, with the concretely true...[because] we wish to see the truth precisely in the form of a result, and it is essential for this purpose that we should first comprehend the abstract concept itself” (PR §32Z).

On a final note, it is interesting and noteworthy that Marx conceives of the categories which form the content of his mature philosophical project (production, distribution/exchange, consumption) in terms of Hegel’s absolute idealist conception of rational cognition.<sup>198</sup> Consider his presentation of these categories in the following passage of the *Grundrisse*:

[1] Production in general is an abstraction, but a rational abstraction in so far as it really brings out and fixes the common element and thus saves us repetition. [2] Still, this general category, this common element sifted out by comparison, is itself segmented many times over and splits into different determinations...[3] [T]hose things which determine their development...must be separated out from the determinations valid for production as such, so that in their unity – which arises already from the identity of the subject, humanity, and of the object, nature – their essential difference is not forgotten.<sup>199</sup>

There can be no epistemological ground other than Hegel’s absolute idealist conception of rational cognition that Marx could possibly have for presenting his argument in the sequence of (1) an abstract conceptual universal, followed by (2) a set of determinate

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<sup>198</sup> The recent studies of Hiroshi Uchida and Mark Meaney both seek to explain the determinative relation between Hegel’s WL and Marx’s *Grundrisse*, but neither study progresses beyond the dialectical-logical form shared by these works. While Uchida seeks to prove that the dialectical form shared by the two works “is more profound and more systematic than hitherto appreciated” (*Marx’s Grundrisse and Hegel’s Logic*, p. 1), Meaney demonstrates that “the ordering of economic categories in the *Grundrisse* reflects the ordering of the logical categories in the *Science of Logic*” (*Capital as Organic Unity*, p. ix). While it is true that such studies perform an important philological task, this exclusive emphasis on the determinative relation between Hegel’s dialectical logic and the form of Marx’s mature works results in a set of projects whose scope is inherently limited. I am arguing that dialectical-logical form of Hegel’s WL cannot be coherently separated from its determinate conceptual content, i.e., the argument for absolute idealism, and so Marx’s appropriation of Hegel’s dialectical logic implicates, in opposition to his own explicit statements, the philosophical argument of *Grundrisse* in an inferential commitment to Hegel’s idealism.

<sup>199</sup> Marx, *Grundrisse*, p. 85.

particulars presented as the particularization *of* the original concept, followed by (3) the mediated identity of the preceding moments, as the restoration of the original concept at a higher level of determinateness.<sup>200</sup> (Marx even later claims that these terms “form a regular syllogism” in which “production appears as the point of departure, consumption as the conclusion, distribution and exchange as the middle,” further determining that “production is the generality [*Allgemeinheit*], distribution and exchange the particularity [*Besonderheit*], and consumption the singularity [*Einzelheit*] in which the whole is joined together.”<sup>201</sup>) The content of Marx’s conception of the relation of these moments

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<sup>200</sup> Marx even describes consumption or the moment of individuality as a return to a more determinate form of production or universality: “The individual produces an object and, by consuming it, returns to himself, but returns as a productive and self-reproducing individual. Consumption thus appears as a moment *of* production” (Ibid., p. 94) (emphasis added).

<sup>201</sup> Ibid., p. 89. Marx further notes that these syllogistic terms can only be properly comprehended if they are “grasped in their unity” (Ibid., p. 90). This is not to say that these terms are for Marx a simple, undifferentiated identity, for “[t]he conclusion we reach is not that production, distribution, exchange and consumption are identical, but that they all form the members of a totality, distinctions within a unity” (Ibid., p. 99). (Marx also claims on p. 93 that each term “is mediated by the other: this is expressed as their mutual dependence; a movement which relates them to one another, makes them appear indispensable to one another, but still leaves them external to each other.”) Cf. this conception to Hegel’s definition of the Concept as the moment reached when the “three totalities [of universality, particularity, and individuality] are...[posited as] one and the same reflection, which, as negative self-relation, differentiates itself into...a perfectly transparent difference, namely, into a determinate simplicity or simple determinateness which is their one and the same identity” (WL XI 409/571). The holistic character of the relation Marx ascribes to these concepts is further articulated in his remarks that “each of them [production and consumption], apart from being immediately the other, and apart from mediating the other, in addition to this creates the other in completing itself, and creates itself as the other” (*Grundrisse*, p. 93), that “[p]roduction mediates consumption...But consumption also mediates production,” and, in what is critically important for understanding how Marx follows Hegel in his individual holism, that “[w]ithout production, no consumption; but also, without consumption, no production” (Ibid., p. 91). This individual holism Marx is arguing for is derived from Hegel and is integrally related to Hegel’s absolute idealism, for Marx cannot appropriate Hegel’s argument that the determinateness of a concept is a function of its being comprehended in terms of the holistic relational structure in which it is situated without also implicitly committing himself to Hegel’s dialectical method as an *idealist* subjective process that resolves the incompatibilities between the relations and their relata. Marx himself clearly argues that the determinateness of these terms is a function of grasping them in terms of their holistic relational structure, and this acknowledgment of the necessity of conceptual conditions for an object to be a determinate object of cognition—itself a fundamentally idealist claim—is explicitly stated in the following passage: “It seems correct to begin with the real and the concrete, with the real precondition, thus to begin, in economics, with e.g. the population, which is the foundation and the subject of the entire social act of production. However, on closer examination this proves false. *The population is an abstraction if I leave out, for example, the classes on which they rest. E.g. wage labor, capital, etc. These latter in turn presuppose exchange, division*



indicates an inferential commitment<sup>202</sup> to Hegel's absolute idealism as a result of his commitment to Hegel's internalist dialectical model of cognition, as opposed to the subjective idealism of Kant's externalist classificatory model.<sup>203</sup> In an identical way, Marx concludes the Introduction to the *Grundrisse* by disclosing that the first three terms in his analysis of capitalist society will be presented in the following sequence:

(1) the general, abstract determinants which obtain in more or less all forms of society... (2) The categories which make up the inner structure of bourgeois society and on which the fundamental classes rest... (3) Concentration of bourgeois society in the form of the state.<sup>204</sup>

Again, it is indicated that the structure of Marx's argument is identical to the logical structure of Hegel's conception of rational thinking or the Concept. The first moment of Marx's method of analysis is the "general, abstract" notion of any society. He begins,

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*of labor, prices, etc. For example, capital is nothing without wage labor, without value, money, price, etc.*" (Ibid., p. 100) (emphasis added).

<sup>202</sup> What is an inferential commitment? If I make the materially good inference that "X is to the North of Y, therefore Y is to the South of X," I am inferentially committed to the conclusion as a result of having articulated the premise. Deductive, logically good inferences work in the same way. The deontic status of commitment derives from the inferential relation: it is the status of being committed to one claim as a result of being committed to another. Cf. the helpful discussions of this concept in Brandom, *Making it Explicit: Reasoning, Representing, and Discursive Commitment*, esp. pp. 141-198, and his *Articulating Reasons: An Introduction to Inferentialism*, esp. pp. 45-78.

<sup>203</sup> Marx expresses his acceptance of Hegel's argument for the internal and derivative character of the second moment of particularity in relation to the first moment of universality in a number of different ways. Cf. his statements that "distribution is itself a product of production" and "[t]he structure of distribution is completely determined by the structure of production," with his further notation that distribution determines production "not only in its object, in that only the results of production can be distributed, but also in its form, in that the specific kind of participation in production determines the specific form of distribution, i.e., the pattern of participation in distribution" (*Grundrisse*, p. 95). Marx also expresses his implicit agreement with Hegel's rejection of Kant's subjective idealist classificatory model of cognition through his statement that it is only "in its one-sided form" that "production [universality] is itself determined by the other moments [of particularity and individuality]" (Ibid., p. 99), further noting that while exchange or the moment of particularity "appears as independent of and indifferent to" production or the moment of universality, this opposition between exchange as it is in itself and exchange as it is for production is illusory because exchange is "determined by the development and structure of production" (Ibid., p. 99), even stating that it is only in the "shallowest conception" that "distribution appears as... removed from and quasi-independent of production" (Ibid., p. 96).

<sup>204</sup> Ibid., p. 108.

therefore, with an indeterminate universal concept. He then conceives of the “categories” in the second moment as the particularization of the original concept, i.e., he conceives of the categories in internalist terms as the “inner structure” of bourgeois society, rather than as an external, given set of particulars. This is what Hegel refers to as the “partition” or “self-diremption” of the Concept. It is therefore the moment of particularity and, unlike the Kantian conception, involves no appeal to externality. It is here, in Marx’s emphasis on the internality of the determinate particulars he is analyzing in relation to the conceptual universal, that he implicitly accepts Hegel’s *idealist* principle, explicitly rejected only a few pages earlier, that “the real [is] the product of thought concentrating itself,” “unfolding itself out of itself.”<sup>205</sup> The “inner structure” of bourgeois society can only be analyzed, as Marx himself acknowledges through his own sequence of moments, as the *result* of the original “general, abstract” concept of society: It is *internal* to that concept, and exists only as its *product*. This interpretation is then supported by Marx’s presentation of the third moment as the “concentration” of the particularized categories of the second moment. This is what Hegel refers to as the “restoration” of the Concept in determinate universality or individuality. The parallel here could not be clearer, and this particular appropriation of Hegel’s dialectical logic clearly indicates that the latter cannot be separated from the absolute idealism from which it derives its coherence.

### Conclusion

In closing, I have argued in this chapter that the identity of rationality and actuality posited in the Preface to the PR is a reference to the logical Idea depicted in the WL and that the conceptual framework posited in the Introduction to the PR in and

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<sup>205</sup> Ibid., p. 101.

through which the unity of the will and its activity of willing is articulated is the determinate reflection of the logic of the unity of thought and its activity of thinking depicted in the WL. In the remaining chapters, I will provide a detailed textual analysis of the PR, demonstrating in each section how the PR is the determinate reflection of the WL, of the pure logical Concept depicted in the latter at its highest level of determinateness.

## CHAPTER 5 ABSTRACT RIGHT AND MORALITY

In the present chapter, I will provide a textual analysis of the first two major sections of the main body of the PR: Abstract Right and Morality. The task I am setting for myself to accomplish in this chapter and in the following chapters is to make explicit the theoretical antecedents of the practical, political arguments contained within the PR. These antecedents include (1) the formal logical form and determinate conceptual contents of the WL and (2) the argument for absolute idealism articulated in the WL. The absolute idealism of the WL is articulated in the PR through (1) the representationalist activity of the will in its relation to the posited object of cognition it confronts, i.e., freedom, and (2) its inferentialist activity of making explicit in each moment the implicit commitments to idealism required for its thought of freedom to be a determinate thought activity. These two elements in Hegel's articulation of the idealist character of the PR are integrally related: The will in each moment attempts to posit its object, i.e., freedom, as independent of or external to itself and its own willing activity. In each moment, however, this positing attempt fails because the will reveals to itself the incorrectness of its presupposition of the independence or externality of the object. In its final moment, the will makes explicit for itself the truth that it is to itself its own object.

Hegel's argument in the PR is therefore logically regressive in character. Its movement is the transcendental reconstruction of the conceptual conditions required for thought to think the object of right determinately. To interpret Hegel's argument in the PR as presented in the transcendental form is to say the following about its conceptual movement from, e.g., freedom to person to property: If I begin with an abstract universal concept of freedom, I then realize that this concept is not a coherent thought activity (it

cannot be determinate) unless it is conceived of as instantiated in an individual “person.” In other words, there could not possibly *be* freedom if there were no rational human subjects to which this abstract concept of freedom could be ascribed. The free human subject, then, could not possibly *be* free if this freedom were not in some way objectivized, and Hegel’s argument is that the abstract freedom of the human subject is objectivized first and foremost through the institution of private property ownership. Hegel discloses that this is in fact his procedure in the PR in his formal statement that “the moments, whose result is a further-determined form [of the concept], precede it as determinations of the concept in the scientific development of the Idea, but do not come before it as shapes in its temporal development” (PR §32A). What Hegel is claiming here, I am arguing, is that, while concept X is presented earlier in the course of the development of the PR than concept Y, concept Y is in fact logically antecedent to concept X, thereby indicating the logically regressive character of the PR, as the reconstruction of thought’s conceptual presuppositions. The PR, then, in the most general sense argues that the basic thought of freedom, if completely thought through, refers back to its final presupposition in the concept of the state, or, even further, to the totality of world history, as the determinate manifestation of the freedom that is contained entirely within the independent thought of the will itself.

### Abstract Right

The Abstract Right section of the PR is the determinate reflection of the Doctrine of Being section of the WL.<sup>206</sup>

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<sup>206</sup> Its moments of property (taking possession, use of the thing, the alienation of property) correspond to those of quality (being, determinate being, and being-for-self); its moments of contract (the contractual relation, moments of the contract, kinds of contract) correspond to those of quantity (quantity,

Being, as noted in the third chapter, is the indeterminate immediate. However, in the first moment of being, quality, this indeterminateness is contrasted with its contrary of determinateness and as such achieves a qualitatively determinate character as determinate being. The finitude of determinate being, however, sublates itself and passes over into the infinite relation of being to its own self, or being-for-self. In the second moment of being, quantity, the immediate determinateness of quality becomes a determinateness which is no longer limited to being, or it is a being-for-self that is identical with being-for-other, no longer excluding its other. Quantity begins as the purely indeterminate identity with itself or pure quantity. It is determined, however, that a determinateness is posited in this identity, but *as* indeterminate or external, and Hegel refers to this as quantum. In the movement to the third moment of measure, the determinateness of quantum derives from its indifference to its in-itself. It is referred to as a “self-transcending” or “self-negating” determinateness, and so infinite quantity, as the sublation of this indifferent determinateness, is for Hegel the “restoration” of quality. Quantum in a qualitative form is quantitative ratio. This identity of qualitative and quantitative is initially formal, however, and the sublation of this indeterminateness is achieved in the determinate identity of these terms in the completion of measure.

In an identical way, Abstract Right is the indeterminate immediate. However, in the first moment of abstract right, property, the indeterminateness of the concept of personality is contrasted with its contrary of determinateness in the form of the object of property, and thereby achieves a determinate character. In the second moment of abstract right, contract, the determinateness the person achieved through its immediate relation to

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quantum, the quantitative relation); and its moments of wrong (unintentional wrong; deception, coercion and crime) correspond to those of measure (specific quantity, real measure, the becoming of essence).

property becomes a determinateness which is no longer limited to itself, no longer excludes its other in the form of another person. The contingency of the particular wills in the contractual relation, however, introduces the opposition between right as it is for the particular will and universal right. In wrong, the determinateness of the particular individual's conception of right is achieved through its conception of universal right as indeterminate or external to itself. Universal right, which is contained within the particular will, is not yet explicit for it, and so it conceives of its particular conception of right as a determinateness achieved through the "self-transcending" or "self-negating" of universal right. However, it is through this same movement that the external character of universal right is sublated, thereby achieving the "restoration" of right through punishment.

The introductory section of Abstract Right at §§34-40 contains Hegel's discussions of (1) the abstract concept of the free will and of (2) "personality" (*Persönlichkeit*),<sup>207</sup> or the concept of the person within which this abstract concept must be instantiated in order to be a determinate thought activity. Hegel therefore begins the Abstract Right section, and therewith the body of the PR in general, with the will that is free both in and for itself in its "abstract concept" (*abstrakter Begriff*). This initial form of the free will is the condition of "immediacy" (*Unmittelbarkeit*), and this immediacy of the will, he explains, derives from the fact that its "reference to itself is purely abstract" (PR §34). Later, in his discussion of wrong, Hegel will even refer back to this starting point as "immediate being" (*unmittelbares Sein*) (PR §82Z) and as the "universality and simplicity of its [right's] being in itself" (PR §83). Stated in representationalist terms, the

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<sup>207</sup> Cf. the helpful analysis of this section in Quante, "'The Personality of the Will' as the Principle of Abstract Right," pp. 81-100.

will in this first moment conceives of its relation to externality to be immediate: Its mediated relation to itself and to its determinations has not yet become explicit for it. Hegel therefore relies upon his notion of a negative self-relation,<sup>208</sup> as well as upon his conception of immediacy in general as not a simple immediacy, but rather as the mediation of an antecedent mediation and containing mediation within itself. Sense therefore cannot be made of the concept with which Hegel begins the PR without reference to his argument in the WL expressed through his characteristic statements that “immediacy in general proceeds only from mediation, and must therefore pass over into mediation” (WL XII 214/800) and that “[s]imple immediacy is itself an expression of reflection and contains a reference to its distinction from what is mediated” (WL XXI 55/69).<sup>209</sup> The importance of this theoretical argument to Hegel’s political philosophy can be evidenced from his later argument in the transition to contract that the person, in relating himself to himself, necessarily “relates himself to another person” (PR §40A).

Hegel’s presentation of this original concept is determined by the content of his central argument for his absolute idealist standpoint in the WL, for he tells us in PR §34 that the free will in its abstract conceptual form “encounters [its] content as an external world immediately confronting it.” In the Being Logic, it is to be recalled, thought

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<sup>208</sup> Cf. Hegel’s discussion in the Essence Logic of this notion through his argument for the sublation of *Wesen* into *Schein*: “The negativity [of essence] is negativity per se; it is its relation to itself and is thus in itself immediacy; but it is negative self-relation, a negating that is a repelling of itself, and the intrinsic immediacy is thus negative or determinate in regard to it. But this determinateness is itself absolute negativity, and this determining, which is, as determining, immediately the sublating of itself, is a return-into-self” (WL XI 248/398). Finally, in the introduction to the Essence Logic Hegel describes *Wesen* as exhibiting a “negative self-relation” because it is “self-repelling or indifferent to itself,” or “it sets itself over against itself and is infinite being-for-self only insofar as it is at one with itself in this its own difference from itself” (WL XI 242/390).

<sup>209</sup> Cf. also his characteristic statements that “absolute immediacy has equally the character of something absolutely mediated” (WL XXI 59/72) and that the thought of being is “put forward as an immediacy which, however, it is not; it therefore contains mediation within itself” (WL XXI 61/74).



presupposes its object of being to be an external immediacy, and so the object is thought to exist “objectively,” i.e., independent of thought’s cognition of it. Thought in this moment therefore takes its cognition of the object to be completely determined by the object itself, or it does not take itself to be self-determining at all. So, importantly, the abstract concept of freedom or the free will is not a complete form of freedom because the complete freedom of any subject is the for-itself or explicit awareness of its in-itself freedom.

Now, in what I take to be one of the most important sentences in the entire PR, Hegel discloses that *the content of the central argument of the PR is identical to that of the WL:*

The completed Idea of the will is that condition in which the Concept has fully realized itself and in which its existence is nothing but the Concept’s own development (PR §34Z).

*This* is the central thesis of the PR: While the totality of the reality to which thought is related is nothing more than the movement of thought itself, the totality of the existence of freedom to which the will is related is nothing more than the movement of the will itself. As I have already indicated, the PR is nothing more than the repetition of the logical movement of the WL at its highest level of determinateness. The will and its willing is a “particular form” of thought and its thinking, and so the PR is a “particular” demonstration of the argument of the WL: while the WL demonstrates the Conceptuality of the totality of actuality, the PR demonstrates the Conceptuality of the objective-mental form of actuality in particular. Many figures in the contemporary Hegel scholarship ignore passages such as the one above in order to distance the PR from the theoretical commitments of the WL, either because the WL itself is conceived to be philosophically

indefensible or because the very thought of a determinative relation between the logical structure of the WL and the political argument of the PR is conceived to be philosophically indefensible. It is here that the present study obtains its argumentative force: If we are to state, as accurately and completely as possible, what Hegel “really meant” (as I believe we should), then we have a responsibility to acknowledge that Hegel’s science consists of the following basic argument: The totality of actuality, encompassing its natural and mental forms, is nothing more than thought itself, and the logical structure of the pure Concept depicted in the WL *determines* both the form and content of the totality of these actualities because each is a *repetition* of the logical movement of the WL itself, or the “application” of thought to itself. Thought is to itself its own object because for Hegel it is not logically possible for there to be any actual object independent of the Concept.

Indeed, Hegel in the final paragraphs of this section provides an account of Abstract Right in logical terms, noting that its “concept is abstract,” or the determinations of the concept “have not yet developed into a totality in their own right” (PR §34Z). Abstract Right, in other words, is the condition of “immediacy” (PR §§34, 34Z), or even of “being” (*Sein*) (PR §34Z). Implicitly referring back to his argument in the WL that becoming is “determined as indeterminate and...it is this very indeterminateness which constitutes its determinateness” (WL XXI 85-86/99), Hegel notes of Abstract Right that “this initial indeterminacy is itself a determinacy” (PR §34). Ethical life, then, is the moment noted above, in which the “completed Idea of the will,” or the return to the original indeterminate concept as determinate, has been achieved. First, however, we must return to the question of the achievement of determinateness for the indeterminate

abstract concept of the free will. This achievement, or the conclusion that “[t]his initial indeterminacy is itself a determinacy,” is possible only if we first conceive of the abstract concept of freedom as instantiated in the form of a “person” (*Person*), thereby leading to Hegel’s analysis of “personality” (*Persönlichkeit*).

### Personality

The moments of personality are explicitly presented in the sequence of the logical structure of the Concept: universality (PR §35), particularity (PR §37), and individuality (PR §39). Personality is defined by Hegel as a particular kind of self-knowledge on the part of the subject, a “knowledge of the self as an object,” but an object “raised by thought to simple infinity” and therefore “purely identical with itself” (PR §35A). Personality is therefore a cognitive *achievement*,<sup>210</sup> indicating that the conception of subjectivity with which Hegel begins the PR presupposes the standpoint of science, in which the subject of thought in the WL and of the will in the PR each has itself for its object, or each has achieved the standpoint of “pure thought [thinking itself]” (PR §35A). The historical antecedent of Kant’s rationally self-determining subject to this conception of personality is clear from Hegel’s statement that a person is a subject “which is aware of [its] subjectivity” (PR §35Z). While this will is “finite” (*endlich*), it is at the same time “pure self-reference” (*reine Beziehung auf sich*) and so is therefore “infinite, universal, and free” (PR §35). The abstract character of this freedom as “pure self-reference” on the part of the individual person is described by Hegel in his notation that “[a]s this person, I know myself as free in my self and I can abstract from everything, since nothing confronts me but pure personality” (PR §35Z), a description that certainly parallels his

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<sup>210</sup> Cf. Hegel’s claim that “[t]he highest *achievement* of a human being is to be a person” (PR §35Z) (emphasis added).

characterization of the Stoic consciousness in the fourth chapter of the PhG.<sup>211</sup> Yet Hegel at the same time anticipates the achievement of the “unity” (*Einheit*) (PR §35Z) of this infinity and finitude, thereby presupposing his argument for the sublation of the opposition between these terms in the Being Logic section of the WL (cf. XXI 133/145-146).<sup>212</sup> One must be a subject to be a person, and one must be a person to have the “capacity for right” (*Rechtsfähigkeit*) (PR §36), i.e., the capacity to be a person and to respect others as persons (the “commandment of right” [*Rechtsgebot*]), as Hegel explains in the same section. The limitation of right, when comprehended only in terms of its abstract concept, however, is that it can only be articulated in voluntaristic or “negative” terms, a conception of liberty, we already know, Hegel considers to be inadequate, even self-contradictory. Nevertheless, in this first moment of the PR, “right is limited to the negative,” i.e., there are only “prohibitions” (*Verbote*) (PR §38) against actions which violate the abstract concept of personality and what immediately follows from this concept.

### Property

The transition from Hegel’s introductory discussion of personality to the first section of Abstract Right, property (*Eigentum*), derives from the fact that the one-sided subjectivity of the person must give rise to its own objectivity. The person must “give

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<sup>211</sup> “In thinking, I am free, because I am not in an other, but remain simply and solely in communion with myself, and the object, which is for me the essential being, is in undivided unity my being-for-myself; and my activity in conceptual thinking is a movement within myself” (PhG 117/¶197).

<sup>212</sup> “[E]ach is in its own self this unity, and this only as a sublating of its own self in which neither would have the advantage over the other of having an in-itself and an affirmative determinate being...[F]initude is only as a transcending of itself; it therefore contains infinity, the other of itself. Similarly, infinity is only as a transcending of the finite; it therefore essentially contains its other and is, consequently, in its own self the other of itself. The finite is not sublating by the infinite as the infinite as by a power existing outside it; on the contrary, its infinity consists in sublating its own self” (WL XXI 133/145-146).

himself an external sphere of freedom” (PR §41), and this externality in relation to the free will is only “*immediately* different” (PR §42) (emphasis added) from the latter, indicating that, as in being in the WL, reflection has not yet been explicitly introduced (cf. WL XXI 90/103; 97/110).<sup>213</sup> The “rational aspect” (*Vernünftige*) of property does not consist in its capacity to satisfy the person’s needs, but rather in its “superseding [*aufhebt*]” (PR §41Z) of the one-sided subjectivity of personality.

Property in general takes the form of “things” (*Sachen*), and, in a way derived from Hegel’s argument in the WL, he argues that the person must posit the thing *as* external for it to “be” external, and so the immediate externality of the thing is the posited mediation of an antecedent mediation (cf. PR §43A). The will of the person is the operative concept in the relation between the person and his property, for Hegel explicitly states that I possess property, and even my life and body “only insofar as I so will it” (PR §47). This positing is initially implicit, for the person takes what is external to him to be external “in and for itself” (*an und für sich*) (PR §42A). It is here, in this context, that Hegel claims that “so-called external things” appear as true for consciousness, intuition, and representational thought, but the “free will” will be revealed to be the “idealism and truth of such actuality” (PR §44A). Thus the will’s (i.e., thought’s) production of its object in the form of “so-called external things” is not yet explicit for it, but will become explicit when it realizes that it wills only itself, in the same way that thought realizes that it thinks only itself. Consider now the argument behind Hegel’s incorporation of the

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<sup>213</sup> Cf. Hegel’s claims in the Being Logic that “the transition of being and nothing into each other...is to be understood as it is without any further elaboration of the transition by reflection” and that “nothing is yet posited in being, although it is true that being is essentially nothing, and vice versa” (WL XXI 90/103). And then later when Hegel claims that “being has likewise shown itself in becoming to be only a moment—a sublated, negatively determined being; but it is such for us in our reflection, it is not yet posited as such in its own self” (WL XXI 97/110).

institution of private property ownership: “Since my will, as personal and hence as the will of an individual, becomes objective in property, the latter takes on the character of private property” (PR §46).

According to Hegel, if property were held in common, then the free will of the individual person could not be objectivized. It is equally important to note, however, that he does not conceive of the private ownership of property as an absolute, inalienable right, but rather as “subordinated to the higher spheres of right, such as a community or the state” (PR §46A; cf. §46Z). In this consideration of the question of the equalization of property ownership, Hegel then raises the general question of the equality of persons. He argues that, considered from the side of their abstract concept, persons are equal, yet then continues by noting that this position is “empty” (*leer*) and “tautological” (*tautologisch*) because of its abstract character (cf. PR §49A). The tautological character of this statement derives from the fact that “personality” is defined in terms of the abstract concept of equality. Persons are equal to one another because they are persons. One cannot be “more” of a person than another. To reason directly and only from this abstract concept would to Hegel be a failure to think this universal concept of personality through to its particularization and consequent achievement of determinateness. Hegel therefore rejects any demand “for equality in the distribution of land or...other available resources” that is grounded on this original, abstract equality of persons, claiming that it would be a “vacuous” (*leer*) and “superficial” (*oberflächlich*) position (PR §49A). To Hegel, any attempt to equalize property would immediately eliminate itself as a result of what he takes to be the fact that inequalities in resources are based upon inequalities in “diligence” (*Fleiß*) (PR §49Z). Importantly, however, he then argues that “everyone

should have property” (PR §49Z), a principle that, as Allen Wood helpfully explains, is derived from Fichte’s radical argument that if any person is propertyless, then that person has a right to the property of others.<sup>214</sup>

This raises an important question: If inequalities in the distribution of property are just, as Hegel takes them to be, because they result from inequalities in subjects’ “diligence,” then why would he at the same time articulate the notion that “everyone should have property,” if such a notion is based upon the premise of a fundamental injustice in the system of property distribution, and stands in clear opposition to the criterion of “diligence” articulated earlier? The answer is that Hegel is here implicitly acknowledging that the procedures through which property is distributed under the modern capitalist system are *not* based exclusively upon the just criterion of the diligence of subjects. Hegel will make explicit this implicit acknowledgment later in his discussion of civil society. It is important to note, however, that Hegel nevertheless believes that diligence is operative in the production of inequalities to a degree that validates the system within which these inequalities occur. His final position is a defense of the institution of private property ownership, even if this defense is a critical one.

To Marx, of course, the entire class of workers under capitalism cannot obtain wealth through diligence. While the worker enters the exchange relation for the end of subsistence, i.e., the satisfaction of need, the capitalist enters it for the end of wealth, i.e., capital. From this view, a consideration of the exchange relation between the worker and the capitalist in modern society reveals that the structure of economic relations necessarily precludes even the most diligent workers from possibly accumulating wealth.

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<sup>214</sup> Cf. Wood’s note in the Nisbet translation of the PR, p. 408n2.

The worker sells the commodity of his time and his productive labor capacity in exchange for money in the form of wages, money which in turn is exchanged for commodities which provide him with the necessities of life. Conversely, the capitalist begins with the money to purchase the commodity of the worker's time and productive labor capacity through the payment of wages and then sells the commodity produced by that time and labor for an amount of money which exceeds the amount of the first moment. The first circuit (C-M-C) is the form of circulation that produces money only, whereas the second circuit (M-C-M') is the form of circulation that produces capital.<sup>215</sup> The structure of economic relations confines the worker to the first circuit, thereby relegating his capacity to accumulate savings to the end of money only. The "simple circulation of commodities," i.e., the activity to which the worker is confined as a result of his position in the exchange relation, "is a means to a final goal which lies outside circulation, namely the appropriation of use-values, the satisfaction of needs," whereas "the circulation of money as capital," i.e., the activity of the capitalist in the exchange relation, "is an end in itself," and "the valorization [*Verwertung*] of value takes place only within this constantly renewed movement."<sup>216</sup> Marx's most detailed description of the worker's incapacity to accumulate wealth despite his diligence, i.e., the minimization of his consumption and/or the maximization of his production, is described in the following passage from the *Grundrisse*:

The object of his [the worker's] exchange is a direct object of need, not exchange value as such. He does obtain money, it is true, but only in its role as coin; i.e., only as a self-suspending and vanishing mediation... [I]t is true that even within simple circulation the coin may grow into money,

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<sup>215</sup> Cf. Marx, *Capital: Volume I*, pp. 247-257.

<sup>216</sup> *Ibid.*, p. 253.



and that insofar as he receives coin in exchange, he can therefore transform it into money by stockpiling it, etc., withdrawing it from circulation; fixes it as general form of wealth, instead of vanishing medium of exchange...[T]he worker could make exchange value into his own product only in the same way in which wealth in general can appear solely as product of simple circulation in which equivalents are exchanged, namely by sacrificing substantial satisfaction to obtain the form of wealth, i.e., through self-denial, saving, cutting corners in his consumption so as to withdraw less from circulation than he puts goods into it. This is the only possible form of enriching oneself which is posited by circulation itself. Self-denial could then also appear in the more active form, which is not posited in simple circulation, of denying himself more and more rest, and in general denying himself any existence other than his existence as worker, and being as far as possible a worker only; hence more frequently renewing the act of exchange, or extending it quantitatively, hence through industriousness...Hence still today the demand for industriousness and also for saving, self-denial, is made not upon the capitalists but on the workers, and namely by the capitalists. Society today makes the paradoxical demand that he for whom the object of exchange is subsistence should deny himself, not he for whom it is wealth...[But] as a rule, the maximum of industriousness, of labor, and the minimum of consumption – and this is the maximum of his self-denial and of his moneymaking – could lead to nothing else than that he would receive for his maximum of labor a minimum of wages...The most he can achieve on the average with his self-denial is to be able better to endure the fluctuations of prices – high and low, their cycle – that is, he can only distribute his consumption better, but never attain wealth. And that is actually what the capitalists demand. The workers should save enough at the times when business is good to be able more or less to live in the bad times, to endure short time or the lowering of wages...[I]n times of crisis he loses his deposits, after having in times of prosperity foregone all life's pleasures in order to increase the power of capital; thus has saved in every way for capital, not for himself...[Yet] because money is the product of his exchange, general wealth drives him forward as an illusion.<sup>217</sup>

In Hegel's defense, his argument later in the PR about the causes of poverty in civil society destabilizes this argument in the Property section, and it is clear that throughout the PR in general, Hegel, rather than arguing that modern society as it is contemporaneously organized reflects meritocratic achievement, is careful to limit his argument to the position that it *should* be reflective of merit only. In his own idealized

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<sup>217</sup> Marx, *Grundrisse*, pp. 284-289.

conception of the rational state, for instance, Hegel argues that membership in the universal class of civil servants should be determined exclusively by the criterion of merit (cf. PR §291). Nevertheless, Marx's argument in this particular instance is an important corrective to Hegel's presupposition that the inequalities of wealth in modern society are simply the product of inequalities of diligence.

How is Hegel's conception of property derivative of his idealism? First, it is important to note that it is the subjective, i.e., the *ideal*, character of the relation of the person to his/her property that is operative in Hegel's conception. Property is a social form of consciousness: It is an institution that "is" only insofar as it is taken to be or recognized as such. Hegel first states that "[t]he concept of property requires that a person should place his will in a thing," and then notes that this placing of the person's will in the property must "recognizable" (*erkennbar*) by other persons (PR §51Z). I therefore only have a right to an item of property insofar as I conceive of or take myself to have placed my will in that item, and, what is more, I must be affirmed in this self-conception through the freely conferred recognition of another person. The structure or logic of this intersubjective relation is therefore identical to Hegel's conception of freedom. This theory of property in terms of willing and recognition then leads Hegel to a discussion of the more general category of "matter" (*Materie*). To take possession of a thing is to make its matter one's property. Yet Hegel goes on to deny any independent or external existence to matter, which he defines as that which persons take in general to offer "resistance" (*Widerstand*) to them, arguing that the "being-for-self of matter has no truth" (PR §52A). Hegel is therefore relying upon his argument for the ideal character of matter in the Being-For-Self section of the Being Logic of the WL (cf. XXI 166-172/178-

184), in which he argues that matter is a concept constituted by the “forces” (*Kräfte*) of attraction and repulsion, which are not sensory, but rather *logical* categories, or, as Hegel puts it, “are based on the pure determinations here considered” (WL XXI 167/179). It is from this idealist ground that Hegel then deduces the following principle of the will:

In the face of the free will, the thing does not retain any distinct property for itself, even in possession, as an external relationship, [or as] retain[ing] an external aspect. The empty abstraction of a matter without attributes which, in the case of property, is supposed to remain external to me and the property of the thing itself, is something which thought must get the better of (PR §52A).

Note that in the above passage Hegel employs the terms “thought” and “will” interchangeably. He then concludes the introduction to Property by advancing the general claim that “the thing therefore does not remain external to my will or outside what I have willed” (PR §52Z). This statement is clearly derived from his idealism, for it just as easily could have stated that “the object therefore does not remain external to my thinking or outside what I have thought.” It is with this that Hegel then begins the first moment of Property: Taking Possession.

### Taking Possession

The most important aspect of Hegel’s theory of taking possession is that he conceives of this action of the person on the object as “the giving of form” (*die Formierung*) (PR §54), a function identical to the unifying activity of thought in its relation to its (thought) object. Unlike Kant, however, thought is not simply a form which must derive its content from that which is external to itself, but for Hegel is a form which derives its content from within its own internal movement, or, more precisely, thought has its own form for its content and through its own internal movement becomes increasingly self-aware of this fact. Consider Hegel’s following elaboration on this

notion: “When I give form to something, its determinate character as mine *receives* an independently existing externality” (PR §56) (emphasis added). Externality has now become explicit for the will, and, in particular, it has become explicit for the will as the *product* of its activity of willing, whereas earlier the will was nothing more than “pure self-reference.”

The idealist principle at work in this conception is the argument that the thing does not immediately possess a “determinate character,” but rather achieves this character only as the *result* of me taking it to be “mine.” Similarly, the thing’s “independently existing externality” does not exist immediately, but rather is only the *result* of me giving it this form. Hegel’s idealist argument here could not be clearer: X only “is” X insofar as it is thought *as* X. It is the unifying activity of thought that establishes *as* object the object of thought’s cognition. Indeed, in Hegel’s later discussion of the act of taking possession of oneself, he describes this act in theoretical terms as the “translating into actuality what one is in terms of one’s concept” (PR §57). To translate a concept into actuality is simply to think it through to its determinateness.

In taking possession, the subject begins its process of uniting itself with its object, and so Hegel identifies the parallel between this achievement and the Idea at PR §56Z. This identification further clarifies his position on the “independently existing externality” of the thing in relation to the subject, for, it was noted in the first chapter that the Idea is the moment in which thought abandons its “presupposition” that the objective world exists “as something already there,” and “posit[s] the object as determined by the Concept” (WL XII 161-162/742). The independent externality of the thing is therefore only the *presupposition* of the subject. The act of taking possession therefore sets the

stage for the next moment, Use of the Thing, in which the subject makes explicit for itself what is only implicit here, i.e., the subject will abandon this presupposition, and rather begin to realize the idealist truth that the objectivity of the object it confronts is in fact nothing more than the reflection of its own subjectivity.

### Use of the Thing

As the second moment of the Property section, Use of the Thing is identified by Hegel with particularity at PR §59. The particular character of use derives from the fact that, in using the thing, it “exists only for *my* need and serves it” (PR §59) (emphasis added). This process of individuating the thing renders the object determinate, in the same way that the empty abstraction of immediate being in the WL (cf. XXI 68-95/82-108), through the sublation of its final moment in becoming, achieves a determinate character in determinate being (cf. WL XXI 96-143/109-156). The determinateness in this moment derives from the fact that my need is the particularity of a single will, whereas taking possession is a universal act indifferent to the particular needs of persons. Hegel defines “use” (*Gebrauch*) as the “realization of my need through the alteration, destruction, or consumption of the thing” (PR §59). It is therefore in this moment that the subject’s presupposition of the independent externality of the thing is abandoned.<sup>218</sup> The subject realizes that the thing “is not an end in itself,” and that “the whole use or employment of it is the thing in its entirety” (PR §61). The will makes explicit for itself the posited or determined character of the thing to which it relates itself. There is no

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<sup>218</sup> This realization reflects Hegel’s earlier description in the PhG of spirit’s concept of “utility” (*Nützlichkeit*) as a fundamental achievement because it sublates the opposition between the early modern forms of rationalism and empiricism, representative of the opposition between thought and being (cf. PhG 311-316/¶¶574-581).

reality to the thing independent of the subject's use of it, and the subject now exhibits the self-conscious awareness of this fact.

Hegel implicitly reveals in the *Zusatz* to §61 that his denial of any reality to property independent of its use (“it is an empty abstraction to recognize any further property in the object itself”) is derived from his argument in the WL against the possibility of ascribing any reality to “force” (*Kraft*) independent of its *Äußerung* (translated as “expression” by Miller in the WL and as “manifestation” by Nisbet in the PR). Hegel's basic argument in this particular section of the WL (cf. XI 359-364/518-523) is that the “conditionedness” (*Bedingtsein*), the “solicitation” (*Sollizitation*), and any other *Äußerung* of the concept of force thought presupposes to be inaugurated by some external source is presupposed or posited, but is in either case determined by thought, in the thinking of force itself. Hence “the externality which is present for force is its own presupposing activity”; force “posits its own self as external; this moment of externality is its own”; “it is in its own self the negativity of itself; the repelling of itself from itself is its own positing”; “it makes itself external” (WL XI 362/521), and so forth. From here Hegel derives the important conclusion that thought, in its thinking of the expressions of force, “expresses *itself*” (*äußert sich*) (WL XI 363/523) (emphasis added). This particular argument is critically important for the Objective Logic section of the WL, for the revelation that the in-itself or essence of force is identical with its *Äußerung* or appearance is derived from thought making explicit for itself the fact that “it relates itself only to itself” (*sie bezieht sich nur auf sich*) (WL XI 363/523).<sup>219</sup> In other words, the

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<sup>219</sup> “[T]he expression of force through which it gives itself a determinate being-for-other by its negative activity directed onto itself, and the infinite return to itself in this externality, so that in it, it relates itself only to itself” (WL XI 363/523).

essentiality of the appearances before thought is revealed for it to be its reflection of itself into itself: “[I]ts externality is identical with its internality” (*[I]hre Äußerlichkeit ist identisch mit ihrer Innerlichkeit*) (WL XI 364/523). It is from this demonstration that Hegel then advances the following general principle in his transition to *Wirklichkeit*:

What something is, therefore, it is wholly in its externality; its externality is its totality and equally is its unity reflected into itself. Its appearance is not only reflection-into-an-other but reflection-into-self, and its externality is, therefore, the expression or appearance [*Äußerung*] of what it is in itself (WL XI 368/528).

Hegel’s sublation of the opposition between essence and appearance in the WL is therefore achieved through his demonstration that it is thought’s reflective activity responsible for the production of the appearances confronting it which alone constitutes essentiality.<sup>220</sup>

This theoretical argument from which Hegel’s discussion of the Use of the Thing is derived therefore has far-reaching implications for his theory of freedom. The use of the thing is its appearance and there is no essence or in-itself of the thing that is not manifested or expressed to the will itself. The will *produces* the essential character of the thing through its activity of using it. Just as there can be no external limitations on thought’s self-determining activity, there can also be no external limitations on the self-determining activity of the will. The will establishes *as* thing and its use the thing and its use, the properties of the thing are completely contained within its subjective use, and so there can be no externality or independence of the thing in relation to the will, let alone any conditionedness or determinedness of the will upon the thing. Hegel therefore

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<sup>220</sup> “Something is only appearance—in the sense that existence as such is only a posited being, not a being in and for itself. This constitutes its essentiality, to have within itself the negativity of reflection, the nature of essence” (WL XI 341/499).

provides us with the conceptual tools required for overcoming the phenomenon of modern subjects' dependency upon their socially produced objects, or what Marx would later refer to as the "fetishism of the commodity" (*Fetischcharakter der Ware*). Indeed, the operative aspects of Marx's explanation are derived directly from Hegel's idealism, as I will now briefly describe below. First, Marx follows Hegel's identification of the use of a thing as its truth in his argument that the use-value is the true, "real" aspect of the commodity: "So far as it is a use-value, there is nothing mysterious about it."<sup>221</sup> However, when Marx notes that "by his activity, man changes the forms of the materials of nature in such a way as to make them useful to him,"<sup>222</sup> he fails to comprehend the fact that the "activity" (*Tätigkeit*) to which he refers is the activity of thinking, for it is thought itself which establishes its own criteria of truth, objectivity, and, in this instance, usefulness. The "use-value" (*Gebrauchswert*) of a commodity is therefore not "objective" or "material," but rather is a subjective thought determination. The problem of commodity fetishism is then described by Marx in the following Hegelian terms: the object "is perceived [by the subject] not as...subjective...but as the objective form of a thing"<sup>223</sup>; "the products of the human mind appear as autonomous figures endowed with a life of their own"<sup>224</sup>; and, finally, in a phrase of Marx's that could not be more Hegelian, the problem stems from the "semblance of objectivity" (*gegenständlicher Schein*) taken by the subject to exist in the object of the commodity.<sup>225</sup> The problem of commodity

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<sup>221</sup> Marx, *Capital: Volume I*, p. 163.

<sup>222</sup> Ibid.

<sup>223</sup> Ibid., p. 165.

<sup>224</sup> Ibid.

<sup>225</sup> Ibid., p. 167.



fetishism is therefore one in which the subject incorrectly takes the object to be independent of its own unifying activity. So, through his explicit argument that the *Gebrauchswert* of the commodity is its “real” aspect, Marx is implicitly following Hegel’s idealist argument that what is “real” is what is constituted and comprehended by thought itself. The Hegelian origin of Marx’s argument, finally, can be appreciated through reference to Hegel’s final remarks in *Use of the Thing* that “[a]s the full owner of the thing, I am the owner both of its value and of its use” (PR §63), that “if something is to remain mine, continuity of my will is required, and this is displayed in the use...of the thing in question” (PR §64Z), and that “[w]ithout the subjective presence of the will, which alone constitutes their significance and value, the form given to property and the sign which denotes it are themselves mere externals” (PR §64).

#### The Alienation of Property

The possibility of me alienating my property derives from the subjective, idealist fact described above that “it is mine only insofar as I embody my will in it” (PR §65). While “prescription” (*Verjährung*) is an alienation of property without a “direct declaration [*direkt erklärtem*]” of the will, “true alienation” (*wahre Entäußerung*) involves the explicit declaration by the will that “I no longer wish to regard the thing as mine” (PR §65Z). There is a critical distinction to be made, however, between the objects one is capable of alienating and the rights and other normative values Hegel has already identified.

The other of the subject of the will in the form of the thing or object of property is sublated in its alienation. In this sense its form is determined by that of being-for-self, its logical correlate in the WL, for the latter is the result of the sublation of the self-

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subsistence of the other in its preceding moment of determinate being. Thus in being-for-self it is determined that for thought “the other has being only as sublated, as its moment” (WL XXI 145/158) and that “it is this itself which, as the sublatedness of otherness, relates itself to itself as the sublated other...it is related in its other only to its own self” (WL XXI 146-147/159).<sup>226</sup> Thus, in the WL, the determinateness of thought that was achieved through its negative relation to its other of determinate being is sublated as this other is determined to be a posited “moment,” i.e., a product of thought itself, whereas in the PR, the objectivization of the will that was achieved through its negative relation to its other in the thing or property in its use is sublated in the will’s alienation of this other.

To better understand Hegel’s theory of alienation, it is important to note that, in his introduction to the three moments of property at PR §53, he identifies alienation with his conception of the “infinite judgment” (*unendliches Urteil*), the final form of the judgment of existence, articulated in the Subjective Logic section of the WL. Why does Hegel make this association? Interestingly, in this section of the WL he provides a brief discussion of “right” and identifies the infinite judgment with “crime” (*Verbrechen*) and even “evil” (*böse*) (WL XII 70/642), an identification to be explained in greater detail below. This is a strange inclusion in the context of a theoretical argument for the conceptual mediation or interdetermination of the subject, copula, and predicate elements of the basic judgment of objectivity. Nevertheless, this critique is central to Hegel’s discussion of alienation in the PR. Hegel rejects as a moral wrong the alienation of one’s personality, such as in the examples of slavery, serfdom, disqualification from and restrictions on the freedom of property ownership, as well as the alienation of one’s

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<sup>226</sup> Along these lines, Hegel also notes that that being-for-self has “transcended limitation, its otherness” and that its “connection with an other, with an external object, is removed” (WL XXI 145/158).

rationality, ethics, and religion (PR §66A). It is from these moral rejections that Hegel consequently proclaims that “the slave has an absolute right to free himself,” noting further that “[t]he same applies” to the individual who “put[s] [his] religiosity at the disposal of a priest,” for, to Hegel in contrast, “a human being must decide such inward matters entirely within himself” (PR §66Z). Based upon his identification of the self-contradictory infinite judgment with alienation in the PR and with crime or evil in the PR, and given his explicit moral repugnance toward the alienations of one’s personality or agency, it can be deduced that Hegel conceives of alienation per se as a moral wrong.

However, there is at least one domain of alienation to which Hegel reserves moral judgment. The question is whether Hegel regards the alienation of the modern individual’s time and productive capacity in exchange for wages to be a morally justifiable social institution. In §67 and its *Zusatz*, in which this matter is discussed by Hegel, there are no explicit moral claims advanced. Hegel first in §67 describes the modern wage laborer, who alienates his “particular physical and mental skills and active capabilities to someone else,” thereby allowing this “someone else,” i.e., the owner of the means of production, “to use them for a limited period.” Because this alienation is subject to this limitation, Hegel tells us, these skills “acquire an external relationship to my totality and universality.” In the following and final sentence of this paragraph, Hegel contrasts this scenario to the slave, who alienates the “whole” (*Ganze*) of his time, an alienation made concrete “through work, and the totality of [his] production,” thereby making his “universal activity and actuality,” even his “personality itself,” “into someone’s else’s property” (PR §67). He further explains that the *only* relevant

distinction between their conditions is that “the *entire* scope of [the slave’s] activity had been alienated to his master” (PR §67Z) (emphasis added).<sup>227</sup>

There are no moral claims expressed by Hegel in either of these paragraphs. On the one hand, it seems apparent that the “limitation” placed upon the alienation of the time and productive capacity of the modern wage laborer is Hegel’s criterion for what might be an implicit argument for the morality of the modern system and the immorality of the ancient system. Yet, given that he categorically rejects the morality of the institution of slavery and argues that the only distinction between ancient slavery and modern wage labor is that the former alienates the “totality” (*Totalität*) of his time and productive capacity to his master, this cannot be read as an “endorsement” or positive affirmation of the morality of this modern institution. Hegel’s silence is therefore instructive. Perhaps Habermas is correct in his general observation that Hegel was subject to “the parochialism of a tradition which was not fully open to his insight,” and “[t]o overcome this was necessarily easier for a Rhenish Jew in exile in London, than for a Tübingen seminarian and Prussian official in Restoration Berlin.”<sup>228</sup>

In the next section of alienation, Hegel discusses the central questions raised by the phenomenon of intellectual property, or the ownership of a particular thought or set of thoughts expressed in various media by the individual responsible for its production. The products of the intellect are universalized in sense that they are appropriated and reproduced in the thoughts of others. These intellectual products are organized by Hegel

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<sup>227</sup> Cf. Marx, *Capital, Volume I*, p. 325: “What distinguishes the various economic forms of society – the distinction between for example a society based on slave-labor and a society based on wage-labor – is the form in which this surplus labor is in each case extorted from the immediate producer, the worker.”

<sup>228</sup> Habermas, “On Hegel’s Political Writings,” p. 194.

as existing along a continuum between the extremes of the irreproducible work of art and the purely mechanical reproduction of the literary work (cf. PR §68A). The artist of a classical painting and the author of a book both retain ownership of the “universal” (*allgemein*) aspect of the product despite its subsequent appropriation and reproduction. The universalization of an intellectual product however gives rise to the possibility of plagiarism or breach of copyright. Despite these risks, Hegel argues that the “destiny” (*Bestimmung*) of a product of the intellect is to be “apprehended by other individuals and appropriated by their representational thinking, memory, [and] thought” (PR §69A).

In the final passages of Property, Hegel addresses the important question of a right to life. He argues that the individual’s life only has the illusory appearance of being “external” (*äußerlich*) from his personality, which cannot be alienated. Consequently, Hegel denies individuals the right to commit suicide (cf. PR §§70, 70Z). At the same time, however, he claims that “if the state demands his life, the individual must surrender it” on the grounds that

it would be a contradiction to speak of a person’s right over his life, for this would mean that a person had a right over himself. But he has no such right, for he does not stand above himself and cannot pass judgment on himself (PR §70Z).

Hegel’s argument appears to be Rousseauian in character. Consider the following passage from Rousseau’s *On the Social Contract*:

[T]he citizen is no longer judge of the peril to which the law wishes he be exposed...because it is under this condition alone that he has lived in security up to then, and because his life is...a conditional gift of the state.<sup>229</sup>

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<sup>229</sup> Rousseau, *On the Social Contract*, p. 159 (Book II, Chapter V).

Yet, in what is absolutely critical to note, Hegel in the final pages of the PR clarifies this position by strictly limiting the right of the state to risk the lives of its subjects to the condition he refers to as “the ethical moment of war” (PR §324). It is *only* in this “moment” that individuals have a “duty to preserve...the independence and sovereignty of the state – even if their own life and property...are endangered or sacrificed” (PR §324). Hegel is therefore in no way arguing for the right of the state to risk its subjects’ lives in any condition other than that in which the survival of the state itself is at stake. Of course, what constitutes a moment in which the survival of the state is in fact at stake is itself a subjective thought determination that “is” only insofar as it is taken to be or recognized as such, and this problem will be addressed in Hegel’s later discussion of international law.

Finally, in what is critical for my argument that the PR is presented in transcendental, logically regressive terms, Hegel introduces intersubjectivity, i.e., the relation of a subject to an other, as not only characteristic of the contractual relation, but moreover as a *presupposition* of the concept of property, which precedes contract in Hegel’s presentation of the PR. Hegel reiterates that he has defined “property” as the “existence of the will,” and then explains that,

as the existence of the will, its existence for another can only be for the will of another. *This relation of will to will is the true distinctive ground in which freedom has its existence* (PR §71) (emphasis added).

The existence or objectivization of the subject’s freedom in the form of property, it is revealed, has its “true distinctive ground” in the social relation of one will to an other. In other words, the relation of the subject to an other is a *presupposition* in any attempt on the part of thought to think the individual subject determinately. While the other is an

explicit part of any contractual relation, it is an implicit presupposition in property, for while the basic thought of property immediately appears to be a relation between only a subject and an object, it is subsequently determined that this right of the subject to its object can only be a coherent thought activity if it is conceived of in terms of the more general social relation in which this right is affirmed or recognized as such by an other subject. This transcendental deduction of the other of the subject overcomes the solipsism of the subjective idealisms of Kant and Fichte while at the same time preserving the internalism of Hegel's absolute idealism through his rejection of the ontological character of the other: The other can only be the other as thought. It would be incorrect, however, to interpret Hegel's rejection of the ontological character of the other to be a rejection of the reality of the other, for, as noted in the second chapter, what is real to Hegel is what is constituted and comprehended by thought, and the other is no exception to this rule.

### Contract

Hegel's introduction to contract (*Vertrag*) includes his famous rejections of Kant's conception of the institution of marriage as a contract, which he calls "disgraceful" (*Schändlichkeit*), and of the Hobbesian and Lockean conceptions of the state in terms of the contractual relation (regardless of whether the contract is among individuals to authorize a sovereign or between a society of individuals and a sovereign).<sup>230</sup> Implicitly referring back to his rejection of Kant's classificatory model of cognition, in which a conceptual universal subsumes a set of determinate particulars, Hegel refers to Kant's notion of the marital contract as the "subsumption" (*Subsumtion*)

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<sup>230</sup> "The nature of the state has just as little to do with the relationship of contract, whether it is assumed that the state is a contract of all with all, or a contract of all with the sovereign and the government" (PR §75A).

of the two wills. He then rejects conceiving of the state in contractual terms on the ground that such a conception would transform the state itself into “private property” (*Privateigentum*), thereby incorrectly elevating the latter to a “sphere of a totally different and higher nature” (PR §75A).

This is an interesting critique: The social contract tradition incorrectly founds the state on the property relations of abstract right. To correctly conceive of the state in terms of its higher sphere, Hegel will tell us later in this introductory section, is to recognize the following principles: The state cannot be based on the contractual relation because any contract originates in the “arbitrary will” of the individual; the proper conception of the state leads to the recognition that individuals are “not in a position to break away from the state” because each is “already by nature a citizen of it”; it is the “rational destiny” of individuals to live within a state, and so “even if no state is yet present,” then “reason requires that one be established”; it is the state itself which must grant permission to individuals “to enter or leave it”; it cannot be the case that “the arbitrary will of everyone is capable of founding a state,” because it is “absolutely necessary for each individual to live within the state”; “[t]he great advance made by the state in modern times” is that it is “an end in and for itself,” rather than being based upon the individual’s “private stipulation” (PR §75Z). The Aristotelian strand of Hegel’s political philosophy articulated in these characteristic remarks is well-traversed in the contemporary scholarship.

Yet what is important in this section, I will now argue, is Hegel’s argument behind his introduction of sociality in the contractual relation and the theoretical antecedent from which this argument implicitly derives its justification, for it is in



contract that the other of the will is explicitly introduced, whereas in property the other will was merely implicit. Hegel's representationalist language even in the first paragraph of contract indicates the idealist character of the theoretical argument implicitly at work in providing the justification for his practical argument. The realm of externality is no longer represented to the will simply in the form of a thing, but rather now contains the will of an other person. The object of the will's representation, its "aspect of existence or externality," is no longer only a "thing" (*Sache*), but now includes "the will of another person." Even more explicitly, Hegel strangely describes the standpoint of contract as a "process" (*Prozeß*) in which the "contradiction" (*Widerspruch*) between the will simultaneously owning and ceasing to own property is "represented and mediated." Hegel repeatedly emphasizes that he conceives of contract as a form of "mediation" (*Vermittlung*) (cf. §§72, 74). From this we can deduce that Hegel's introduction of the other is not based on a functional or causal explanation, but rather is based on his theory of conceptual mediation. The interdetermination of concepts, their dependence upon the holistic relational structure in which they are situated for their determinateness, is the foundation of Hegel's introduction of intersubjectivity. The will cannot be conceived of in simple, immediate terms, but rather is negatively self-related. It is only through the idealist subjective process in which the concept of the individual will is individuated from its other that it can be a determinate object of cognition. This mechanism of a negative self-relation is at work in every transition from one thought determination to the next in the WL, and so the scientific examination of the object of right in the PR is consequently presented in the same form. Stated in transcendental terms, the other is

revealed to be a conceptual condition required for thought to think the individual will determinately.

However, this initial relation of the will to its other in contract is contradictory to Hegel, for the contractual relation is based exclusively on the motivation of mutual contingent advantage. The limitation of this basis is noted in his description of the contract as the product of the “arbitrary will” (*Willkür*), or as “only” (*bloß*) a “common will” (*gemeinsamer Wille*); it is “only a will posited by the contracting parties,” and thus “not a will which is universal in and for itself” (PR §75A). As noted above, it is for this reason that Hegel rejects contractual conceptions of the state. In Hegel’s PR, in contrast, the contract, and the instrumental relation it necessarily implies, will be sublated in its subsequent, higher moments. Indeed, Contract gives rise to Wrong, and Abstract Right therefore culminates in the violation of right itself. Hegel’s political argument for rejecting the social contract project therefore cannot be extricated from its theoretical antecedent, for his rejection of the classificatory model of cognition as merely an external “subsumption” is implicitly referenced in his argument in the PR that the contract is “only” a “common will,” and so the contractual state is incorrectly conceived of as a universal which only subsumes the particular subjects which, again incorrectly, are taken to exist independently of that universal. The attempt to deduce the state directly from the moment of contract in abstract right is therefore simply a failure to think through the object of right adequately.

Any contract to Hegel consists in two parts: the common will referred to above as its (subjective) “agreement” (*Übereinkunft*) or “stipulation,” and its (objective) actualization or existence in its “performance” (*Leistung*) (PR §78). Hegel in this section

argues against the view that the contract as an agreement can only be considered without reference to its performance, a conception in which the latter is taken to be a contingent external given. This conception is for Hegel “an idea of representational thought, to which a particular existence must therefore be given in accordance with the distinctive manner in which representational thoughts have their existence in signs” (PR §78). It might already be apparent from this sentence that Hegel’s critique of this representationalist theory of contract derives from his critique of the Kantian distinction between concept and intuition. For further confirmation, if we turn to Hegel’s discussion of “signs” (*Zeichen*) in the EG, we observe that “[t]he sign is some immediate intuition, representing a totally different import from what naturally belongs to it.” Unlike the “symbol,” in which the intuition and its concept are identical, in the sign the two “have nothing to do with each other” (EG §458). The importance of this for Hegel’s theory of contract is that intuition is the “given” (*Gegebene*) that, when employed as a sign, takes on the character of “existing only as superseded and sublimated” (EG §459). The representationalist notion that thoughts “have their existence” in signs is therefore a statement which in fact expresses its contrary: This “existence” through signification is not an existence at all, but rather the *denial* of an actual existence. Representational thought conceives of the contract as a subjective agreement without reference to its existence, which to it must be given, because it conceives of concepts as empty subjective forms whose determinate content or objective existence must be derived externally from intuitions. Thus the notion of contract derived from this conception is one in which the subjective stipulation is “the form through which the content of a contract...has its existence as something as yet only represented” (PR §78A).

We already know that central to Hegel's idealism is the notion that the form of subjective thought deduces its own determinate content or existence from within itself, or that the actualization of a concept is simply the thinking through of that concept. Consequently, in his own conception of contract, "the content *is* the decision which the will finally reaches on such matters" (PR §78A) (emphasis added). It is from this theoretical foundation that Hegel then deduces the following practical-ethical imperative: "In terms of right, I am thus immediately bound by the stipulation to perform what has been agreed" (PR §79). This simple ethical position, as with any other simple ethical position, begs an important question: Why? Why should I be compelled to perform what has been stipulated in the contract? Hegel's answer to this question cannot be understood, I have attempted to demonstrate, without reference to his epistemological ground for this one-sentence position. Similarly, sense cannot be made of Hegel's argument that "[t]he classification of contracts...should not be based on external circumstances but on distinctions inherent in the nature of contract itself" (PR §80) without reference to its epistemological ground in his rejection of Kant's classificatory model of cognition in favor of an internalist conception of the relation between conceptual universality and determinate particularity. It is with this that the moment of contract gives way to that of wrong, a transition, Hegel tells us, that is made by the "higher logical necessity" of "the moments of the Concept" (PR §81).

### Wrong

In each of his major works, Hegel reveals important facts about a particular section or "moment" only after its completion, in the first paragraph of the directly following section. In the first paragraph of wrong (*Unrecht*) and its *Zusatz*, Hegel

discloses the logical-idealist antecedents of each of the preceding moments of abstract right. In contract, for instance, right in-itself is presented as “something posited,” whereas in property this right was only “something immediate.” The explicit realization in this second moment that the in-itself of right is posited by the will itself is reflective of the movement of essence in the WL. Hegel even describes contract as the “appearance” (*Erscheinung*) of right in its “essential existence” (*wesentliches Dasein*). In wrong, by contrast, this posited right takes the form of the “semblance” (*Schein*) of “an opposition between right itself and the particular will,” whereas in property this posited right “was at first only in itself and [taken to be] something immediate” (PR §82). However, Hegel discloses here that his argument about wrong will be that “the truth of this semblance is that it is null and void,” and that the “true” (*Wahrheit*) will be revealed to be the “process of mediation” through which right negates itself and returns from its negation (PR §82). In the *Zusatz* to §82, this logical-idealist foundation becomes even more explicit.

Consider the following passage:

Right in itself, the universal will, is essentially determined by the particular will, and thus stands in relation to something inessential. This is the relationship of the essence to its appearance. Even if the appearance is in conformity with the essence, it is not in conformity with it from another point of view, for appearance is the stage of contingency, or essence in relation to the inessential. But in the case of wrong, appearance goes on to become a semblance. A semblance is existence inappropriate to the essence, the empty detachment and positedness of the essence, so that in both [semblance and essence], their distinctness is [mere] difference. Semblance is therefore the untruth which disappears because it seeks to exist for itself, and in this disappearance, essence has shown itself as essence, that is, as the power over semblance. The essence has negated its own negation, and is thereby confirmed.

Hegel’s definition of wrong itself, in each of its moments, is presented in identical terms, for wrong is defined by Hegel as the “semblance of essence which posits itself as self-

sufficient” and takes three forms: unintentional wrong (*Unbefangenes Unrecht*), in which “the semblance is present only in itself and not also for itself”; deception (*Betrug*), in which “the wrong is not a semblance from the point of view of right in itself”; and coercion and crime (*Zwang und Verbrechen*), in which “I will the wrong and do not employ even the semblance of right” (PR §83Z).

The description of the conceptual content of the abstract right section of the PR in each of its moments in this passage renders incomprehensible any of the contemporary attempts to state accurately, let alone to explain, Hegel’s argument in entirely practical terms, independent of its theoretical antecedent in the WL. This theoretical antecedent can be summarized as follows: In the first section of the Essence Logic, Essence as Reflection Within Itself, essence gives way to its contrary, the “unessential,” but this unessential being is determined to be “essenceless being,” or “illusory being.” This illusory being is not external to essence, but rather is essence’s own “positing,” and so reflection is determined to be the “showing” of illusory being within essence itself. In the second section of the Essence Logic, Appearance, reflection in the ground relation sublates its otherness to become the self-subsistent immediacy of “existence,” or the unity of essence with its immediacy. Yet because ground is in its essence reflection, this immediacy is sublated into a positedness, thereby giving way to “appearance” or the posited existence which is reflected into otherness. Appearance, as reflection-into-otherness, then gives way to its contrary of reflection-into-self, i.e., essence. It is then determined in the “essential relation” that, in the relation of these terms to each other, what appears manifests what is essential, thereby giving way to the unity or identity of

the reflection-into-otherness of appearance and the reflection-into-self of essence:  
“actuality.”

So, in the PR, Hegel conceives of right in-itself or universal right as essence. But this essence must be determined *as* essence by the particular subject, whose cognitive representation is contrasted with this essence as its appearance. The instability of reflection is therefore introduced. However, unlike appearance, in which the subject’s representation is directed toward and seeks to grasp or to achieve correspondence with the essence of right, wrong is the subject’s semblance or essenceless representation which it takes to be essential, in direct opposition to the essence of right. Hegel’s consideration of wrong is therefore presented at increasing levels of self-consciousness on the part the subject with regard to the opposition between its semblance or essenceless representation and the essence of right. In unintentional wrong, the subject posits its semblance as essential right, but is not conscious of the opposition between its representation and essence. In deception, the subject’s posited representation corresponds with essential right, but it at the same time conceives of its internal, unposited semblance or essenceless conception of right to be essential. Finally, in crime, the subject is completely conscious of the opposition between its semblance or essenceless representation and the essence of right, but nevertheless posits this essenceless representation as essential.<sup>231</sup>

### Unintentional Wrong and Deception

The first section of wrong, unintentional wrong, begins with a statement of the idealist principle that essence or right in-itself must be determined as such through

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<sup>231</sup> Cf. Hegel’s argument about wrong in §83: “Right, as something particular and therefore complex in contrast to the universality and simplicity of its being in itself, acquires the form of a semblance. It is this semblance either in itself or immediately, or it is posited by the subject as a semblance, or it is posited by the subject as completely null and void.”

subjects' recognition of it and of the legal requirements which immediately follow from it (cf. PR §§84, 85). This foundation then sets the stage for his description of the forms of wrong, in which the concept of right posited by the subject is a semblance in relation to essence or right in-itself. The solution to this problem of wrong, however, is anticipated by Hegel in his remark that, in the completion of wrong, "right in itself emerges as something represented and required" from "within the semblance itself" (PR §86). This argument is therefore derived from the argument in the Essence Logic that "[r]eflection is the showing of the illusory being of essence within essence itself" (WL XI 258/409).<sup>232</sup> Hegel also states in unintentional wrong that right in-itself has a "determinate ground," and that while each form of wrong possesses its own ground, it is nevertheless the case that the negation of right in-itself by the semblance of the subject is at the same time an implicit recognition or affirmation of the former by the latter, in the same way that a denial that the rose is red implicitly entails an existential commitment to the rose itself. Hegel consequently explains that "[e]ach person wills what is right...their wrong consists solely in considering that what they will is right" (PR §86Z). This latter argument is integrally related to Hegel's argument that right in-itself has a "determinate ground" (*bestimmter Grund*), for the PR's central task of thinking through the object of right to its complete determinateness will be fulfilled only when right in-itself is identical to right as it is posited by the individual subject, and Hegel's theory of ground provides him with the

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<sup>232</sup> Cf. also Hegel's following statement in the WL: "The sublating of this determinateness of essence, therefore, consists simply and solely in showing that the unessential is only illusory being and that the truth is rather that essence contains the illusory being within itself as the infinite immanent movement that determines its immediacy as negativity and its negativity as immediacy, and is thus the reflection of itself within itself. Essence in this its self-movement is reflection" (WL XI 249/399).



epistemic foundation for this achievement. Consider the following passage from the Ground section of the WL:

its [ground's] simple essentiality unites itself in the positedness and is, in this sublation of itself, the vanishing of its difference from its positedness, and is thus simple essential immediacy. Ground, therefore, does not remain behind as something distinct from the grounded, but the truth of grounding is that in it ground is united with itself, so that its reflection into another is its reflection into itself" (WL XI 321-322/478).

Hegel's sublation in the WL of the determined difference between "essentiality" (*Wesentlichkeit*) and "positedness" (*Gesetztsein*) in actuality (the identity of the reflection-into-otherness of appearance and the reflection-into-self of essence) is therefore the epistemic foundation for his sublation in the PR of the determined difference between the universal right in-itself and the conception of right for the individual subject. This unity is a central element of Hegel's political philosophy: the rational political order is rational only insofar as it is completely grounded in the independent thought of the individual subject, i.e., it must be demonstrated to be the final determination in any individual subjects' attempt to think through the conceptual conditions of its own self-conception as free. It is for this *political* reason that it is critical to understand Hegel's PR as a cognitive movement from the individual subject to the state. The PR's reflection of the form of the WL is inextricable from the content of its political argument, for the particular unity achieved in ground is anticipative of the most general unity achieved in the PR: the unity of abstract right and morality in ethical life, a unity that is incomprehensible without reference to its logical-idealist foundation in the unity of being and essence in the Concept. Being and essence find their unity in the Concept in the same way that, on the most general level, nature and mind find their unity in the logic of pure thought, or the pure thought of logic. This is, of course, a long way to

go from the immediate concern of unintentional wrong. It is nevertheless worth noting to illustrate the dependence of each of the moments of the PR to the holistic structure in which it is situated for its coherence and determinateness.

Hegel devotes only three paragraphs to deception. If length is any indication, he is more concerned with the moment of coercion and crime. Nevertheless, as the second moment of wrong, Hegel explicitly identifies deception with particularity at PR §§87, 87Z. Deception is defined as the reduction of the universal will (right in-itself) to a *Schein* by the particular will, thereby paralleling the reduction of the universal to a particular “community of wills” as occurs in contract, or the moment of particularity in the general concept of abstract right. The ethical position that there should be no penalty attached to unintentional wrong is advanced in this section, for in such instances what is willed is “nothing contrary to right,” but deceptions, in contrast, should introduce penalties because they are “infringements” of right (PR §89Z).

#### Coercion and Crime

Coercion and Crime, the final moment of wrong and therewith of Abstract Right, contains Hegel’s most comprehensive statement of his retributivist theory of punishment. The basic principles of this argument have been recited in practically every secondary account of Hegel’s political philosophy. In the following analysis of this section, I will therefore emphasize only the logical and idealist foundations of these principles, for, as I have been arguing throughout this study, it is more important to identify and to explain the epistemic foundations of Hegel’s political arguments than simply to restate the latter. With crime, we have reached the realm of “[w]rong in the proper sense” (§90Z). In this moment, the criminal will denies the validity of right both as it is in-itself and as it is for

the will itself, i.e., both its essence and appearance. It is therefore the moment of wrong in which the will is completely self-conscious of the distinction between universal right as it is in-itself and its own particular conception of right. The cognitive meaning of this distinction between the object of right in its in-itself and for-itself forms is explained by Hegel through his description of crime as infringements of both the “objective and subjective” forms of right (PR §90Z). Coercion is integrally related to crime, for to coerce is “to infringe right as right” (PR §95), which to Hegel is identical with crime. He explains that a will is coerced if it experiences “force” from some external source, i.e., if it is forced to do something it otherwise would not do. Yet, in the next paragraph, in what seems to be a direct contradiction of the preceding statement, he then argues that the free will cannot be coerced: “Only he who wills to be coerced can be coerced into anything” (PR §91). However, as I demonstrated above, we learn from the WL (cf. XI 359-364/518-523) that any *Äußerung* of the concept of force taken by thought to be inaugurated by some external source is presupposed or posited, but is in either case determined by thought, in the thinking of force itself. The externality of the force which coerces the will is only determined *as* external, and it is thought’s making explicit for itself the determined character of the externality of force that illumines its internality.

In what is most revealing, it is here that Hegel discloses that he conceives of willing in terms of his theory of judgment. First, he conceives of the “subject” of willing as its “particular element,” and this aspect is presented in terms identical to the Kantian classificatory model of cognition, i.e., it involves “the subsumption of the thing under my will.” Second, he conceives of the “predicate” of willing, “my capacity for rights,” as its “universal and infinite element” (PR §95). From this division, we can deduce the

principle that the subjective side of right, the will of the individual subject, is equally as important as its objective side, the will of the universal community of subjects, for while the latter only has existence through the former, the former is only “determinate” through the latter. Hegel’s argument in the WL for the conceptual mediation or interdetermination of the elements of the individual judgment (cf. WL XII 57-58/628)<sup>233</sup> is therefore the direct epistemological ground for his conception of the will: The elements of the individual will are mediated or interdetermined by the universal will in an identical way. The rational political state is therefore to be understood in terms of this conceptual mediation, rather than in causal or functional terms.

Hegel identifies crime, however, with the “negatively infinite judgment” in particular because both sides of the will, its subject and predicate, are negated. His theory of this particular judgment in the WL (cf. XII 69-70/641-643) even contains a brief description of crime as an illustrative case of this judgmental form. Consider the following passage:

[C]rime is the infinite judgment which negates not merely the particular right, but the universal sphere, negates right as right. This infinite judgment does indeed possess correctness, since it is an actual deed, but it is nonsensical because it is related purely negatively to morality which constitutes its universal sphere (WL XII 70/642).

Hegel’s argument about crime as a negatively infinite judgment in the PR is therefore identical to his conception articulated in the Concept Logic section of the WL. Yet, an important question remains unanswered: Why to Hegel is the negatively infinite

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<sup>233</sup> “The identity just demonstrated, namely, that the determination of the subject equally applies to the predicate and vice versa, is not, however, something only for us; it is not merely in itself, but is also posited in the judgment; for the judgment is the connection of the two; the copula expresses that the subject is the predicate. The subject is the specific determinateness, and the predicate is this posited determinateness of the subject; the subject is determined only in its predicate, or, only in the predicate is it a subject; in the predicate it has returned into itself and is therein the universal” (WL XII 57-58/628).

judgment, and therewith the phenomenon of crime, “nonsensical” (*widersinnig*)? An answer to this question requires reference back to his theory of this judgmental form, for, as I will now argue, Hegel has simply transferred its conceptual self-contradictoriness to the practical sphere of criminality. The WL provides the following formal definition of the negatively infinite judgment:

[Its] determinations are negatively connected as subject and predicate, one of which not only does not include the determinateness of the other but does not even contain its universal sphere (WL XII 69/642).

More determinately, Hegel helpfully provides us with the following examples of this particular form of judgment: “[M]ind is not red, yellow, etc., is not acid, not alkaline, etc., the rose is not an elephant, the understanding is not a table, and the like.” So while the copula negatively relates the subject to the predicate in this judgmental form, its “nonsensical” character does not derive from this negativity, but rather from the complete incompatibility between the universal category expressed in the predicate and the particular expressed in the subject. Of course, because the incompatible relation expressed in this judgment is stated negatively, the statement is “correct or true” (*richtig oder wahr*), but it is nevertheless “nonsensical and absurd” (*widersinnig und abgeschmackt*), or, as Hegel even states, these statements “are not judgments at all” (WL XII 70/642).

In an identical way, the crime or infringement of right does have a “positive external existence,” but this existence is essentially or in-itself “null and void” (*nichtig*) (PR §97). Interestingly, in a way derived from his conception of actuality in the WL as the achieved result of thought’s immanent self-development of opposing itself and returning to itself, Hegel describes the “actuality of right” as only the achieved result of

the “manifestation” of its infringement to be a nullity. The “necessity” of the actuality of right therefore derives from the fact that it “mediates itself with itself through the sublation of its infringement” in the same way that thought achieves the moment of actuality in the WL only through its opposing itself and returning to itself, and, finally, the “existence” of this actuality of right is a “mediated existence” (*vermittelten Dasein*) in the same way that actuality in the WL is an existence that is entirely constituted by thought, as the unity of reflection-into-otherness and the reflection-into-self (cf. PR §§97, 97Z). However, without reference to the inherently nonsensical character of the negatively infinite judgment in the WL, Hegel’s ethical argument in the PR about crime being *nichtig* would appear to be ungrounded. As I have demonstrated, it is not.

Hegel’s basic argument about punishment is that it should not be conceived of “as a good,” but rather as “a matter of wrong and justice” (PR §99A). What this means is that Hegel rejects consequentialist or utilitarian justifications for the punishment of criminal acts. That is, he refuses to conceive of punishment as a “prevention” (*Verhütung*), deterrent” (*Abschreckung*), “threat” (*Androhung*), or “corrective” (*Besserung*) (PR §99A; cf. §100A). His ground for this rejection is that “the understanding is inadequate.” Rather, he adopts the retributivist or deontological position that punishment requires no reference to an external ground, that it is self-grounding, or that “punishment in and for itself is just” (PR §99A). Consider the following passage, the most condensed statement of his argument about punishment:

The injury which is inflicted on the criminal is not only just in itself (and since it is just, it is at the same time his will as it is in itself, an existence of his freedom, his right); it is also a right for the criminal himself, that is, a right posited in his existent will, in his action. For it is implicit in his action, as that of a rational being, that it is universal in character, and that, by performing it, he has set up a law which he has recognized for itself in

his action, and under which he may therefore be subsumed under his right (PR §100).

Hegel is arguing here that individuals, qua rational subjects, express through their actions a universal concept of right under which their own particular actions are implicitly subsumed. Punishment, therefore, consists in simply applying the universal criterion of right implicitly articulated by the criminal in his criminal act to the criminal himself. This argument, it should be clear, is derived directly from Kant's practical philosophy. As I noted in the preceding chapter, the rational will is conceived of by Kant in the *Critique of Practical Reason* as a cognitive faculty of determining the validity of particular actions through the conception of a universal law. The Fundamental Law of Pure Practical Reason requires that subjects "Act that the maxim of your will could always hold at the same time as a principle in a giving of universal law" (KPV 30/28),<sup>234</sup> while the first moral formula, the Formula of Universal Law, requires that subjects "Act only in accordance with that maxim through which you can at the same time will that it become a universal law" (GMS 421; cf. 402).<sup>235</sup>

Remarkably, and in a way that political theorists in general have not understood, Hegel reconceptualizes these moral principles in inferentialist terms to provide the epistemological ground for his theory of punishment. The criminal, in committing a criminal act, is for Hegel thereby implicitly articulating an inferential commitment to the universal conception of right under which the particular act is subsumed. This universal conception of right to which the criminal is implicitly committed is incorrect: It is a

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<sup>234</sup> "Handle so, daß die Maxime deines Willens jederzeit zugleich als Princip einer allgemeinen Gesetzgebung gelten könne."

<sup>235</sup> "[H]andle nur nach derjenigen Maxime, durch die du zugleich wollen kannst, daß sie ein allgemeines Gesetz werde."

*Schein* of the *Wesen* of right. The punishment of the criminal is the subsumption of the criminal himself to this universal criterion of right: It is the act of making explicit for the criminal the essentiality of universal right articulated through his own criminal act. It is this inferential commitment on the part of the criminal to the universal concept of right articulated through the criminal act that for Hegel justifies his retributivist theory of punishment. It is therefore upon this ground that Hegel advances the strange claims that it is through punishment that “the criminal is honored as a rational being” (PR §100A) and that “the criminal gives his consent [to the punishment] by his very act” (PR §100Z). This inferentialist reconceptualization of the principles of Kant’s ethical theory is then integrated by Hegel into his own systematic project in the PR. This integration is achieved through his presentation of his argument that the criminal act necessitates its own punishment as grounded upon his conception of rational cognition as the process whereby any conceptual universal (1) positively relates itself to itself in its identity with itself, (2) negatively relates itself to its contrary in the form of the particulars which are its own particularization, and then (3) unifies these particulars as the determinations of its own identity, thereby becoming the determinate mediated identity of its preceding moments. It is this process in which thought individuates its concept from its other and then resolves the incompatibilities between them to which Hegel refers in a determinate political form in the following passage:

[T]he concept [of crime] itself must always contain the basic principle [of punishment], even for the particular instance. This determination of the concept, however, is precisely that necessary connection [which dictates] that crime, as the will which is null and void in itself, accordingly contains within itself its own nullification, and this appears in the form of punishment” (PR §101Z).



In the same way that the justification of the rational state derives from the fact that it is grounded in the independent thought of any particular subject, Hegel argues that the justification of the criminal's punishment derives from the fact that it is in fact grounded in the independent thought of any particular criminal. The concept of right positively relates itself to itself, negatively relates itself to its contrary in the form of crime, and then achieves its determinate identity in its determinations in its final moment.

In the WL, Hegel demonstrates "the moments of opposition to be positedness reflected into itself or determination in general" (WL XI 272/424), and so for any subject, even for the criminal himself, the concept of crime necessarily gives rise to its opposing term in the concept of punishment. Any thought determination in general is articulated through opposition, and, in what is critical for Hegel's argument, the moments of opposition (e.g., identity and difference, positive and negative, likeness and unlikeness, etc.) "are not...in themselves apart from the relation to other; on the contrary, this relation—an exclusive relation—constitutes their determination or in-itself" (WL XI 275/427). Neither the concept of right and its negation in crime nor the concept of crime and its negation in punishment is exempt from the holistic relational structure within which each is situated: They are reciprocally sense dependent. Moreover, Hegel thinks the dependence of this particular concept of crime upon its opposite of punishment for its determinateness and coherence should be apparent for any subject, *including the criminal himself*. It is only through reference to this theoretical foundation in the WL that the coherence of Hegel's strange claims in the PR that retribution is "necessarily presupposed" in thinking the concept of crime, that "the punishment is merely a manifestation of the crime," that it is "the concept itself which carries out retribution,"

and that “the deed brings its own retribution with it” can be properly comprehended (PR §101Z). It is with his articulation of his retributivist theory of punishment that Hegel concludes Abstract Right, the first of the three general moments of the PR.

#### Transition from Abstract Right to Morality

The transition from Abstract Right to Morality is critically important for a comprehension of Hegel’s argument in the PR in general. It is not immediately apparent why Hegel’s theories of property, contract, and wrong should necessarily imply investigations of the ethical matters of purpose and responsibility, intention and welfare, and the good and conscience. The coherence of Hegel’s entire argument in the PR seems to rest upon his particular justifications for thought’s movement from abstract right to morality and from morality to ethical life. The cognitive character of Hegel’s project in the PR—his argument that its final determinations are the results of independent thought thinking through the basic object of right or freedom in accordance with the logical necessity of its own internal movement—makes these transitions even more critical. This theory of logical necessity is of course articulated in the WL, and the transition to morality would not be comprehensible without reference to it. Consider the following passage, in which Hegel advances his argument for the transition:

In accordance with its concept, the will’s self-actualization is the process whereby it supersedes its being-in-itself and the form of immediacy in which it is initially present and which is its shape in the realm of abstract right. Consequently, it first posits itself in the opposition between the universal which has being in itself and the individual will which has being for itself; then, by superseding this opposition – the negation of the negation – it determines itself as will in its existence, so that it is not only a free will in itself, but also for itself, as self-related negativity. Thus, it now has its personality – and in abstract right the will is no more than personality – as its object; the infinite subjectivity of freedom, which now has being for itself, constitutes the principle of the moral point of view (PR §104).

Abstract right is the “form of immediacy” that is the reflectionless being of the Being Logic in the WL. This immediacy is sublated in the movement to morality in the PR and to essence in the WL. In the Appearance section of the Essence Logic, thought posits an opposition between being as it is in-itself and being as it is for thought, and in morality the will “posits itself in the opposition between the universal which has being in itself and the individual will which has being for itself.” This opposition is sublated in the determination that what appears for thought manifests what is essential. Similarly, while the Objective Logic culminates in actuality, the identity of reflection-into-otherness and reflection-into-self, thereby revealing that it is the movement of reflection itself that is alone essential, morality will culminate in the determination that the will “determines itself...in its existence” not only “in itself, but also for itself, as self-related negativity.”

Then, in the *Zusatz* to §104, Hegel provides an explicit statement indicating that the pure logical Concept of the WL, and therewith his philosophical standpoint of absolute idealism, is determinative both the form and the content of the argument of the PR. Indeed, the following passage from this section indicates that *the PR is itself nothing more than the exposition of the Concept itself*:

It is [a necessary] part of the truth that the Concept should exist, and that this existence should be in conformity with the Concept. In right, the will has its existence in something external, but the next stage is for the will to have this existence in itself, in something internal (PR §104Z).

### Morality

The Morality (*Moralität*) section of the PR is the determinate reflection of the Doctrine of Essence section of the WL.<sup>236</sup>

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<sup>236</sup> Its moments of purpose and responsibility (responsibility and liability, purpose and the right of knowledge) correspond to those of essence as reflection within self (illusory being, the essentialities of

In being, thought reflects into a reality it presupposes to be external, but this reflective activity is for thought only implicit in its immediate relation to this reality. Essence, or the moment in which thought becomes for-itself or explicitly aware of itself, is the realization that reality is determined by thought itself and its own reflective activity. Being therefore becomes essence, and the movement to essence is therefore an internalization: thought no longer reflects into an other, but rather into itself, thereby separating itself in the first moment of essence (Essence as Reflection within Self) from externality and from all determinateness, becoming rather an illusory being. Nevertheless, as thought in the second moment (Appearance) begins its reflection into otherness, it begins the process of making explicit for itself the fact that the object and its determinateness are the entirely constituted products of its own reflective activity, a process that is completed in the final moment (Actuality). Thought is the identity of being that is both in-itself and for-itself, but in the beginning of essence it is only the for-itselfness of reality that is explicit for it, while its in-itselfness is only implicit for it. The goal of the movement of essence is for thought to make explicit the fact that it contains not only being for-itself, but also being in-itself, within itself. So while essence begins with the reflection-into-self of thought as indeterminate, in which its determinateness is presupposed to be external, the movement of essence is completed when thought explicitly posits all determinateness as the result of its own reflective activity and therefore as contained within itself. The determinatenesses thought achieves through the immediacy of its appearances in the second moment of essence are presupposed by

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reflection, and ground); its moments of intention and welfare (the right of intention, self-satisfaction and welfare, right and welfare) correspond to those of appearance (existence, appearance, the essential relation); and its moments of the good and the conscience (the good, moral duty, true conscience) correspond to those of actuality (the absolute, actuality, the absolute relation).

thought to be derived from externality, while in actuality these immediacies, and therewith all possible determinatenesses, are revealed to be, and explicitly posited as, reflections-into-self. Actuality is therefore the moment in which thought posits its determinateness as its reflection, or its immediacy as reflection-into-self and its reflection-into-self as immediacy. In sum: essence's first moment, illusory being, is an indeterminate reflection-into-self. Its second moment, appearance, is a reflection-into-otherness, and the achievement of determinateness, but this determinateness is presupposed by thought to be an external immediacy, or a determinateness independent of or external to thought's reflective activity. In the third moment, actuality, thought posits, i.e., makes explicit, this immediacy as its reflection into itself.

Remarkably, Hegel describes the moments of the will in morality in an identical way in PR §109. First, the realization on the part of thought in the movement to essence that the determinateness of reality is determined by the reflective activity of thought itself, thereby leading to the first moment of essence as thought's reflection-into-itself, is described Hegel in the PR as the will's realization that "determinacy is ( $\alpha$ ) initially posited in the will by the will itself – as its particularization within itself, a content which it gives to itself." In the second moment of essence, appearance, thought reflects into otherness and attempts to achieve determinateness through the immediacy of its appearances. This moment is described in terms of the will as "the activity of translating this content from subjectivity into objectivity in general, into an immediate existence." The third moment, actuality, as the identity of thought's reflection-into-otherness and reflection-into-self, is described in terms of the will as "[t]he simple identity of the will with itself in this opposition."

The Morality section of the PR contains Hegel's most condensed statement of the practical ethical standpoint of the moral point of view, of which he offers a critique and presents in relation to his own ethical standpoint of ethical life (*Sittlichkeit*). It is critically important to note however that this is not in any way to suggest that Hegel rejects or "negates" the moral standpoint, for it represents "subjectivity" (*Subjektivität*), or subjective freedom, which is for Hegel the achievement of modernity. While the will was conceived of in terms of the abstract category of *Person* in Abstract Right, it is now to be conceived of as the more determinate category of *Subjekt*. What is subjectivity? It is "the reflection of the will into itself and its identity for itself, as opposed to its being-in-itself and immediacy and the determinacies which develop within the latter" (PR §105). While being in the WL and abstract right in the PR represent the (implicit) reflection of thought into an other, essence in the WL and morality in the PR represent the reflection of thought into itself. This reflective activity of thought was only implicit in being and abstract right, but it is made explicit for thought in the movement to essence and morality. *Hegel's conception of the subjectivity of the human subject is therefore derived directly from the WL.* Subjectivity is the superseding of immediacy or of being determined by the external world, in the same way that essence is the superseding of immediacy or of being determined by the object of being,<sup>237</sup> and so the subject's agency in its relation to the external world is explicit for it in morality, in the same way that the determinative character of the reflective activity of thought in its relation to reality is explicit for it in essence. While thought's internalization, its reflection into itself in the

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<sup>237</sup> Cf. PR §113A: "The existence which the will gives to itself in formal [abstract] right is located in an immediate thing and is itself immediate. Initially, it does not for itself have any explicit reference to the concept, which is not yet opposed to or distinguished from the subjective will."

first moment of essence, separates it from externality and all determinateness, thereby making it an indeterminate *Schein*, the internalization of the subjective will in the first moment of morality separates it from other subjective wills in an identical way, separating it from other subjective wills as an “existence” entirely external to itself.<sup>238</sup> Yet while thought contains being-in-itself or reality or determinateness within itself, and the movement of essence is for thought to make this fact explicit for itself, the subjective will contains the content of the will of others within itself, and the movement of morality is for the will to make this agreement explicit for itself.<sup>239</sup>

Hegel’s argument in this section can be more clearly illumined by comparing the following passage from the PR to its theoretical antecedent in the WL. Consider first the WL:

[I]t [essence] is being that is in itself and for itself; it is absolute being-in-itself in that it is indifference to every determinateness of being, and otherness and relation-to-other have been completely sublated. But it is not only this being-in-itself; as mere being-in-itself it would be only the abstraction of pure essence; but it is equally being-for-self; it is itself this negativity, the self-sublating of otherness and determinateness (WL XI 242/390).

Consider now the PR:

The moral point of view is the point of view of the will insofar as the latter is infinite not only in itself but also for itself. This reflection of the will into itself and its identity for itself, as opposed to its being-in-itself and immediacy and the determinacies which develop within the latter, determine the person as a subject (PR §105).

From these passages, the following then can be said about essence and morality:

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<sup>238</sup> Cf. PR §112: “[T]he will of others is the existence which I give to my end, and which is for me at the same time an other.”

<sup>239</sup> Cf. PR §112Z: “[T]he will which has being in itself is inwardly present in what the subjective will realizes.”

First, the implicit or in-itself subjectivity in being and abstract right has become explicit or for-itself in the movement to essence and morality. Though the identity of being-in-itself and being-for-itself is contained within both thought and the will, it has not yet become explicit for them. Each in its initial moment (Essence as Reflection within Self, Purpose and Responsibility) reflects not into what it takes to be an other, but rather into itself. In being, thought implicitly reflected into being; in abstract right, the will implicitly reflects into an identical “independently existing externality” (PR §56). Each, Hegel explains, is a unity of itself with itself: the making explicit of the reflection on the part of each is what Hegel refers to in the WL as an “internalization” or “recollection” (*Erinnerung*) of itself (WL XI 241/389). However, this for-itselfness or explicitness on the part of both thought and the will of its reflection is achieved only through the negation of the determinateness of being-in-itself, which is still presupposed to be external. The being-in-itself it achieves through this inwardization is “only” the “abstraction” of pure essence, as Hegel notes above. This movement from implicitness to explicitness is presented as the uncovering of a presupposition. Despite the fact that essence and morality are subsequent moments in the movements of the WL and PR, they are nevertheless logically antecedent to their preceding moments. Essence (reflection) is a presupposition of being (immediacy) and morality is a presupposition of abstract right. Consider Hegel’s remark in the WL that “pure being, the negation of everything finite, presupposes an internalization, a recollection and movement which has purified immediate, determinate being to pure being” (WL XI 241/389). This logically regressive presentation of Hegel’s argument in the WL is identical, I am arguing, to the presentation of his argument in the PR. A comprehension of this relation of morality to abstract right



simply would not be possible if the PR were considered without reference to its logical determination.

In the first moment of essence, in which thought reflects into itself, it withdraws from and separates itself from externality, which it presupposes to contain determinateness and the in-itself of reality. Hegel defines morality in identical terms, noting that in this moment the subjective will is the following: It is “for itself and distinct from that which has being in itself”; it is “opposed to objectivity as external existence”; it is in general the point of view of “difference, finitude, and appearance” (PR §108)<sup>240</sup>; it “still relates to that which has being in itself; it is thus the point of view of difference” (§108Z); and it “contains in the first place the opposition between subjectivity and objectivity and the activity associated with this opposition” (PR §109). Consequently, the final goal of the movement of Morality will be to make explicit for the will the fact that it is “[o]nly *in* the will as subjective will can freedom, or the will which has being in itself, be actual” (PR §106) (emphasis added), that “the will can recognize something or be something only insofar as that thing is its own” (PR §107), and that “[o]nly *in* the subject can freedom be realized” (PR §107Z) (emphasis added).

The process whereby essence or reflection determines the distinction within itself from the identity of its preceding moment and then sublates this distinction through achieving determinateness within itself is presented in identical terms in morality.

Consider first the WL:

[I]t [essence] differentiates the determinations which are implicit [*an sich*] in it. Because it is self-repelling or indifferent to itself, negative self-

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<sup>240</sup> Cf. also PR §112A, in which Hegel describes morality as “contradiction” (*Widerspruch*), “finitude” (*Endlichkeit*), and “appearance” (*Erscheinung*), noting further that the resolutions to these contradictions can only be “relative” (*relativ*).

relation, it sets itself over against itself and is infinite being-for-self only insofar as it is at one with itself in this its own difference from itself...[It then] posit[s] in its own sphere the determinateness that is only implicit in it (WL XI 242/390).

Now consider the PR:

The process within this sphere is such that the will which at first has being only for itself, and which is immediately identical only in itself with the will which has being in itself is superseded; and leaving behind it this difference in which it has immersed itself in itself, it is posited for itself as identical with the will which has being in itself (PR §106A).

The determinative relation here should be clear: The movement begins with the for-itselfness of reality within both thought and the will as explicit for them and the in-itselfness of reality within them as only implicit for them. The movement will conclude with both thought and the will making explicit for themselves the fact that they contain not only the for-itselfness of reality, but also its in-itselfness, within themselves.

In the final paragraphs of his introduction to Morality, Hegel provides an important summary of the section's contents in terms of its logical and idealist character. In the first moment of morality, Purpose and Responsibility, the subjective will is "reflected into itself," and its "inner determination" of being immediately identical with being-in-itself or of "possessing" the "objectivity of the concept" is only implicit for it. In the second moment, Intention and Welfare, the subjective will "has being for itself," but is nevertheless "formal," because of its self-determined "requirement" (*Forderung*) of the "possibility of not being in conformity with the concept." However, in the final moment, The Good and the Conscience, the subjective will "supersedes this subjectivity in its immediacy," so that the "basis [*Boden*] of the will's existence is now subjectivity" (PR §§111-112). As this concise description of the following movement clearly indicates, the content of Hegel's argument in Morality is identical to that of the Doctrine of Essence.

## Purpose and Responsibility

With the movement to Purpose and Responsibility, Hegel begins to outline the principles of his ethical standpoint. He is centrally concerned with actions, including both the events themselves and the validity of the reasons and justifications for the subjects responsible for such events occurring. The condition required for the possibility of such responsibility is freedom. His position is that the subject is responsible for any event for which he/she is casually involved (cf. PR §115), and he differentiates the “deed” (*Tat*) from the “action” (*Handlung*), defining the latter term more narrowly as the particular element of the deed for which the subject possesses conscious knowledge, and this knowledge is referred to by Hegel as the subject’s “purpose” (*Vorsatz*) (PR §117). This dependence of consequences upon knowledge means that the “right of knowledge” (*Recht des Wissens*) (PR §117) on the part of the subject is to be not held responsible for consequences unrelated to its actions. The subject’s purpose includes not only the explicit aim of the action, but also its foreseeable consequences (both positive and negative) and, if they are included within “the nature of the action itself” (PR §118A), then also its *unforeseeable* consequences. What is important for Hegel is the subject’s “intention” (*Absicht*), or the universal concept within which the determinate particulars of the action itself and its direct consequences are contained, thereby indicating its derivation from his internalist model of rational cognition. If the subject performs an action with the explicit aim of preventing some negative event X from occurring, an action which, though successful in its prevention of X, thereby directly causes another negative event Y to occur, the “right of intention” (*Recht der Absicht*) on the part of the subject is to be responsible only for the positive element of the action, i.e., the prevention of X, while a

consideration of the subject's purpose requires its responsibility for both events X and Y. Purpose is therefore a more general category than responsibility or imputation, for while "I can be made responsible for whatever was contained in my purpose," "the fact that I am responsible for something does not mean that the thing can be imputed to me" (PR §115Z).

It is clear that Hegel's absolute idealism determines the form and content of his position on morality and practical ethics. First, the idealist character of his argument is clear from his explanation that the subjective will is "finite" because it has the "presupposition" (*Voraussetzung*) that it "has before it an existence upon which it acts; but to be able to do this, it must have an idea of that existence" (PR §117Z).<sup>241</sup> His own position of the "right to knowledge" is then directly deduced from the notion that the entirety of the object, i.e., the action and its consequences, is never independent from thought, i.e., the subjective will, as is apparent from his first-person statements describing this right: "I can be made accountable for a deed only if my will was responsible for it – the right of knowledge" (PR §117) and "I am only what has reference to my freedom, and my will is responsible for a deed only insofar as I have knowledge of it" (PR §117Z). The determinative character of Hegel's idealism in relation to his moral standpoint can also be illuminated by his rejection of both deontological and utilitarian conceptions of moral justification for their shared presupposition of the externality of consequences to actions.<sup>242</sup> In his view, in contrast, insofar as consequences are the "immanent shape of

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<sup>241</sup> Cf. PR §115: The finitude of the will consists in the fact that "the action of the will presupposes an external object," while "the deed posits an alteration to this given existence" (PR §115).

<sup>242</sup> Cf. PR §118A: "The maxim [*Grundsatz*] which enjoins us to disregard the consequences of our actions, and the other which enjoins us to judge actions by their consequences and make the latter the yardstick of what is right and good, are in equal measure [products of the] abstract understanding."

the action,” “they manifest only its nature and are nothing other than the action itself” (PR §118A). My argument is therefore that while the deontological position assigns priority to the action and abstracts from the relevant consequences and the utilitarian position assigns priority to the relevant consequences and abstracts from the action, Hegel’s position that the consequences are nothing more than the manifestation or expression (*Äußerung*) of the action itself is identical to his position in rejection of the question of whether thought models itself on the object or the object models itself on thought in favor of the position that thought is to itself its own object.

#### Intention and Welfare, The Good and Conscience

The movement from the first moment of Purpose and Responsibility to the second moment of Intention and Welfare is presented as one in which the “external existence” of the action is “infinitely divided” into individual particulars. “But,” Hegel notes, “the truth of the individual is the universal” (PR §119). Purpose, as the concept of morality, therefore contains both universality and individuality within itself, and the “universal aspect” is the intention. Hegel notes the etymological affinity between “intention” (*Absicht*) and “abstraction” (*absehen*), identifying moral reasoning from intention with Kant’s externalist classificatory model of rational cognition: To justify an action in terms of the subject’s intention is to begin with the particular action independent of its morality, and then to abstract from this particular to form a universal judgment as to its morality. As Hegel states, it is “[t]o judge an action as an external deed,” or “to apply a universal predicate to it” (PR §119A).

In the WL, the movement of essence depicts the process through which thought makes explicit for itself the fact that it contains not only the for-itselfness of reality (with

this for-itselfness having been made explicit for thought in the movement from being to essence), but also its in-itselfness, within itself. Hegel discloses that his strategy in the PR is identical with regard to the subjective will. First, he describes the explicit subjectivity and for-itselfness of the will in identical terms in his notation that “I for myself, reflected into myself, am still a particular entity in relation to the externality of my action” (PR §121Z). Second, he describes the overcoming of this one-sided for-itselfness in identical terms, as the will making explicit for itself the fact that it contains the in-itselfness of reality within itself, through his statement that “the subject, as reflected into itself and hence as a particular entity in relation to the particularity of the objective realm, has its own particular content in its end, and this is the soul and determinant of the action” (PR §121).

The parallels between the transition to the final moment of morality and the corresponding transition to the final moment in essence are particularly striking. In what follows, I will describe how the second moment of the Essence Logic, Appearance, concludes with the Essential Relation, or the moment in which thought sublates the opposition between appearance and essence through its realization that what appears manifests what is essential. This sublation, however, gives rise to the opposition between essence and existence, an opposition that is sublated in their achieved identity of actuality. In an identical way, the second moment of Morality, Intention and Welfare, concludes with the moment in which thought sublates the opposition between right and welfare through its realization that the will of the particular person manifests the essence of freedom. This sublation, however, gives rise to the opposition between conscience and the good, or between the subject of the will and its object, an opposition that is sublated

in their achieved identity of the “subjective disposition” (*subjektive Gesinnung*) that Hegel refers to as “[t]he ethical” (*das Sittliche*) (PR §141A). In Absolute Relation, the final moment of Actuality and therewith of the Essence Logic, essence and existence form an “absolute identity” (*absolute Identität*) (WL XI 408/570), while in True Conscience, the final moment of both the Good and Conscience and of Morality, the good and conscience identically form an “absolute identity” (PR §141).

First, however, Hegel explains that the subject’s purpose is the universal and the intention is the particular aspect of the purpose, and so the subject therefore “wills something whose ground lies within the subject itself” (PR §121Z). This is a critical statement, for the determinate content of the subject’s willing is nothing more than the manifestation of the form of its own willing activity. Moreover, Hegel’s epistemological foundation (ground) for this position is derived directly from his consideration of ground in the WL, for he states therein that “the truth of grounding is that in it ground is united with itself, so that its reflection into another is its reflection into self” (WL XI 322/478) and further describes the internality of ground in the following passage:

[G]round receives an external immediacy...But it receives this not as something external, nor through an external relation; on the contrary, as ground, it makes itself into a positedness, its simple essentiality unites with itself in the positedness and is, in this sublation of itself, the vanishing of its difference from its positedness, and is thus simple essential immediacy (WL XI 321/477-478).

The striking parallels to the standpoint of reflection continue in Hegel’s further notations that “the good and the right are...a content posited by my rationality; and to make my freedom the content of my will is a pure determination of my freedom itself” (PR §121Z) and that the will’s “content, belonging as it does to the will reflected into itself, is raised to a universal end” and this end is “welfare [*Wohl*] or happiness [*Glückseligkeit*]” (PR

§123A). The subjectivity of the individual subject contains within itself reference to the universal community of subjects within which that individual is situated, and, more particularly, to the welfare of the other individuals within that community (cf. PR §125).

In the Intention and Welfare section of the PR, the relation between these terms is merely contingent: “[T]hese ends of particularity, different as they are from the universal, may be in conformity with it – but alternatively, they may not (PR §125). The sublation of the opposition between right and welfare is then achieved in the movement to the final moment of morality through the introduction of the contrary term of contingency: necessity. Consider the following passage:

[N]ecessity reveals the finitude and hence the contingency of both right and welfare – of the abstract existence of freedom as distinct from the existence of the particular person, and of the sphere of the particular will as distinct from the universality of right. Their one-sided and ideal character is thereby posited, just as it was already determined for them in their concept. Right has already determined its existence as the particular will; and subjectivity, in its comprehensive particularity, is itself the existence of freedom, just as it is in itself, as the infinite self-reference of the will, the universal aspect of freedom. The two moments in right and subjectivity, thus integrated so as to attain their truth and identity – though initially still in a relative relation to one another – are the good (as the fulfilled universal, determined in and for itself) and the conscience (as infinite and inwardly knowing subjectivity which determines its content within itself) (PR §128).

The importance of this cannot be overstated: What is implicitly achieved through the concept of necessity in the sublation of right and welfare will be made explicit in the sublation of conscience and the good: the achievement of the sublation of the most general opposition of the PR between abstract right and morality in ethical life.

The concept of necessity performs an identical function in the WL, sublating the opposition between actuality and possibility and achieving the sublation of the most general opposition of the WL between being and essence in the Concept. Actuality is



introduced as “contingency” (*Zufälligkeit*), or the “immediate positive identity with possibility” (WL XI 383/544-545).<sup>243</sup> The contingent is both “immediate actuality” (*unmittelbare Wirklichkeit*) and at the same time the merely “possible” (*Mögliche*) or a “positedness” (*Gesetztsein*), and, as Hegel further explains, it is the “absolute unrest” (*absolute Unruhe*) or the “becoming” (*Werden*) of these two determinations. But this becoming, in which “each immediately turns into its opposite,” equally “unites with itself,” becomes “the identity of both, of one in another,” and therefore is “necessity” (*Notwendigkeit*) (WL XI 384/545). The movement of actuality is from this original “formal” or “relative” necessity to “real necessity” to “absolute necessity.” This final moment is described by Hegel in the following:

Absolute necessity is, therefore the truth into which actuality and possibility as such, and formal and real necessity withdraw. It is, as we have found, that being which in its negation, in essence, is self-related and is being. It is as much simple immediacy or pure being as simple reflection-into-self or pure essence; it is this, that these two are one and the same...[A]s the union of being with itself it is essence; but because this simple is equally immediate simplicity, it is being. Absolute necessity is thus the reflection or form of the absolute: the unity of being and essence, simple immediacy that is absolute negativity” (WL XI 391/552).

It is absolute necessity therefore which achieves the unity of being and essence. As the above passage indicates, being is revealed to be actuality, or the immediacy of thought is revealed to be nothing more than its reflection-into-self. “[S]imple immediacy” (being) is “absolute negativity” (reflection). What is more, absolute necessity then becomes simply necessity in the transition to the final moment of Actuality, The Absolute Relation:

Absolute necessity is not so much the necessary, still less a necessary, but necessity—being, simply and solely as reflection (WL XI 393/554).

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<sup>243</sup> “This unity of possibility of actuality is contingency” (WL XI 383/545).

Necessity is therefore the concept responsible for the central achievement of the WL: the absolute idealist realization on the part of thought that being *is* thought, or its immediacy is a reflection-into-self and its determinateness is the constituted product of this reflection-into-self. It is also the concept responsible for the transition from the Objective Logic to the Subjective Logic, for it is in the movement to the Concept, to the moment in which thought turns to itself as the absolutely undetermined, that thought as necessity becomes thought as freedom or pure subjectivity:

Necessity does not become freedom by vanishing, but only because its still inner identity is manifested, a manifestation which is the identical movement of the different sides within themselves, the reflection of the illusory being as illusory being into itself...[T]he sides of necessity which have the shape of independent, free actualities not reflecting themselves in one another, are now posited as an identity, so that these totalities of reflection-into-self in their difference are now also reflected as identical, or are posited as only one and the same reflection...This is the Concept, or the realm of subjectivity or of freedom (WL XI 409/571).<sup>244</sup>

Hegel conceives of the movement from morality to ethical life as the achievement of the true concept of freedom because the will has made explicit for itself the fact that the existence of freedom is contained entirely within itself. Right began as abstract because the determinateness of the concept of the will, i.e., the existence of its freedom, was presupposed by the will to be entirely external to itself. The will therefore was not truly free in abstract right because it presupposed itself to be completely determined by this “external” existence of freedom. With the completion of morality in the good, the will has made explicit for itself the fact that it contains the totality of the existence of freedom within itself, that this existence is the product of its own activity of willing. So *the immediacy of the existence that is Being is revealed in the completion of Essence to be a*

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<sup>244</sup> In the Concept Logic, it is retrospectively noted that “freedom reveals itself as the truth of necessity” (WL XII 12/578).

*reflection-into-self on the part of thought itself, and the immediacy of the existence of freedom in Abstract Right is revealed in the completion of Morality to be a reflection-into-self on the part of the will itself.*<sup>245</sup> Hegel explains this final determination in the following passage:

[The] existence of freedom which was immediately present as right is determined in the reflection of self-consciousness as the good; the third stage, present here in its transition as the truth of this good and of subjectivity, is therefore also the truth of subjectivity and of right. – The ethical is a subjective disposition, but of right which has being in itself” (PR §141A).

Ethical life will consequently be presented as the “unity of the concept of the will with its existence” (PR §143), and the content of this disposition will be the self-knowledge on the part of the subject that the existence of freedom is contained entirely within itself and the community of subjects in which it is situated. Thought is revealed to itself to be its own object, i.e., the absolute, and the will is revealed to itself to be its own object, i.e., freedom.<sup>246</sup>

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<sup>245</sup> Consider the following from Hegel’s final *Anmerkung* in morality: “That existence of freedom which was immediately present as right is determined in the reflection of self-consciousness as the good; the third stage, present here in its transition as the truth of this good and of subjectivity, is therefore also the truth of subjectivity and of right. – The ethical is a subjective disposition, but of right which has being in itself” (PR §141A).

<sup>246</sup> Cf. Hegel’s statement in the WL that “[t]he absolute, which at first was expounded by external reflection, now, as absolute form or as necessity, expounds itself; this exposition of itself is its own positing of itself and it is only this self-positing. Just as the light of nature is neither something nor a thing, but its being is only its showing or shining, so manifestation is self-identical absolute actuality” (XI 393/554).

## CHAPTER 6 THE FAMILY AND CIVIL SOCIETY

The central interpretive claim of this dissertation is that the rationality of Hegel's rational state depicted in the PR derives from the fact that the PR is the determinate reflection of the pure logical Concept depicted in the WL. In the introductory section of ethical life (*Sittlichkeit*), Hegel presents one of his clearest statements in support of this interpretive claim: "The fact that the ethical sphere is the system of these determinations of the Idea constitutes its rationality. In this way, the ethical sphere is freedom, or the will which has being in and for itself as objectivity" (PR §145). However, the restricted character of this statement may be misleading. It is not only the ethical sphere that is the system of the determinations of the Idea, but rather the entire PR. Hegel expresses this argument in a number of different ways: Abstract right and morality are moments and determinations *of* ethical life; ethical life encompasses abstract right and morality; ethical life is the totality within which the movement from abstract right through morality occurs; and ethical life is the "truth" of the preceding moments of abstract right and morality. Each of these characterizations of the relation between ethical life and its preceding moments in the PR is identical with the relation between the Concept and its preceding moments of being and essence in the WL.

Each of the above expressions refers to a single argument: The PR is presented in the form of a transcendental argument, as the a priori reconstruction of the conceptual conditions required for the object of right to be a determinate of cognition. I argued in the preceding chapter that morality is the presupposition of abstract right, and in the present chapter, my argument is that ethical life is the presupposition of morality and therewith of abstract right. This is to say that the entirety of Hegel's argument in the PR is presented

in logically regressive terms. Hegel's statements in the introductory section of ethical life that "[t]he right of individuals to their subjective determination to freedom is fulfilled only insofar as they belong to ethical actuality" (PR §153) and that "[t]he individual attains his right only by becoming the citizen of a good state" (PR §153Z) support this interpretation. The PR cannot simply begin with ethical life for the same reason that the WL cannot begin with the Concept: It must be proven to be the logically necessary result of the internal movement through which the original formal concept of freedom derives its determinateness. Hegel consequently explains in the Introduction to the PR that "[t]he method whereby the concept, in science, develops out of itself and is merely an immanent progression and production of its own determinations is likewise assumed to be familiar from logic" (PR §31).<sup>247</sup>

Many commentators refer to Hegel's ethical life as a "self-conscious" community of subjects. Yet none of these commentators provides an adequate explanation of the *content* of this self-consciousness, or what it is exactly that this community of subjects is self-conscious *of*. An adequate explanation, as I demonstrated in the preceding chapter, requires reference to the determinate conceptual content of Hegel's argument for absolute idealism in the WL, for it was revealed in the preceding chapter that *das Sittliche* is a "subjective disposition" on the part of the will, a way of viewing the world that is grounded in the self-knowledge that the existence of freedom to which it relates itself as its object is a reflection of itself to itself, an argument that is the determinate reflection of

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<sup>247</sup> It is upon this basis that, in the *Zusatz* to the following paragraph, Hegel then provides the following elaboration on his methodology: "[W]e merely wish to observe how the concept determines itself, and we force ourselves not to add anything of our own thoughts and opinions...One might accordingly ask at this point why we do not begin with the highest instance, that is, with the concretely true. The answer will be that we wish to see the truth precisely in the form of a result" (PR §32Z).

the realization on the part of thought that actuality, the object to which it relates itself, is a reflection of itself to itself. *This* is the content of the self-consciousness of the community of subjects depicted in ethical life. Hegel's acceptance of Kant's conception of freedom as rational self-determination requires that the will exhibit a for-itself or explicit self-conscious awareness of its implicit or in-itself freedom. It is not until the final moment of Morality that this self-consciousness is achieved, for it is in this moment that the will finally posits the immediacy of the content or existence of freedom as a reflection of itself into itself. This moment is the culmination of the movement from Abstract Right through Morality, or the determinate reflection of the first volume of the WL, the Objective Logic, which depicts thought's movement from immediate being to actuality. The formal logical form and the determinate conceptual contents of the WL and the PR are therefore identical: Both depict the realization of freedom, for thought begins with the presupposition that the object of its cognition is external to or independent of itself, or that it is entirely determined by its object, and concludes with its complete self-determination through its revelation that the object to which it is related is the constituted reflection of itself to itself.

Why does Hegel refer to ethical life in general in the first paragraph of this section as the "Idea of freedom" (*Idee der Freiheit*) (PR §142)? The ethical life section of the PR is the determinate reflection of the Doctrine of the Concept section of the WL, and so the state, as the final moment of ethical life, should be the determinate reflection of the Idea, as the final moment of the Concept. What is more, Hegel will later refer to the state as the "actuality of the ethical Idea" (*Wirklichkeit der sittlichen Idee*) (cf. PR §257) and, in the final paragraph of the PR, he will conclude his description of the culmination of the

totality of world history in the “absolute opposition” (*absolute Entgegensetzung*) between the “infinite positivity” (*unendliche Positivität*) of the “secular” (*weltlich*) realm and the “absolute negativity” (*absolute Negativität*) of the “intellectual” (*intellektuell*) realm by noting that “both are rooted in a single unity and Idea” (PR §360). Commentators have failed to provide an accurate and complete explanation of this phenomenon.<sup>248</sup> My argument is that the solution to this problem consists in interpreting an Idea as the “individuality” moment in any dialectical sequence, i.e., the individual thought-content or determinate universal concept which is the product of the unification of the particulars of its preceding moment by the original indeterminate conceptual universal. An Idea is therefore simply a determinate thought activity, as opposed to an indeterminate conceptual universal or the particular determinations of that universal. From this view, the content of the culmination of the movement from Abstract Right through Morality in the will uniting itself with its object is *an* Idea, in a way that is identical with how the culmination of the Objective Logic in thought uniting itself with its object is *an* Idea, while *the* Idea is the “unity of the subjective Concept and objectivity” (WL XII 176/758), and the *absolute* Idea is the “identity of the theoretical and the practical Idea” (WL XII 236/824). The “single unity and Idea” within which the final opposition of the PR is sublated is the absolute Idea. This is to say nothing less than that *the final justification for the argument of the PR is the argument of the WL*. Ethical life is the “Idea of freedom” in the PR in a way that is identical with how the Concept is the Idea of being in the WL.

Hegel’s ground for this multiplicity of Ideas is his conception of an Idea as the identity of any subjective concept and its object as determined by itself. His justification

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<sup>248</sup> Cf. Wood’s editorial note to §33 in the Nisbet translation of the PR, p. 403.

for rejecting Kant's conception of concepts as irreducibly formal or subjective, and rather for conceiving of concepts as capable of uniting themselves with their objects (thought-contents) if adequately thought through is in fact quite simple: "[I]f [concepts] really are concepts, then they *are* concepts" (emphasis added). The Idea, Hegel explains, is "unconditioned" (*Unbedingte*) (WL XII 173/755) because it is a determinate concept which relates itself to its object *as* determined by itself, whereas to be conditioned is to be related to an objectivity *as* independent or external.<sup>249</sup> This argument demonstrates with particular clarity Hegel's belief about the inseparability of the normative value of freedom and the principles of his theoretical standpoint of absolute idealism: To be conditioned or "finite" or "subjective" is to be unfree, whereas to be unconditioned or "infinite" or "absolute" is to be free. It should therefore not be surprising that he identifies ethical life with the Idea. What perhaps *should* be surprising is how contemporary commentators on Hegel's political philosophy in general do not investigate and provide an account of his argument in the WL, in which he *defines* the Idea, "the sole subject matter and content of philosophy" (WL XII 236/824),<sup>250</sup> in terms of freedom.

The freedom of this self-conscious community derives from the self-knowledge on the part of each of its subjects that the content or existence of freedom to which it relates itself is a reflection of itself to itself. Hegel articulates this argument about ethical

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<sup>249</sup> "[T]he Idea is the rational; it is the unconditioned, because only that has conditions which essentially relates itself to an objectivity, but an objectivity that it has not itself determined but which still confronts it in the form of indifference and externality" (WL XII 173/755).

<sup>250</sup> Hegel variously states that "something possesses truth only insofar as it is Idea" (WL XII 173/755), that "everything actual is only insofar as it possesses the Idea and expresses it" (WL XII 174/756), that, having reached the moment of the identity of the subjective Concept and objectivity in the Idea, "what now is is only what is Idea" (WL XII 175/757), and finally, that "[w]hen it is said that no object is to be found in experience that is perfectly congruous with the Idea, one is opposing the Idea as a subjective standard to the actual; but what anything actual is supposed in truth to be, if its concept is not in it and if its objectivity does not correspond to its concept at all, it is impossible to say; it would be nothing" (WL XII 174/756).



life in a number of different ways. It is the “living good [*lebendige Gute*]” which “has its...actuality through self-conscious action” and is self-conscious of the fact that it is itself the “foundation which has being in and for itself” (PR §142). It is the “knowledge...that each of these moments,” i.e., the concept of freedom and its existence, “has become for itself the totality of the Idea and has the latter as its foundation and content” (PR §143). In this moment, thought or the will “posits distinctions within itself which are thus determined by the Concept” (PR §144).

The subjective disposition of ethical life is achieved only as the result of the subject thinking through its abstract concept of freedom to the identity of itself with the content or existence of its freedom. But, and this is critically important to note, *the unity of the will with its object is achieved only when it makes itself its own object*: “The concept of this Idea has being only...because it is the objectivization of *itself*” (PR §157) (emphasis added).<sup>251</sup> This statement is important for two related reasons. First, the strategy behind this statement is derived directly from Hegel’s strategy in the WL to eliminate Kant’s thing-in-itself skepticism—without arguing for the possibility of knowledge of things-in-themselves—by arguing that thought achieves correspondence with its object only if it makes itself its object and corresponds to itself. The identity of thought and its object in the Idea is therefore the moment in which thought makes the totality of its own determinations its object. Second, and in what is critically important to note, given that the unity of the abstract concept of freedom with the content or existence of freedom is the unity of the will with itself, it therefore does not in any way violate the ontological relativism which determines the presentation of each of Hegel’s major works.

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<sup>251</sup> Cf. also Hegel’s remark that the will “has its own concept, namely freedom, as its content” (PR §141Z).

His disclosure that the PR is presented in this way appears in the Introduction, in the critically important *Zusatz* to §21, in which he explains that “[t]ruth in philosophy means that the concept corresponds to reality,” but then discloses that “[t]he will in its truth is such that what it wills, i.e., its content, is identical with the will itself, so that freedom is willed by freedom.”

As the unity of the will with itself its object, the moment of ethical life is an immediacy in the movement of thinking that is the PR. It is a community which Hegel refers to as “a relationship which is immediate and closer to identity than even [a relationship of] faith or trust” (PR §147). However, Hegel also notes that “[f]aith and trust arise with the emergence of reflection, and they presuppose representations and distinctions,” and so it “may indeed turn into a relationship of faith and conviction or a relationship mediated by further reflection, into insight grounded on reasons” (PR §147A). So is the relation of subjects to one another in the identity of ethical life immediate or mediated? Hegel states only that “adequate cognition of this identity belongs to Conceptual thought [*dem denkenden Begriffe*]” (PR §147A). He therefore does not provide an answer to this question in the PR. As I will now argue, however, the relation of subjects to one another in the identity of ethical life is one of *irreducible opposition between immediacy and mediation*. Ethical life, it is to be recalled from above, is the “Idea of freedom,” and so if we return to Hegel’s description of the Idea in the WL, we learn that “[t]he identity of the Idea with itself is one with the process” (WL XII 177/759), that it “contains within itself the highest degree of opposition” (WL XII 236/824), and that it “eternally creates and eternally overcomes that opposition, in its

meeting with itself” (WL XII 177/759).<sup>252</sup> Hegel therefore subsumes the contemporary debate over whether the relation of individual subjects to one another in political communities should be based upon immediacy or mediation. The rational state is a determinate conceptual identity containing within itself both immediacy and mediation. Ethical life, as the determinate reflection of the Doctrine of the Concept, is the unity of the immediacy of being and the mediation of essence or reflection, while the state, as the determinate reflection of the Idea, is the identity of the immediacy of objectivity and the mediation of the subjective Concept, with the former having its existence only through the “self-sublating mediation” (*selbst aufhebende Vermittlung*) of the latter (cf. WL XII 172/753).

### The Family

The family section of ethical life in the PR is the determinate reflection of the Subjectivity section of the Doctrine of the Concept in the WL.

Hegel, it is to be recalled, defines the Concept as the moment reached when the “three totalities [of universality, particularity, and individuality] are...[posited as] one and the same reflection, which, as negative self-relation, differentiates itself into...a perfectly transparent difference, namely, into a determinate simplicity or simple determinateness which is their one and the same identity” (WL XI 409/571). In the first moment of the Concept, subjectivity, it is a formal or indeterminate identity as a result of its “inwardness” (*Innigkeit* or *Innerlichkeit*) (WL XII 30/597, 125/703) in relation to external objectivity. The subjective Concept begins with these three totalities in the pure

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<sup>252</sup> In the Being Logic, Hegel even states that “there is nothing, nothing in heaven or in nature or mind [*Geist*] or anywhere else which does not equally contain both immediacy and mediation, so that these two determinations reveal themselves to be unseparated and inseparable” (WL XXI 54/68).

Concept as an immediately formal or indeterminate identity. Its determinations within itself are only in-itself or implicit for itself. The movement of the subjective Concept is to make explicit for itself the determinations by which its identity is mediated, and then the identity of these determinations as determined by itself. This movement begins in the second moment with its particularization or self-diremption in the form of the judgment, i.e., its positing or making explicit for itself the determinations within itself. The third moment, syllogism, is the explicit “restoration” of the identity or unity of the Concept in its determinations and at the same time the elimination of its subjectivity, for it is in the explicit positing of its identity in its determinations in the form determination of the syllogism that the subjectivity of the Concept achieves its determinateness through its reflection into externality, or becomes objectivity.

As the first moment of ethical life, the family is a formal or indeterminate unity as a result of its “inwardness” (cf. PR §§164A, 167, 173, 176) in relation to external civil society. In the first moment of the family, marriage, the ethical is an immediately or “natural” formal or indeterminate unity. Its determinations (members) within itself are only in-itself or implicit for itself. The movement of the family is to make explicit for itself the determinations by which its identity is mediated, as well as its identity itself. This movement begins in the second moment, the family’s resources, in which its determinations, i.e., its members, achieve a determinate character or become explicit. It is in the third moment, the upbringing of the children, that the explicit “restoration” of the mediated identity of the family in its determinations is achieved. However, the upbringing of the children is at the same time the dissolution of the family, for it is in the

explicit positing of its identity in its determinations that the family achieves its determinateness through its reflection into externality, or becomes civil society.

The family is presented by Hegel as an immediate identity or unity. As the first moment of the subjective disposition of *das Sittliche*, Hegel defines the family as a particular way of thinking, explaining that “the disposition is to have self-consciousness of one’s individuality within this unity as essentiality which has being in and for itself.” It is the subject’s “feeling of its own unity.” And this, Hegel tells us, is “love” (*Liebe*). In the family, the individual subject is not to be conceived of as an independent person, but rather as a “member” (*Mitglied*) (PR §158). This fundamental social dependence of the members of the family is articulated by Hegel through the concept of recognition, for I “gain my self-consciousness only through the renunciation of my independent existence and through knowing myself as the unity of myself with another and of the other with me” (PR §158Z). However, in an important remark in the same paragraph, Hegel notes that the naturalness or immediacy of the family relation is “no longer present” in the state, for the identity the latter represents in the form of its laws must be based upon reflection or mediation: “the content [of the laws] must be rational, and I must know it” (PR §158Z). First, however, the family begins in the form of its “immediate concept” in the form of marriage.

Hegel introduces marriage (*Ehe*) as the “immediate concept” (*unmittelbarer Begriff*) (PR §160) of the family, and repeatedly emphasizes the immediate character of the unity. He argues that it is an institution which has its “subjective origin” (*subjektiver Ausgangspunkt*) in the contingency of the particular inclinations of the two persons and that it is only in modernity that marriage finds its subjective origin in “the state of being

in love” (*Verliebtsein*) (PR §162Z), as opposed to its historically antecedent origins in involuntary arrangements or instrumental rationality. Within modernity, alternative definitions of marriage involve conceiving of it exclusively in terms of either a sexual relation, a contractual relation, or as an emotional relation of love. Hegel rejects the first alternative entirely, only partially rejects the second alternative through his argument that marriage originates as a contract but is not itself a contract, and adopts the third alternative only after rejecting the conventional understanding of “love” in favor of the more particular notion of “rightfully ethical love [*rechtlich sittliche Liebe*]” so as to exclude its “transient” (*vergänglich*), “capricious” (*launenhaft*), and “purely subjective” (*bloß subjektiv*) aspects (PR §161Z).

Hegel’s argument in rejection of Kant’s *definition* of marriage as a contract while at the same arguing that its *origin* should be conceived of as a contract requires some elaboration. He categorically rejects the instrumental conception in which “marriage is made a means to other ends” (PR §162Z). It is upon this ground that he then rejects Kant’s definition of marriage as a contractual relationship. For Hegel, in contrast, marriage originates in the contract only “in order to supersede it” (PR §163). Once it has been originated in the form of a contract, marriage takes on the form of an “indissoluble in itself” (*unauflöslich an sich*) (PR §163Z). It seems that Hegel identifies the origin of marriage with the contractual relation only because it is grounded in the “particular inclination” (*besondere Neigung*) (PR §162) of the two persons who enter the relationship, but he in no way conceives of the marriage itself as a contract, but rather as an end in-itself. In the remainder of his brief discussion of marriage, Hegel rejects the notion that the “chief end” (*Hauptzweck*) of marriage can be determined for legal

purposes (PR §164A), separates men and women into public and private spheres respectively on the basis of supposedly “natural” distinctions between the sexes (cf. PR §§166, 166A, 166Z), and concludes by arguing that “[m]arriage...is one of the absolute principles on which the ethical life of a community is based” (PR §167A).

Hegel explains the transition from his discussion of marriage to the family’s resources by claiming that the family, as subject, “has its external reality in property,” and that only in the object of property does its “personality have its existence” (PR §169).

The logical character of this argument should be clear: Thought necessarily opposes itself; its positive relation to itself can only be a determinate thought activity through cognition of its negative relation to its contrary. The family requires “resources” (*Vermögen*) in order to be “permanent and secure” (*bleibend und sicher*) (PR §170).

What is striking about the normative or political content in this brief section is the social democratic character of Hegel’s public policy prescriptions. He expresses the concern that because the family is “still immediate,” it is “exposed to particularization and contingency” (PR §171), and so he advocates policies to guarantee that, in the event of “natural death” (*natürlicher Tod*) or “divorce” (*Scheidung*), “the wife will continue to receive legal support, etc.” and “the common property [of the family] will be preserved” (PR §172A).

It is in the upbringing of the children and the dissolution of the family, however, that the original indeterminate universality of the family will be restored in the form of a determinate universal or individual and at the same time sublated into the plurality of individual subjects in civil society. The idealist character of Hegel’s argument continues as he explains that the “unity of marriage” (*Einheit der Ehe*) in this moment sublates its

“inwardness,” i.e., its subjectivity, and “becomes in the children an existence which has being for itself, and an object” (PR §173). This theme continues in the *Zusatz* to this paragraph, as Hegel explains that the “relation of love between man and wife” discussed in marriage “is not yet an objective one.” The immediacy or givenness of the unity of marriage means that “this unity does not yet possess objectivity.” Again, thought must oppose itself: The original immediacy of thought necessarily gives rise to the antinomial opposition of reflection or mediation, or the implicit subject-object identity necessarily gives rise to the explicit opposition of subject and object.

The family’s resources, as the moment of difference or particularity, do not restore this unity because the parents’ “unity is present in their [shared] resources only as in an external thing.” As might be expected, the “parents attain this unity only in their children” (PR §173Z). Hegel grants to parents both the right to the “services” (*Dienste*) of their children and the right over their “arbitrary will” (*Willkür*), while at the same time granting to children a right to be “brought up and supported” (*ernährt und erzogen*) by their parents (PR §174). It is the movement from one generation of parents to the next which signifies the movement of the family from indeterminate universality to determinate universality or individuality: The “presupposition of persons existing immediately...here becomes the result” (PR §173). However, while the unity of the parents’ marriage is objectivized in their children, the increasing independence of the children from their parents as they mature represents the sublation of the family itself.<sup>253</sup> Thus in the final moments of the family, its “ethical dissolution” (*sittliche Auflösung*)

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<sup>253</sup> Cf. PR §175Z: “[T]he children are increasingly independent and gain in strength, thereby leaving their parents behind them, whereas the parents possess in their children the objective and concrete form of their union.”



consists in the fact that the children are brought up to be “free personalities” (*freie Persönlichkeiten*) who, when they reach the age of adulthood, are “recognized as legal persons” and are capable both “of holding free property of their own and of founding their own families” (PR §177), while its “natural dissolution” (*natürliche Auflösung*) occurs through the death of the parents (PR §178).

The upbringing of the children is therefore responsible for both the family’s achievement of determinateness or objectivity and its sublation. It is a moment which therefore represents Hegel’s dialectical conception of rational cognition in a particularly striking way. From here, Hegel tells us, the family “disintegrates...into a plurality of families whose relation to one another is in general that of self-sufficient concrete persons and consequently of an external kind” (PR §181). The “point of departure of universality” in the family now gives way to the “semblance” (*Schein*) of civil society (PR §181Z). Hegel explains this transition in logical-idealist terms in the following passage:

[T]he moments which are bound together in the unity of the family, as the ethical Idea which is still in its concept, must be released from the concept to self-sufficient reality. This is the stage of difference. To put it first in abstract terms, this gives the determination of particularity which is related to universality, but in such a way that the latter is its basis – though still only its inner basis; consequently, this universality is present only as a formal appearance in the particular. This relation of reflection accordingly represents in the first instance the loss of ethical life; or, since the latter, as the essence, necessarily appears, this relation constitutes the world of appearance of the ethical, i.e., civil society (PR §181).

The notation that the determinations of the concept of the ethical in the identity of the family are “to be released from” (*von entlassen werden*) this concept itself to achieve “self-sufficient reality” (*selbständige Realität*) refers to the transition from the Subjectivity section of the Doctrine of the Concept to its Objectivity section. The

achievement of the complete form determination of the Concept in the syllogism is for Hegel “mediation,” or the Concept in its “positedness,” i.e., the explicit identity of the Concept in its determinations. And, as this mediation sublates itself, the Concept relates itself to the immediacy, i.e., the “self-sufficient reality,” that is objectivity. While civil society is the moment of difference or particularity, the subjective Concept equally relates itself to objectivity as an immediacy. As the movement of Objectivity demonstrates, however, objectivity is only the product of the “self-sublating mediation” of the subjective Concept; it is a determination or moment of the Concept itself. Hence Hegel is careful in the above passage to note that the “self-sufficient reality” of civil society is “released *from*” the concept of the ethical itself. In terms of the logical structure of the pure Concept, universality in each instance “gives” itself the particularity to which it relates itself. As I have noted, this position is an internalist reconceptualization of the Kantian externalist classificatory model of cognition, in which the conceptual universal relates itself to particularity as external. When thought relates itself to an object it incorrectly presupposes to be external, it is determined in its relation, i.e., it is not self-determining or free. Civil society is consequently the realm in which thought or the conceptual universal relates itself to its object of the ethical as an “appearance” (*Erscheinung*). It is a “relation of reflection” (*Reflexionsverhältnis*), and it therefore constitutes the “loss” (*Verlust*) of ethical life.

### Civil Society

The civil society section of ethical life in the PR is the determinate reflection of the Objectivity section of the Doctrine of the Concept in the WL.

Objectivity is the immediacy to which the subjective Concept relates itself as a result of its sublation of the mediation it posits in the syllogism. It is “the totality of the Concept withdrawn into its unity” (WL XII 133/711). It is, in other words, the reflection of the Concept itself to itself. In its first moment, mechanism, the moments of the immediacy of objectivity are presupposed by thought to exist in a state of indifference to one another. Any relation between one moment and another is presupposed by thought to be externally imposed by itself, and the moments themselves are presupposed to be entirely undetermined by any such posited relation. In its second moment, chemism, thought makes explicit for itself the fact that the identity of the moments posited by itself is internal to the moments themselves, and the movement of chemism consists in the sublation of the independence of the moments and their identity from thought itself. In the third moment, teleology, the essential identity of the moments is posited as distinct from that identity which was posited in mechanism as external or independent. This essential identity is posited no longer as external, but rather as internal to the Concept itself, and, consequently, the Concept becomes the Idea.

The logical movement of civil society reflects this progression. In its first moment, the system of needs, each of the particular subjects has himself as his own end, thereby presupposing himself to exist in a state of indifference in relation to every other subject. Any relation between one particular subject and another is presupposed by each of the subjects to be a means to his own end, i.e., the satisfaction of his needs, with the universality of the ethical existing external to himself and himself undetermined by the universal. In the second moment, the administration of justice, each of the particular subjects begins to make explicit for himself the fact that the universal is internal to his

relation to other subjects through the protection of subjects' property by the universal community, and the movement of the administration of justice consists in the sublation of the independence of each of the particular subjects from one another, and therewith from the universal. In the third moment, the police and the corporation, the universal unity of the particular subjects is posited as distinct from that universal which was presupposed in the system of needs to be external or independent. In its final moment, this universal unity is posited by each particular subject no longer as external, but rather as internal to himself, and, consequently, civil society becomes the state.

Hegel is the first philosopher to employ the term civil society (*bürgerliche Gesellschaft*) to refer to what is one of the central institutions of modernity: the market-governed realm of production and exchange. In opposition to the allegations of his “deification” of the state, I argued in the first chapter that Hegel conceives of civil society as an integral component of ethical life between the family and the state. The sublation of the moment of civil society in the movement to the state in now way implies its total “negation,” though it is true that the state is an entirely distinct ideational realm. At the same time, however, despite its integral place in Hegel’s idealized depiction of the political and administrative institutions of modernity, it was noted above that civil society is the product of the “dissolution” of the family and represents the “loss” of *das Sittliche* altogether. It is only in its final moment, i.e., the state, that ethical life is restored. In Hegel’s view, civil society is a realm defined by the *irreducibility* of its “disorganization” (*Desorganisation*) (PR §255A). This term is employed by Hegel not in the introduction to his discussion of civil society, as a problem to be overcome in the course of its movement, but rather in the *Anmerkung* to the second to last paragraph of the civil

society section, thereby indicating that it is a critically important element of Hegel's final argument about civil society: The alienated structure of social mediation that is bourgeois civil society, in which the principle guiding the relations between each individual and every other is instrumental rationality, does not for Hegel culminate in the realization of right or of freedom, but rather in its *antithesis*. An understanding of this argument requires reference to Hegel's argument that civil society is the realm of subjectivity and particularity, and that "[p]articularity in itself is boundless extravagance, and the forms of this extravagance are themselves boundless." Hegel's argument for the irreducibility of the contradictory character of civil society is expressed through his statement that the infinite or "boundless" (*maßlos*) forms of particularity do not return to themselves, or that these forms "do not form a closed circle," but rather extend to "spurious [*schlechte*] infinity" (PR §185Z). Rational cognition is for Hegel a dialectical movement in which thought opposes itself and returns to itself at a higher level of determinateness. My argument is therefore that civil society, as particularity or the moment in which thought opposes itself, is irreducibly contradictory because its spuriously infinite character indicates that it does not contain within itself the capacity to return to itself. Rather, it is the infinite movement of thought in opposition to itself. The integrality of civil society derives from its capacity to guarantee the subjective freedom of its members, but this freedom of subjectivity or particularity is formal or indeterminate, and *the thinking through of this concept reveals not its determinateness, but rather its fundamental contradictoriness*. The following passage from the WL describing the concept of spurious infinity confirms, in a way that could not be more striking, this interpretive claim:

The infinite as thus posited over against the finite, in a relation wherein they are as qualitatively distinct others, is to be called the spurious infinite,

the infinite of the understanding, for which it has the value of the highest, the absolute truth. The understanding is satisfied that it has truly reconciled these two, but the truth is that it is entangled in unreconciled, unresolved, absolute contradiction; it can only be brought to a consciousness of this fact by the contradictions into which it falls on every side when it ventures to apply and to explicate these its categories (WL XXI 127/139).

This theoretical argument indicates that Hegel's practical position on modern civil society, in which the thinking through of this particular concept of freedom reveals its fundamental contradictoriness, is therefore not at all unlike Marx's (or, rather, Marx's position is not at all unlike Hegel's). Indeed, it would not be an overstatement to note that Hegel's position in this regard is closer to Marx's than to that of any other philosopher. The parallel between the form and content of Hegel's argument above and that of Marx's in following passage from the *Grundrisse* is particularly striking:

[In bourgeois society] individual A serves the need of individual B by means of the commodity *a* only insofar as and because individual B serves the need of individual A by means of the commodity *b*, and vice versa. Each individual serves the other in order to serve himself; each makes use of the other, reciprocally, as his means...[T]he common interest which appears as the motive of the act as a whole is recognized as a fact by both sides; but, as such, it is not the motive, but rather proceeds, as it were, behind the back of these self-reflected particular interests, behind the back of one individual's interest in opposition to that of the other...The general interest is precisely the generality of self-seeking interests. Therefore, when the economic form, exchange, posits the all-sided equality of its subjects, then the content, the individual as well as the objective material which drives towards the exchange, is freedom. Equality and freedom are thus not only respected in exchange based on exchange values but, also the exchange of exchange values is the productive, real basis of all equality and freedom...[T]he attempt [is made] to hold fast to the simplest economic relations, which, conceived by themselves, are pure abstractions; but these relations are, in reality, mediated by the deepest antithesis, and represent only one side, in which the full expression of the antithesis is obscured...The proper reply to them is: that exchange value or, more precisely, the money system is in fact the system of equality and freedom, and that the disturbances which they encounter in the further development of the system are disturbances inherent in it, are merely the

realization of equality and freedom, which prove to be inequality and unfreedom.<sup>254</sup>

For both Hegel and Marx, the subjectivity or particularity of civil society, when thought through in accordance with its own internal logic, leads not to the *Wesen* of right or freedom, but rather to its *Schein*. However, Hegel, unlike Marx, conceives of the rational state as the entity (and, for Hegel, it is the *only* entity) with the capacity both to overcome the disorganization of civil society and to restore the ethical disposition that is lost in the movement to civil society. He even states of civil society that “this confused situation can be restored to harmony only through the forcible intervention of the state” (PR §185Z), and so therefore “the totality must also be endowed with sufficient strength to bring particularity into harmony with the ethical unity” (PR §185Z). The “totality,” i.e., the state, must be conferred sufficient authority to bring the particularity of civil society back to the universality of ethical life, i.e., to bring thought back to itself, because civil society cannot perform this function itself as a result of its irreducibly contradictory character.

Contemporary commentators on Hegel’s political philosophy in general have failed to understand these two central components of Hegel’s political argument in the PR: (1) the *irreducibility* of the contradictoriness of civil society and (2) the argument that it is *only the state* that can negate this contradiction. This failure derives from the desire to interpret Hegel as a defender of liberalism, and it is characteristic of both the legion of studies devoted to Hegel’s theory of civil society and the most recent studies on his political philosophy in general. Franco, for instance, thinks that for Hegel the contradictory aspects of civil society are reducible to its “atomism,” and that the

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<sup>254</sup> Marx, *Grundrisse*, pp. 248-249.

corporations within civil society are entirely capable of overcoming this problem. He therefore concludes his discussion of Hegel's civil society in the following way:

The role Hegel envisages for the corporations here is similar to the role Tocqueville envisages for associations in a democracy, as many commentators have observed. Like Tocqueville—and like his contemporary heirs who sing the praises of “civil society”—Hegel is very much concerned with the atomism that is produced by civil society. Out of such atomized individuals, bent on their own self-interest and heedless of the common interest, a free state cannot be constructed or long maintained. The atomism of modern civil society must be combated, but—again like Tocqueville—Hegel sees the cure as arising from within civil society in the form of the corporations, not as having to be imposed from without. The corporation joins the family as one of the key institutions that educates the individual to universality and to ethical life. Together the corporation and the family form the crucial ethical preconditions of the modern rational state.<sup>255</sup>

There is simply no way that this interpretation could possibly be correct, given Hegel's statements cited above that the “confused situation” that *is* civil society “can be restored to harmony only through the forcible intervention of the state” and that “the totality [of the state] must also be endowed with sufficient strength to bring particularity into harmony with the ethical unity” (PR §185Z). It is true that Hegel conceives of the corporations as performing a central function within civil society in their protection of individuals from the open capitalist market, famously stating that “[t]he sanctity of marriage and the honor attaching to the corporation are the two moments round which the disorganization of civil society revolves” (PR §255A). But, in the following paragraph, Hegel concludes the civil society section by stating that “[t]he end of the corporation, which is limited and finite, has its truth in the end which is universal in and for itself...The sphere of civil society thus passes over into the state” (PR §256). As each of these passages indicates, civil society for Hegel ultimately does *not* have the capacity for

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<sup>255</sup> Franco, *Hegel's Philosophy of Freedom*, pp. 276-277.



self-correction. Rather, for Hegel it is only the authority of the state which can bring about the freedom of its subjects. This illumines how the interpretation advanced by Franco is question-begging: If the “cure” to the problems of civil society exists “within” civil society itself, and therefore does not have to be “imposed from without,” then what justification could Hegel possibly have for presenting the movement to the state as a logically necessary development, or, for that matter, for presenting the state at all? What function is the state to perform if not to sublimate the “disorganization” of civil society? Finally, the corporation and the family cannot possibly be the “preconditions” of the state, as Franco argues above. Rather, Hegel in the final *Anmerkung* of the civil society section states the following:

Since the state appears as the result of the development of the scientific concept in that it turns out to be the true ground, the mediation and semblance already referred to are likewise superseded by immediacy. In actuality, therefore, the state in general is in fact the primary factor; only within the state does the family first develop into civil society, and it is the idea of the state itself which divides into these two moments (PR §256A).<sup>256</sup>

As this passage indicates, the truth is that the state is the presupposition of the family and civil society, it encompasses these preceding moments, or it is the totality within which they have their reality. As the determinate reflection of the WL, the relation of the state to the family and civil society in the PR is identical to the relation of the Idea, the final moment of the Concept, to its preceding objectivity and subjectivity moments. Franco

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<sup>256</sup> Cf. also Hegel’s statement that civil society “presupposes the state, which it must have before it as a self-sufficient entity in order to subsist itself” (PR §182Z).

therefore fails to recognize the logically regressive character of Hegel's argument in the PR.<sup>257</sup>

For each individual in civil society, the welfare of each of the other individuals within the universal community of subjects only appears to be external to or independent of the welfare of himself. In the state, each individual realizes that his end is not his own welfare, but rather the welfare of each of the other individuals to which he is related, i.e., the universal community of the state. This is not to say that each individual's concern for his own end is entirely abandoned, but rather that it is subordinated to the higher end of the community of individuals. Rather, Hegel's argument is that *the state is the self-knowledge on the part of each individual subject that the universal community of subjects to which he is related is itself the highest manifestation of himself, of his own freedom, and of his own willing activity*. This argument is the determinate reflection of Hegel's argument in the Objectivity section of the Concept Logic that the achievement of the Idea is the self-knowledge on the part of the subjective Concept that the totality of objectivity to which it is related is itself the highest manifestation of itself, of its own spontaneity, and of its own thinking activity.

First, however, thought must think through the moment of particularity, which for Hegel is the particularization of the original conceptual universal. This internality of the particular in relation to the universal is not yet explicit: the relation between the universal and the particular is presupposed in the second moment of particularity to be one of externality. This second moment reflects, as I have noted repeatedly, the presuppositions

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<sup>257</sup> Marx recognizes (and rejects) this aspect of the PR: "Family and civil society are the presuppositions of the state; they are what is really active; but in speculative philosophy it is reversed" (*Critique of Hegel's Philosophy of Right*, p. 8).

of Kant's externalist, subjective idealist, classificatory model of rational cognition. The third moment, the state, will be the restoration of the original indeterminate universal concept of the ethical as determinate, or as an individual ethical community, i.e., it will reflect Hegel's internalist, absolute idealist, dialectical model of rational cognition. In the second moment, i.e., in civil society, the relation between particularity and universality is presupposed to be external, and this formal, theoretical argument obtains a determinate, practical form in Hegel's introductory paragraph describing how the principle determining social relations in civil society is instrumental rationality:

The concrete person who, as a particular person, as a totality of needs and a mixture of natural necessity and arbitrariness, is his own end, is one principle of civil society. But this particular person stands essentially in relation to other similar particulars, and their relation is such that each asserts itself and gains satisfaction through the others, and thus at the same time through the exclusive mediation of the form of universality, which is the second principle (PR §182).<sup>258</sup>

The conceptual interdetermination or mediation of particular subjects in their relations by the universal is described by Hegel as a "continuum" (*Zusammenhang*) of particularity and universality, and it is through their relations that subjects form a "system of all-round interdependence" (*System allseitiger Abhängigkeit*) (PR §183)<sup>259</sup> and "make themselves links in the chain of this continuum" (PR §187). Universality, i.e., "the system of ethical life" or the state, will be revealed in the completion of civil society to be the "ultimate end" (*letzter Zweck*) of its moment of particularity, i.e., civil society. However, in civil

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<sup>258</sup> Or, again in the *Zusatz* to this paragraph, "each individual is his own end, and all else means nothing to him. But he cannot accomplish the full extent of his ends without reference to others; these others are therefore means to the end of the particular [person]. But through its reference to others, the particular end takes on the form of universality, and gains satisfaction by simultaneously satisfying the welfare of others" (PR §182Z).

<sup>259</sup> Marx identically conceives of modern society as a *System allseitiger Abhängigkeit*. Cf. "The German Ideology," in the *Marx-Engels Reader*, p. 164.

society, universality “is present here only as the relative totality and inner necessity of this external appearance” (PR §184). In the Objectivity section of the Concept Logic, the subjective Concept, i.e., totality as thought, stands only in a relative relation to objectivity, i.e., totality as object. It should therefore be clear why Hegel refers to the universal ethical community as only a “relative totality” in its relation to itself through the particularity of its members, for in this moment each of its particular members presupposes the universal ethical community of which he is a part to be “relative,” i.e., independent of or external to himself. Hegel clearly indicates that civil society is the determinate reflection of objectivity in his statement that “[r]eality here is externality, the dissolution of the concept, the self-sufficiency of its liberated and existent moments” (PR §184Z). The relativity of universality and particularity or subjectivity and objectivity in civil society results in a condition that is irreducibly contradictory, as I have already noted. Hegel articulates this argument in its most condensed form in the following paragraph:

Particularity in itself, on the one hand indulging itself in all directions as it satisfies its needs, contingent arbitrariness, and subjective caprice, destroy itself and its substantial concept in the act of enjoyment; on the one hand, as infinitely agitated and continually dependent on external contingency and arbitrariness and at the same time limited by the power of universality, the satisfaction of both necessary and contingent needs is itself contingent. In these opposites and their complexity, civil society affords a spectacle of extravagance and misery as well as of the physical and ethical corruption common to both (PR §185).

It is interesting that Hegel mobilizes his theoretical argument that the understanding cannot reconcile the opposition between conceptual universality and determinate particularity to present civil society as defined by an identical opposition. The universality of the concept of ethical life was present in the family or in the Subjectivity

section of the Concept as only as an immediate, indeterminate identity. The particularity of civil society or of the Objectivity of the Concept is the moment in which the universality of the concept of ethical life is presupposed to be external or independent to the immediacy to which it is related. A proper understanding of Hegel's critical depiction of civil society therefore requires reference to his theoretical critique of Kant's position that "neither concepts without intuition corresponding to them in some way nor intuition without concepts can yield a cognition" (A50/B74). And, it should be noted, the image of civil society depicted above as a "spectacle" of extravagance and misery is simply another way of stating the final conclusion of the section that civil society is a realm of "disorganization." Interestingly, just as Hegel argues that Kant's presupposed opposition between universality and particularity represents nothing more than a failure to think through this opposition, i.e., a failure to think in dialectical terms, he argues in the PR that it is only through the process of education that the sublation of this opposition, and therewith the restoration of the ethical, can be achieved:

Education, in its absolute determination, is therefore liberation and work towards a higher liberation... Within the subject, this liberation is the hard work of opposing mere subjectivity of conduct, of opposing the immediacy of desire as well as the subjective vanity of feeling and the arbitrariness of caprice... But *it is through this hard work of education that the subjective will attains objectivity even within itself, that objectivity in which alone it is for its part worthy and capable of being the actuality of the Idea* (PR §187A) (emphasis added).

It should not be surprising that Hegel's argument for the sublation of civil society in the state is presented as the subjective will attaining ethical objectivity "even within itself," and that this objectivity is "the actuality of the Idea," given that his core philosophical position is that "it is the Concept alone which has actuality, and in such a way that it gives actuality to itself" (PR §1A). It is to be recalled that "[t]he subject matter of the

philosophical science of right is the Idea of right – the concept of right and its actualization” (PR §1). The state is the determinate reflection of *the* Idea. The above passage therefore confirms not only this reflection, but also the position that the state is the presupposition of civil society, for the Idea, as the mediated identity of the totalities of thought and its object, is repeatedly described by Hegel as the final universal determination presupposed in any thought activity. As I demonstrated in the fourth chapter, the *Doppelsatz*, i.e., Hegel’s statement positing the identity of rationality and actuality in the Preface to the PR, refers to the Idea, and, in what is critically important to note, immediately after making this statement Hegel explains that “philosophy...takes it as its *point of departure* in considering both the mental and the natural universe” (PR 25/20) (emphasis added). This is of course a reference to how the achievement of the Idea in the completion of the WL is the basis for its, i.e., the WL’s, repetition *as* nature and mind, or, as Hegel explains, “[n]ature and mind are in general different modes of presenting its [i.e., the Idea’s] existence” (WL XII 236/824). Moreover, and as I noted in the fourth chapter, Hegel in the EG explains in rather clear terms that “underlying all our actions is the presupposition of the unity of thought and being. It is only as rational, thinking beings that we make this presupposition” (EG §465Z). So, again, the notion that the family and civil society are the “preconditions” of the state is absolutely incorrect.

#### The System of Needs

As the first moment of civil society, the system of needs is an examination of particularity in its immediate or indeterminate form. It is in this first moment that particularity is presupposed to be entirely independent of or external to universality. The content of this first moment in the system of needs consists in the following:

Particularity, in its primary determination as that which is opposed to the universal of the will in general, is subjective need, which attains its objectivity, i.e., its satisfaction, by means of ( $\alpha$ ) external things...and of ( $\beta$ ) activity and work” (PR §189).

However, the process by which particularity is sublated, or the logical movement within which thought thinks through the concept of civil society, will consist in demonstrating that “this proliferation of arbitrariness generates universal determinations from within itself, and this apparently scattered and thoughtless activity is subject to a necessity which arises of its own accord” (PR §189Z). This logical movement will be completed when particularity, i.e., the concept of civil society itself, is revealed to be a particularization of the universal concept of the ethical, a concept that is true, i.e., determinate, in the form of the state.

Hegel explains in the beginning of this section (cf. PR §190A; VPR1 108) that, as a particular member of civil society, the individual is a citizen in the sense of *bourgeois*, whereas as a universal member of the state, the individual is a citizen in the sense of *citoyen*. The modern individual, therefore, has two identities: universal and particular, which to Hegel form a mediated identity. The opposition between these identities is not completely negated in their sublation, and this is simply a particular manifestation of one of the central principles of Hegel’s theory of dialectical cognition. The most important instance of such a mediated identity or “third moment” is the Idea, which, as I have noted, “contains within itself the highest degree of opposition” and “eternally creates and eternally overcomes that opposition, in its meeting with itself.” Marx, of course, rejects Hegel’s arguments that the state is a more determinate manifestation of the ethical universality present in the family and that civil society is an abstract particularization of the determinate universality of the state (or that the state is the presupposition of civil

society). To Marx, in contrast, the universality of the state is an unreal abstraction of the real particularity present in the social and economic relations of civil society. Marx agrees with Hegel that the truth is to be found in the individual's identity as a member of a universal community, in which social relations are based on freedom and equality, rather than in his identity as a particular member of bourgeois society, in which relations are based on economic domination and inequality. Yet he also argues that the universal freedom and equality in the modern political state can exist only as an abstraction in the form of political emancipation. To Marx, the state and its political emancipation should be abolished and replaced with what he refers to as human emancipation. Consequently, Marx's rejection of Hegel's theoretical argument that the opposition between universality and particularity is irreducible, that this opposition should be conceived of as an integral element in the dialectical movement of rational cognition (and therewith of political life), in favor of an immediate universal identity achieves a determinate character in his rejection of Hegel's practical argument for the preservation and maintenance of the opposition between the individual's particular identity as a citizen of civil society and his universal identity as a citizen of the state. Consider the following passage from Marx's

*Critique of Hegel's PR:*

Civil society and the state are separated. Consequently the citizen of the state and citizen as member of civil society are also separated. Thus the individual has to effect an essential schism within himself...The separation of civil society and the political state appears necessarily to be a separation of the political citizen, the citizen of the state, from civil society, from his own actual, empirical actuality; for as a state-idealist he is something completely other, distinct, different from and opposed to his own actuality. Here civil society effects within itself the relationship of the state and civil society, which already exists on the other side [i.e., within the political state] as the bureaucracy...The citizen must renounce his estate, civil society, the private estate, in order to achieve political



significance and efficacy; for it is precisely this estate which stands between the individual and the political state.<sup>260</sup>

Hegel is forthcoming in his acknowledgment that this relation between the individual's universal and particular identities is oppositional. Marx, in contrast, argues for the negation of both the individual's particular identity in civil society and his universal identity in the political state in order to bring about the immediate or unmediated universality of communist society. It should be clear that Hegel would argue against this position on the ground that an immediate or unmediated universal concept could not possibly be determinate, for to Hegel any immediacy is the result of the sublation of an antecedent mediation, and what makes the "third moment" of individuality or determinate universality determinate is the fact that it is the *mediated* identity, i.e., the fact that it contains within itself the opposition of the indeterminate universality and particularity of the first and second moments. So what makes Hegel's state determinate is the fact that it is the mediated identity of the universality of the family and the particularity of civil society, the fact that it contains these concepts within itself.

From this view, the state is not an abstraction, but rather the determinate identity of the concept of freedom and its object, an identity in which the concept relates itself to its object as determined by itself: It is the Idea of freedom. It should therefore also be clear why Hegel would argue that, rather than his own political state, it is Marx's anarchistic conception of second-stage communism articulated in the *German Ideology* and the *Critique of the Gotha Program* that cannot possibly be a determinate concept in

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<sup>260</sup> Marx, *Critique of Hegel's Philosophy of Right*, pp. 77-78.

the same way that immediate being cannot possibly be a determinate thought activity.<sup>261</sup>

To be sure, the mature Marx of the *Grundrisse* and *Capital* no longer argues for the complete abolition of the division of labor, but rather for the position that under the conditions of communism mundane labor-time, because it is no longer directed toward the end of surplus-value, can be significantly limited to only “necessary production.”<sup>262</sup>

Nevertheless, Hegel’s theoretical argument that any immediacy contains mediation, reflection, opposition, difference, etc. within itself can be applied to Marx’s vision of communist society to argue that, though he *presents* it as an immediate or unmediated universal concept, it nevertheless contains within itself the opposition between universality and particularity in the respect that the particular interest on the part of each individual for the self-ownership of his labor (and the surplus-value derived therefrom) stands in direct opposition to the universal interest of each such individual for the

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<sup>261</sup> Cf. Marx, “The German Ideology,” in the *Marx-Engels Reader*, p. 160: “For as soon as the division of labor comes into being, each man has a particular, exclusive sphere of activity which is forced upon him and from which he cannot escape...; while in communist society, where no one has one exclusive sphere of activity but each can become accomplished in any branch he wishes, society regulates the general production and thus makes it possible for me to do one thing today and another tomorrow.” Cf. also Marx, “Critique of the Gotha Program,” in the *Marx-Engels Reader*, p. 531: “In a higher phase of communist society, after the enslaving subordination of the individual to the division of labor, and therewith also the antithesis between mental and physical labor, has vanished; after labor has become not only a means of life but life’s prime want; after the productive forces have also increased with the all-round development of the individual, and all the springs of cooperative wealth flow more abundantly—only then can the narrow horizon of bourgeois right be crossed in its entirety and society inscribe on its banner: From each according to his ability, to each according to his needs.

<sup>262</sup> Cf. Marx, *Capital: Volume III*, pp. 958-959: “The realm of freedom really begins only where labor determined by necessity and external expediency ends; it lies by its very nature beyond the sphere of material production proper... This realm of natural necessity expands with his [man’s] development, because his needs do too; but the productive forces to satisfy these expand at the same time. Freedom, in this sphere, can consist only in this, that socialized man, the associated producers, govern the human metabolism in a rational way, bringing it under their collective control instead of being dominated by it as a blind power; accomplishing it with the least expenditure of energy and in conditions most worthy and appropriate for their human nature. But this always remains a realm of necessity. The true realm of freedom, the development of human powers as an end in itself, begins beyond it, though it can only flourish with this realm of necessity as its basis. The reduction of the working day is the basic prerequisite.”

collective ownership of capital.<sup>263</sup> In this condition, to employ Marx's own argument, "the individual has to effect an essential schism within himself." This irreducible opposition between universality and particularity is not considered by Marx, but it is clearly explicable through Hegel's absolute idealist argument articulated through his characteristic statements that "[s]imple immediacy is itself an expression of reflection" (WL XXI 55/69), that "absolute immediacy has equally the character of something absolutely mediated" (WL XXI 59/72), and that "immediacy...contains mediation within itself" (WL XXI 61/74).

At any rate, Hegel's first topic in this section is the nature of needs and their satisfaction. In addition to the ends of particular needs themselves, the means employed to satisfy these particular ends are themselves particularized, and the increasing differentiation of these determinations and employment of judgment on the "suitability" (*Angemessenheit*) of the means to ends is referred to by Hegel as a process of "refinement" (*Verfeinerung*) (PR §191). The needs and the means to the ends of needs on the part of each particular subject become a "being for others" (*Sein für andere*), or require reference to other subjects in the respect that they become determinate only insofar as they take on "the quality of being recognized" (*Anerkanntsein*) (PR §192). The needs of a particular subject, in opposition to their apparently "objective" character, are a form of social consciousness: They "are" only insofar as they are taken to be or recognized as such by an other. The category of needs, just as any other object, can only be a determinate object of cognition insofar as it is constituted by thought, and the

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<sup>263</sup> This particular manifestation of the unanticipated opposition between universality and particularity in Marx's vision of postcapitalist society is identified by G. A. Cohen. Cf. his "Self-Ownership, World-Ownership, and Equality," pp. 108-135; and "Self-Ownership, World-Ownership, and Equality: Part II," pp. 77-96.

content of Hegel's theory of recognition clearly indicates that any constitution by thought of its object is a *social* activity.

It is in this context that Hegel provides a critique of civil society for its infinite multiplication of particular needs in the service of "comfort" and observes that "[a] need is therefore created not so much by those who experience it directly as by those who seek to profit from its emergence" (PR §191Z). He refers to this "indeterminate multiplication and specification of needs, means, and pleasures" in general as "luxury" (*Luxus*) and explains that it involves an "equally infinite increase in dependence and want" (PR §195). He also introduces "work" (*Arbeit*) (PR §196) as the mediation that takes place between particularized means and particularized needs. It is through the process of working on the things needed by other individuals that each subject enters into a state of "dependence [*Abhängigkeit*] and reciprocity [*Wechselbeziehung*]" with other subjects. This interdependence is of course the division of labor, and Hegel critically notes that this state is a "process of abstraction" in which the work of the individual becomes increasingly simplistic, specialized, and mechanized in the service of increasing the worker's productive capacity, even predicting that this "abstraction of production" will replace individuals themselves with machines wherever possible (PR §198). The self-interest of each individual in satisfying his own interest is achieved through the living he earns in working on the things which satisfy the needs of others. The formal meaning of this interdependence based on "subjective selfishness" (*subjektive Selbstsucht*) (PR §199) achieved in the transition to Hegel's discussion of resources and estates is simply that the particular is mediated by the universal.

Hegel concludes the system of needs with his theory of resources and estates.

There are two elements of Hegel's theory of resources which have important political implications. Consider the following paragraph:

The possibility of sharing in the universal resources – i.e., of holding particular resources – is, however, conditional upon one's own immediate basic assets (i.e., capital) on the one hand, and upon one's own skill on the other; *the latter in turn is itself conditioned by the former, but also by contingent circumstances whose variety gives rise to differences in the development of natural physical and mental aptitudes which are already unequal in themselves*. In this sphere of particularity, these differences manifest themselves in every direction and at every level, and, in conjunction with other contingent and arbitrary circumstances, necessarily result in inequalities in resources and skills of individuals (PR §200) (emphasis added).

First, Hegel's argument that to hold particular resources is to "share" in the *universal* resources is certainly antithetical to the position of modern liberalism on the issue of private property ownership. Because the state, the universal community, is the presupposition of civil society, the resources produced, exchanged, and privately owned in civil society by particular subjects are first and foremost the resources of the universal ethical community that is indeterminate in the family but determinate in the state, i.e., they are the particularization *of* the universal resources. Second, Hegel is concerned with the problem that the ability of each individual to secure the particular resources required for the satisfaction of his (and his family's) needs is rendered fundamentally insecure by the contingencies and inequalities endemic to the open capitalist market. As the emphasized section of the above passage indicates, one's skill in securing resources is "conditioned" (*bedingt*) by the inequalities in "basic assets" (*eigene Grundlage*) or "capital" (*Kapital*) with which one begins in society, while the development of the "natural" (*natürlich*) inequalities which already exist "in themselves" (*für sich*) is the

product of the “contingent circumstances” (*zufällige Umstände*) of society. Hegel’s argument is therefore the following: The inequalities of civil society are the products of a dialectical movement within which conventional inequalities exist in a relation of mediation or interdetermination with natural inequalities, with each endlessly producing and reproducing the other. While Hegel rejects any formal or indeterminate demand for equality, he at the same time concludes his theory of resources by critically claiming of the system of needs in civil society that “[t]his sphere of particularity imagines that it is universal, but in its merely relative identity with the universal, it retains both natural and arbitrary particularity” (PR §200A).

Hegel argues that the particularizations of the dependencies and reciprocities inherent in the satisfaction of needs and the means to them, by virtue of the universality inherent in them, results in their convergence. They become differentiated into universal systems based on their modes of education and work that he refers to “estates” (*Stände*). The estates are presented in accordance with the logical structure of the Concept: The agricultural estate is “substantial or immediate,” the commercial estate is “reflecting or formal,” and the estate of civil servants is “universal” (*allgemein*) (PR §202). The object of the agricultural estate is to provide the ethical community with its “subsistence” and “provision for the future” (*Vorsorge auf die Zukunft*), and its ethical disposition of unreflective immediacy and naturalness is based on the “family relationship” and on “trust [*Zutrauen*]” (PR §203). The second, commercial estate is divided into the three sections of craftsmanship, manufacturers, and commerce and their respective objects are production, the exchange of commodities, and the “universal” exchange of money. The ethical disposition of the second estate is self-conscious subjectivity, the reflective

attitude which stands in contrast to the unreflective immediacy of the agricultural estate. Hegel notes that this subjectivity is integrally related to the demand for the conditions in which right is upheld and explains that the collective disposition of the urban areas within which members of this estate reside is progressive and in general open to modern freedom, thereby implicitly contrasting this with the reactionary and closed collective disposition of the rural areas within which the members of the first estate reside.<sup>264</sup> In sum, “[t]he first estate is therefore more inclined to subservience, the second estate to freedom” (PR §204Z). The object of the universal estate of civil servants is to have “the universal interests of society as its business,” and, to this end, its members are exempted from the work required for the direct satisfaction of their needs, so that “the private interest is satisfied through working for the universal” (PR §205).

In order to attain “actuality” (*Wirklichkeit*), “existence” (*Dasein*), and “determinate particularity” (*bestimmte Besonderheit*), the individual must “limit himself exclusively to one of the particular spheres of need” by becoming a member of an estate,<sup>265</sup> for it is only through this “mediation with the universal” that the individual achieves the subjective disposition of “rectitude” (*Rechtschaffenheit*), the “honor of one’s estate” (*Standesehre*), and the capacity to “provide for himself and gain recognition in his own eyes and in the eyes of others” (PR §207). Hegel takes care to argue that the estates

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<sup>264</sup> “The sense of freedom and order has therefore arisen mainly in towns” (PR §204Z). Cf., of course, Marx: “The bourgeoisie has subjected the country to the rule of the towns. It has created enormous cities, has greatly increased the urban population as compared with the rural, and has thus rescued a considerable part of the population from the idiocy of rural life” (“Manifesto of the Communist Party,” in the *Marx-Engels Reader*, p. 477).

<sup>265</sup> Cf. PR §207Z: “When we say that a human being must be somebody [*etwas*], we mean that he must belong to a particular estate.”

are voluntarily entered into, that they are recognized as rational, right, and necessary, and that they objectivize their members' freedom.

He justifies his argument that the estates represent the objectivization of the freedom of their members through reference to the Objectivity section of the Doctrine of the Concept in the WL. In response to the position that the freedom of the individual is achieved through not committing oneself to a profession and that the estates system is a "purely external" (*bloß äußerlich*) limitation on the individual's freedom, Hegel argues that this conception

is a consequence of abstract thinking which stops short at the universal and so does not reach actuality; it does not recognize that the Concept, in order to exist, must first of all enter into the distinction between the Concept and its reality, and hence into determinacy and particularity, and that only thus can abstract thinking attain actuality and ethical objectivity (PR §207).

This passage illumines an important point about contemporary accounts of Hegel's social and political philosophy. To state simply that Hegel's estates are justified because they are concrete manifestations of their members' freedom is question-begging. Such a statement would certainly appear ungrounded to Hegel himself. "[O]ne bare assurance is worth just as much as another" (*[E]in trockenes Versichern gilt gerade so viel als ein anderes*) (PhG 55/¶76), after all. Yet this is precisely the position the contemporary commentators on Hegel's social and political philosophy who focus exclusively on his practical philosophy attribute to him. As I have been arguing, to delimit one's examination of Hegel's political argument to his practical philosophy exclusively, i.e., to dispense with the WL, is to render oneself incapable of providing non-question-begging justifications for his political positions. In these accounts, the practical positions themselves are simply repeated *as* arguments, the question-begging character of this



project is not considered, and the *non*-question-begging character of Hegel's practical positions deriving from the justifications provided for them by his theoretical philosophy, is completely ignored. Of course, this is not to answer the question of whether the theoretical justifications Hegel provides for his practical positions are themselves question-begging, but this is an entirely different question which would require a deeper immersion in Hegel's logic than any putatively political study is capable of providing.

At any rate, the particularity of the system of needs "contains within itself that universality which has being in and for itself, i.e., the universality of freedom" (PR §208), but only abstractly in the form of the "right of property" (*Recht des Eigentums*), a social institution which requires individuals' reciprocal recognition of one another as property owners, i.e., as fellow particular members of bourgeois civil society. This abstract freedom, "in its valid actuality," is the "protection of property" (*Schutz des Eigentums*) by the universal community through the administration of justice (PR §208).

#### The Administration of Justice

In the first moment of the administration of justice, right as law, Hegel makes explicit the cognitive character of his political argument. Thinking or cognition, Hegel tells us, is "consciousness of the individual in the form of universality" (PR §209A). More particularly, it is explained that "[t]o posit something as universal – i.e., to bring it to the consciousness as a universal – is, as everyone knows, to think; when the content is reduced in this way to its simplest form, it is given its final determinacy" (PR §211A). Consequently, right achieves its own determinateness through the universality of law because thought unifies its particular content through the universality of its conceptual thinking. Thus the "objective actuality of right" consists in its being "known as

universally valid” in the form of law (PR §210), or right becomes law when it is “posited in its objective existence” (PR §211). However, because this universality of right is the second or particularity moment of the more general moment of particularity that is civil society, it is presupposed to be only “externally necessary as a protection for particular interests” (PR §209Z).

Nevertheless, Hegel’s identification of law with his conception of cognition as “consciousness of the individual in the form of universality” achieves a determinate character in his rejection of the common law approach, in which judicial precedents form a body of unwritten laws, as occurs in England, for the reason that it is “merely a collection” of particulars characterized by “formlessness [*Unförmigkeit*], indeterminateness [*Unbestimmtheit*], and incompleteness [*Lückenhaftigkeit*].” Everyone familiar with the matter, Hegel contends, knows the “enormous confusion which prevails in England.” Consequently, it is in opposition to this conception that he defines a “proper” (*eigentlich*) legal code as one in which “the principles of right in their universality, and hence in their determinacy, are apprehended in terms of thought” and further argues that the content of the laws should be conceived of in terms of its “determinate universality – i.e., grasped by means of thought – and subsequently applied to particular cases” (PR §211A).

This notion of rational judicial reasoning as the subsumption of the determinate particular case under the universal legal concept is clearly derived directly from the structure of both Kant’s classificatory model of rational cognition and Hegel’s “internalist” reconceptualization of it. To apply the law to the particular case in this rational way, however, is not to say that law will necessarily be applied correctly.

“Collisions” (*Kollisionen*), as Hegel puts it, appear in the application of the law, and this is the case “because collisions are also inherent in thought, in the thinking consciousness and its dialectic” (PR §211Z). Moreover, because law is right in the form of something posited, it “may differ in content from what is right in itself” (PR §212). Despite the possibility of an opposition between right as it is for those positing it in any such way and as it is in itself, it is nevertheless the case that “what is legal is therefore the source of cognition of what is right” (PR §212A). This particular position might seem to necessitate objections of conventionalism or legal positivism, but, as will be indicated below, law is defined only in terms of that which is right in itself. A law that is not in accordance with the principle of right as it is in itself is not a law at all. In any event, Hegel’s basic requirement in this section is that “right must be known by thought, it must be a system in itself, and only as such can it have any validity among civilized nations” (PR §211Z).

In advancing this requirement that the law be articulated in the form of a universal “system,” Hegel reveals an important principle of his philosophical position through his endorsement of the fact that “the infinite urge of our times is precisely to systematize, i.e., to raise to the universal” (PR §211Z). This movement toward ever-increasing rationality, universality, demystification, and transparency is the central principle animating the discourse referred to as modernity. Hegel’s strong identification with and endorsement of this movement should be related back to his conception of his social philosophy as a project of reconciling individuals to the modern social world, for, in his defense of modernity, he clearly attempts to provide modern individuals with the philosophical foundations required for overcoming the alienation and, as Weber would

later refer to it, the “disenchantment” (*Entzauberung*)<sup>266</sup> caused this movement of ever-increasing rationalization.

Finally, Hegel rejects the possibility of a limit to the capacity of rational thought or the Concept to determine the content of the laws of the state a priori. First, he acknowledges that “[d]etermination by the Concept imposes only a general limit within which variations are also possible,” but then states that “such variations must be *eliminated* if anything is to be actualized, at which point a contingent and arbitrary decision is arrived at *within* the limit referred to” (PR §214) (emphasis added). This statement denies the possibility of the contingency associated with determining the content of the laws being external to or independent of the unifying activity of the Concept. Hegel observes that “[i]t is reason itself which recognizes that contingency, contradiction, and semblance have their (albeit limited) sphere and right” (PR §214A) and notes that “this contingency is itself necessary” (PR §214Z). It is to be recalled from the preceding chapter that in the WL actuality begins as contingency and finds its completion in necessity. Contingency is therefore a sublated moment or determination within the movement of the Concept. As I have been arguing, Hegel’s *Realphilosophie* is not independent of or external to the conceptual structure of pure logical thought depicted in the WL. Rather, it is the determinate reflection of the latter, or it is nothing more than the repetition of the latter at increasingly higher levels of determinateness. Consequently, despite the fact that the general limit imposed by the logical structure of the Concept

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<sup>266</sup> “The fate of our times is characterized by rationalization and intellectualization and, above all, by the ‘disenchantment of the world.’ Precisely the ultimate and most sublime values have retreated from public life either into the transcendental realm of mystic life or into the brotherliness of direct and personal relations” (Weber, “Science as a Vocation,” p. 155).

introduces contingency in determining the content of the laws, this contingency, i.e., the range of possible contents of laws, *is itself a moment or determination of the Concept*.

In the second moment, the existence of the law, Hegel considers the universal concept of a legal code and deduces a set of requirements for any particular legal code. First, it is necessary, for the laws to be valid, or to correspond to the “right of self-consciousness” (*Recht des Selbstbewußtseins*), that they be made “universally known” (*allgemein bekannt*) (PR §215), and so there should be a general prohibition against legal esotericism (cf. PR §215A). The second requirement is that the legal code be “complete” (*fertig*) (PR §216). But Hegel does refer to the conventional definition of completeness as “the comprehensive collection of all individual items belonging to a given sphere,” because “no science or area of knowledge can be complete in this sense.” This includes philosophy, which Hegel describes as “always capable of further specialization, even if it is concerned with the universal Idea.” Every legal code is therefore capable of improvement (PR §216Z). Rather, completeness to Hegel is the moment in which the universality of the concept contains its own determinateness within itself and without reference to the particular cases to which it is related. Hence the second requirement of any legal code is that “its universal principles should be capable of comprehension and formulation without reference to, and in distinction from, their specialization” (PR §216).

While in the first section of the administration of justice it was noted that, because law is right in the form of something posited, it “may differ in content from what is right in itself,” Hegel now explains that “[w]hen right is posited as what it is in itself, it is law.” This movement from a separation between law as posited right and right in-itself to the definition of law *as* right in-itself parallels Hegel’s absolute idealist argument in the

WL that the separation between appearance as posited being and being in-itself or essence is a sublated opposition because the reflective movement of thought at work in the production of appearances is alone essential. What appears therefore manifests what is essential. When essence is appearance, thought presupposes its determinateness to be given, i.e., independent of or external to its own reflective activity. The realization that the immediacies of thought are in fact reflections-into-self on the part of thought itself, and, what is equally important, the explicit positing of these immediacies *as* reflections-into-self, is the achievement of actuality. Consequently, in the PR, when the separation between law as posited right and right in-itself is sublated in the realization that what is legal is right in-itself, this identity is to be made explicit: “[W]hat is right in itself should also be posited as right.” This making explicit or positing of the essential or in-itself right or freedom of the will is achieved through recognition: “My will is a rational will; it has validity, and this validity should be recognized by others” (PR §217Z).

The third moment of the administration of justice, the court of law, is the cognition of the actualization of right that is law in universal terms, independent of the particular interests present in the particular case. In this completion of the administration of justice, the dispensation of justice by the judicial system is the “genuine reconciliation of right with itself” (PR §220). While each member of civil society has a right to stand in a court of law and a duty to submit to the authority of the court, it is also the case that the court’s authority is in not in any way dependent on whether or not particular individuals recognize it (cf. PR §§220, 221). Conversely, the individual only has a right insofar as others recognize it as a right, and others can only recognize it as a right if it is explicitly posited by the individual as his right (cf. PR §222). While it was disclosed in the

preceding section (cf. §215) that the individuals in civil society have the right that the laws be “universally known,” here Hegel argues that individuals have the right to “know how the law is actualized in particular cases,” or what he also refers to as the right of the “publicity of the administration of justice” (*Öffentlichkeit der Rechtspflege*) (PR §224). I noted above that Hegel conceives of rational judicial reasoning as the subsumption of the determinate particular case under the universal legal concept, and that this conception is identical to the structure of his “internalist” reconceptualization of Kant’s classificatory model of rational cognition. It is here that Hegel most clearly articulates this argument.

Consider the following:

The dispensation of justice, as the application of the law to the individual case, involves two distinct aspects: first, a knowledge of the nature of the case...and secondly, the subsumption of the case under the law of the restoration of right (PR §225).

Later Hegel even defines the pronouncement of the court’s judgment as the subsumption of the particular case under the universal law (cf. PR §228). This should not be surprising: Rational judicial reasoning, if it is to be rational, must reflect the *form* of rational cognition in general.

Moreover, the idealist *content* of Hegel’s conception of rational cognition is also present in this description of judicial reasoning. In particular, his absolute idealist argument that the a posteriori sense data “received” by thought is itself already thought in a priori terms is applied to this conception of judicial reasoning, for the particular case must be “raised out of its *apparent* [*erscheinenden*] empirical character to become a recognized fact of a universal kind” (emphasis added) (PR §226). Recall from the Introduction to the PR Hegel’s argument that to think an object is to make it into a thought and to deprive it of its sensible character. Another absolute idealist theme in this

section is Hegel's repeated insistence that the determination of the court be regarded as internal to the consciousnesses of the parties involved, e.g., the punishment in the case of crime should be internal to the consciousness of the convicted criminal. This poses a problem in the respect that "the criminal may deny his guilt," and so the institution of trial by jury is introduced to mediate between the consciousnesses of the judge on the one hand and that of the criminal on the other (PR §227Z).

Finally, Hegel concludes this section by arguing that the judicial system in modern civil society is structured in such a way that it deprives individuals of the basic guaranteed rights and advantages derived from possessing knowledge of and having access to the legal system on the basis of their economic class position.<sup>267</sup> The actualization of right that is the law and the legal system is present in the consciousness of individuals in this class not as an internal manifestation or expression of their own freedom, but rather as the imposition of an "external fate" (*äußerliches Schicksal*) from which they are alienated (PR §228A).

The transition from the administration of justice to the police and the corporation is presented by Hegel in logical-idealist terms derived directly from the Objectivity section of the Doctrine of the Concept in the WL. Consider the following passage:

In the administration of justice, civil society, in which the Idea has lost itself in particularity and split up into the division between inward and outward, returns to its concept, to the unity of the universal which has being in itself with subjective particularity (although the particularity in question is that of the individual case, and the universal is that of an

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<sup>267</sup> "Given the nature of the entire corpus of laws, knowledge of right and of the course of court proceedings, as well as the ability to pursue one's rights, may become the property of a class which makes itself exclusive even by the terminology it uses, inasmuch as this terminology is a foreign language for those whose rights are at stake. In this situation, members of civil society, who depend for their livelihood on their activity, their own knowledge and volition, remain alienated not only from their own most personal interests but also from the substantial and rational basis of these, namely right, and they are reduced to a condition of tutelage, or even a kind of serfdom, in relation to the class in question" (PR §228A).



abstract right). The actualization of this unity in its extension to the entire range of particularity, first as a relative union, constitutes the determination of the police; and secondly, as a limited but concrete totality, it constitutes the corporation (PR §229).

The movement from the administration of justice to the police and the corporation is the determinate reflection of the movement from chemism to teleology in the WL. First, the “division of inward and outward” refers to the distinction between the subjective Concept on the one hand and objectivity on the other. The internal-teleological end of the subjective Concept is to realize itself in the objectivity to which it is related, and it is in the completion of teleology that this end will be achieved. Insofar as this unity is achieved within the moment of Objectivity, however, it is a “relative union [*Vereinigung*].” Hegel refers to the movement to the Idea as one in which the subjective Concept becomes a “concrete totality,” but here Hegel is careful to note that the corporation is not the determinate reflection of *the* Idea through his reference to the “limited” (*beschränkt*) character of this totality, thereby indicating that, as the final moment of the dialectical movement of civil society, it is merely *an* Idea. Rather, it is only the state that is the determinate reflection of *the* Idea. Hence the completion of the moment of civil society in the police and the corporation and the movement to the moment of the state is one in which “the universal, which in the first instance is merely [abstract] right, has to be extended over the entire field of particularity” (PR §229Z). Civil society began with the system of needs, or the moment of pure particularity (the indeterminate universal concept of particularity). In the administration of justice, or the moment of particularity within the more general moment of particularity that is civil society, the particularity of the individual member of civil society stood in opposition to the universality of the legal system. In the final moment of civil society, through the

functions performed by the police and the corporation, particularity will be revealed to be internal to universal concept of the ethical, or the “truth” of the particularity of civil society will be revealed to be the determinate universality of the state.

### The Police and the Corporation

In the system of needs, the “livelihood [*Subsistenz*] and welfare [*Wohl*]” of each individual in civil society was only a “possibility” (*Möglichkeit*), while in the administration of justice the contingent instances in which the particular individuals’ livelihood and welfare were violated through infringements of their rights to property and personality were cancelled or negated through the court system. The function of the courts is therefore negative in character, and to Hegel this one-sided negativity is insufficient. Not only is it the case that the “undisturbed security of persons and property should be guaranteed,” but also “the livelihood and welfare of individuals should be secured – i.e., that the particular welfare should be treated as a right and duly actualized” (PR §230). Again, the unifying theme of Hegel’s public policy prescriptions is their social democratic character. These ethical imperatives form the functions to be performed by the police and the corporation, and their capacities as public authorities are intended to counter, albeit in a limited way, the “spectacle of extravagance and misery” that is the open capitalist market.

Because civil society is the moment of particularity, the universality of the public authority appears to the particular member of civil society not as internal to his own freedom, but rather as an “external order” (*äußerliche Ordnung*) (PR §231). Hegel’s justification for the existence of the police is the possibility of negative externalities (though of course he does not employ this term) originating from the particular actions of

private persons. He describes this phenomenon in the following way: “Through this universal aspect, private actions become a contingent matter which passes out of my control and which can wrong or harm other people or actually does so” (PR §232). While the actual occurrence of negative externalities remains only a “possibility” (*Möglichkeit*) or “contingency” (*Zufälligkeit*), it is nevertheless the case that they represent a potentially universal wrong contained within the individual’s particular action, thereby providing the “ultimate reason” (*letzter Grund*) for the incorporation of the police (PR §233).

In Hegel’s introductory discussion of the police power, he separates himself from the aspirations of modern liberalism by arguing that “no boundary is present in itself” (PR §234) between private activities that are suspicious or dangerous and those that are not, and, consequently, between the surveillance actions of the police that are warranted and those that are unwarranted. The scope of the police surveillance power therefore cannot be determined a priori, but rather must depend on “custom, the spirit of the rest of the constitution, prevailing conditions, current emergencies, etc.” (PR §234).

The movement toward the restoration of universality in particularity that takes place in this final moment of civil society is inseparable from Hegel’s description of the central functions of the public authority. The “indeterminate multiplication and interdependence” of particular actions on the part of individuals gives rise to a set of “universal functions and arrangements of public utility [which] require oversight and advance provision on the part of the public authority” (PR §236). This mediation of universality and particularity performed by the public authority includes the following determinate functions. The oppositional relation between the universal class of consumers and the producers of market commodities is not capable of self-correction, but

rather requires “adjustment” (*Ausgleichung*), or it “needs to be consciously regulated by an agency which stands above both sides,” and the agency implements this right to regulate “by deciding the value of the commonest necessities of life,” “upholding the public’s right not to be cheated,” and “inspecting market commodities” (PR §236). It is the authority of the class of public educators in civil society that they should have the capacity both to establish and to enforce educational standards and requirements, and the parents of students should be compelled to follow their policies regardless of their own beliefs (cf. PR §§239, 239Z). Academic right, Hegel observes, is the protection of the educators, not the students or their parents.

Hegel’s discussions of poverty (*Armut*) and of the irreducible contradictions of modern capitalism in the remainder of this section are remarkable for their prescience and acuity. I have already noted some of the most important elements of these discussions in the first chapter, and so my treatment of their conceptual contents here will be brief and rather will attempt to focus on the logical-idealist foundations of Hegel’s political arguments.

First, however, a question: Is Hegel abandoning his idealism in this section by arguing that the material problems which form the determinate content of his discussion are logically antecedent to their corresponding ideational forms? Hegel does argue that the material problem of poverty results in the impoverished individual adopting a subjective disposition of alienation. The direction of causality in this argument would seem to indicate an affirmative answer to the above question, but such an answer would nevertheless be incorrect. From a more general standpoint, it is clear that Hegel does not abandon either his idealism or the transcendental character of the argument of the PR in

his discussion of poverty. His argument in this section is that the material problem of poverty that is endemic to the open capitalist market requires the material solution of the functions performed by the corporations and by the “forcible intervention of the state.” This is to say nothing more than the following: In the PR’s a priori reconstruction of the conceptual conditions required for the object of right to be a determinate object of cognition, a number of those conceptual conditions are revealed to be “material” in character. “Poverty” is the concept *of* a “material” object of cognition, and, as Hegel explains in the WL,

what anything actual is supposed in truth to be, if its concept is not in it and if its objectivity does not correspond to its concept at all, it is impossible to say; for it would be nothing (WL XII 174/756).

There cannot *be* any “material” objects of cognition without concepts *of* those objects. It is the *concept* of the material object that is real, not the object as it is presupposed by thought to be independent of or external to its concept. Hegel’s discussion of the “material” problem of poverty is therefore entirely consistent with and contained within his idealism, for the concept of poverty refers to a posited or determined category of material impoverishment, and it is thought itself which determines the criteria of such impoverishment and even of such materiality, for the materiality of the material is contained within the concept of the material itself.

Hegel’s discussion of poverty begins with his argument that the public authority should have the capacity to prevent individuals from “destroy[ing]” their own and their family’s livelihood through their “extravagance” (*Verschwendung*) (PR §240). “[S]ociety must protect him [the individual] against himself” based on “the need to prevent a rabble from emerging” (PR §240Z). A “rabble” (*Pöbel*) is on the one hand a class of

economically impoverished individuals and, on the other, a subjective disposition of frustration, degradation, and alienation on the part of each individual within that class. A rabble is not caused by poverty, Hegel is careful to say, but rather by the subjective disposition “associated” (*verbunden*) with poverty, and the determinate content of this disposition consists in an “inward rebellion against the rich, against society, the government, etc.” (PR §244Z). Nevertheless, the integral relation between the rabble mentality and the material condition of poverty is apparent from Hegel’s following introduction of the term:

When a large mass of people sinks below the level of a certain standard of living – which automatically regulates itself at the level necessary for a member of the society in question – that feeling of right, integrity, and honor which comes from supporting oneself by one’s own activity and work is lost. This leads to the creation of a rabble, which in turn makes it much easier for disproportionate wealth to be concentrated in a few hands (PR §244).

Hegel’s critical observation that the logic of the capitalist market results in the concentration of wealth in fewer and fewer hands is certainly well-known. But what is also revealing about this last sentence is Hegel’s employment of the adjective “disproportionate” (*unverhältnismäßig*) to describe this economic distribution, for he thereby indicates his rejection of the argument of those who claim that the market distribution of wealth is ipso facto just, i.e., that it corresponds to the standard of justice by the very fact that it is allocated by the market and not by some other entity.

The causes of poverty in modern civil society include both “arbitrariness” (*Willkür*) and “contingent physical and circumstances based on external conditions.” Those who are reduced to poverty are “deprived of all the advantages of society,” including education, adequate legal representation, health care, and even religion. This

predicament gives rise to various forms of self-destructive behavior (PR §241). More generally, the “unrestricted” (*ungehindert*) operation of the open capitalist market reveals that it contains within itself an expansionist logic, one in which the accumulation of wealth increases and from which “the greatest profit is derived.” Yet the increasing specialization of the work that accompanies this expansion results in the “dependence and want of the class that is tied to such work,” a condition which in turn results in “an inability to feel and enjoy the wider freedoms, and particularly the spiritual advantages of civil society” (PR §243). The first possible solution to the problem of poverty Hegel considers consists in the progressive redistribution of economic resources, but he determines that this “would be contrary to the principle of civil society.” He therefore raises the second possible solution of positive measures to increase opportunities for employment. In what is an acutely perceptive and prescient observation, however, he rejects this solution on the ground that such a policy “would increase the volume of production,” and “it is precisely in overproduction and the lack of a proportionate number of consumers who are themselves productive that the evil consists.” The problem of poverty in modern societies is therefore intractable, and Hegel’s articulation of this position is contained in the following determination:

This shows that, despite an excess of wealth, civil society is not wealthy enough – i.e., its own distinct resources are not sufficient – to prevent an excess of poverty and the formation of a rabble (PR §245).

If Hegel cannot conceive of an unproblematic solution to the problem of poverty, it is nevertheless clear that he rejects, based on his devastating critique of England in his contemporary time in the *Anmerkung* to §245, the policy option “to leave the poor to their fate and direct them to beg from the public.”

In the remainder of Hegel's discussion of the police, he provides a number of his most prescient observations about the nature of capitalism. First, he observes that the "inner dialectic of society drives it" to expand infinitely into external markets, and especially to less developed states, in search of profit (PR §246). The ever-increasing lines of communication, interaction, and exposure to different cultures and ways of life which accompanies this expansion of commerce and trade is endorsed by Hegel for its central role in the movement toward the ever-increasing rationality, universality, demystification, and transparency that I defined as modernity above (cf. §§247, 247A). Hegel therefore shares with Marx the belief that bourgeois (the bourgeoisie class and the capitalist mode of production it represents) modernity is revolutionary in its advancement over all preceding forms.<sup>268</sup> He consequently argues that this movement opens up a disparity between the progressive disposition of the inhabitants of the coastal regions which experience this modernizing movement and the reactionary disposition of the inhabitants of the interior regions which are isolated from it (cf. PR §247A). From here Hegel argues that the completely developed civil society is "driven" (*getrieben*) by this expansionist logic to colonization to establish a "new market and sphere and of industrial activity" (PR §248). He notes the dependent and subordinate relation of the colonial populations on the colonizing state, analogizes it to the master-slave relation, and argues that the "liberation" (*Befreiung*) of the colonies is of the "greatest advantage" (*größter Vorteil*) to the colonizing state (PR §248Z).

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<sup>268</sup> As Marx explains, "[c]onstant revolutionizing of production, uninterrupted disturbance of all social conditions, everlasting uncertainty and agitation distinguish the bourgeois epoch from all earlier ones. All fixed, fast-frozen relations, with their train of ancient and venerable prejudices and opinions, are swept away, all new-formed ones become antiquated before they can ossify. All that is solid melts into air, all that is holy is profaned, and man is at last compelled to face with sober senses, his real conditions of life, and his relations with his kind" (Marx, "Manifesto of the Communist Party," in the *Marx-Engels Reader*, p. 476).



Finally, the function of the corporation is to originate—but not to constitute—the restoration of the ethical disposition that finds its complete determinateness in the state from within the movement of the particular interests of individuals in civil society. The opposition between universality and particularity in the moment of particularity is sublated through the immanent self-development of its original indeterminate conceptual universal, rather than through some external mechanism. As is clear from Hegel’s introduction of the term in the PR and as Allen Wood helpfully explains in his study of Hegel’s ethical thought,<sup>269</sup> in Hegel’s German, the term “corporation” (*Korporation*) does not refer to the *Aktiengesellschaft* or incorporated limited liability firm (in English, Ltd. or Inc.; in German, *GmbH – Gesellschaft mit beschränker Haftung*). Rather, it refers to a fellowship (*Genossenschaft*) or guild (*Zunft*) composed of individuals who practice the same trade or profession, it is essentially defined by Hegel as an organization officially recognized by the political state that is not itself a part of the political state, and so he for instance refers to municipal governments and churches as “corporations” (cf. PR §§288, 270A). On the other hand, Hegel rejects the “miserable” (*elend*) guild system of his contemporary time (cf. PR §255Z) and consequently seeks to distance his corporations from that system by requiring that they “come under the higher supervision of the state” (PR §255Z).

As is clear from Hegel’s description of the rights of the corporation, its central function is collectivization: It is to mediate between the particularity of civil society and the universality of the political state by collectivizing the disparate individuals so as to protect them from the volatilities of the open capitalist market. Hegel states earlier that

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<sup>269</sup> Cf. his *Hegel’s Ethical Thought*, p. 282n6.

“civil society tears the individual away from family ties, alienates the members of the family from one another, and recognizes them as self-sufficient persons” (PR §238). Civil society may recognize particular individuals as independent from one another and from the universal community of which they are a part, but of course this independence or externality is the necessary, but ultimately incorrect, presupposition of the moment of particularity. The corporations, as the transition to the third moment of ethical life or the state, represent the beginning of the realization that the particular individuals of civil society are free only through their membership in the universal community of the state. In other words, the *collectivization* function of the corporations is the practical equivalent of the theoretical restoration of the indeterminate universality of the first moment as determinate through the *unification* of its particularized determinations in the second moment. Hence “the selfish end which pursues its own particular interest comprehends and expresses itself at the same time as a universal end; and the member of civil society, in accordance with his particular skill, is a member of a corporation whose universal end is therefore wholly concrete” (PR §251). Consider the following description of the rights of the corporation:

[T]he corporation has the right, under the supervision of the public authority, to look after its own interests within its enclosed sphere, to admit members in accordance with their objective qualification of skill and rectitude and in members determined by the universal context, to protect its members against particular contingencies, and to educate others so as to make them eligible for membership (PR §252).

It is only through the corporation and its performance of these functions that the “livelihood [of the family] is guaranteed – i.e., it has secure resources” (PR §253). In the statement of his position that the corporation must have the capacity to prevent the emergence of the rabble subjective disposition through its function as the “guarantor of

[its members'] resources," Hegel importantly reveals that he conceives of this disposition as caused by the "increasingly mechanical nature of work" (PR §253A), a movement he described earlier as one in which the "abstraction of production" makes work "increasingly mechanical, so that the human being is eventually able to step aside and let a machine take his place" (PR §198). This argument is therefore strikingly anticipative of Marx's arguments in the *Grundrisse* that (1) machinery is the highest form of constant capital and therewith of capital as such; (2) the means of production consequently find their completion in objectivized labor, in opposition to living labor, and so machinery separates (i.e., alienates) the worker from the activity of production; and (3) the eventual capacity on the part of living labor to "step aside" (*davon wegtreten*) from the means of production for the end of use-values necessitates the historical emergence of free labor, i.e., of communism. Consider the following passage:

The full development of capital, therefore, takes place—or capital has posited the mode of production corresponding to it—only when the means of labor has not only taken the economic form of fixed capital, but has also been suspended in its immediate form, and when fixed capital appears as a machine within the production process, opposite labor; and the entire production process appears as not subsumed under the direct skillfulness of the worker, but rather as the technological application of science...[But] [w]hile machinery is the most appropriate form of the use value of fixed capital, it does not at all follow that therefore subsumption under the social relation of capital is the most appropriate social relation of production for the application of machinery. To the degree that labor time—the mere quantity of labor—is posited by capital as the sole determinant element, to that degree does direct labor and its quantity disappear as the determinant principle of production—of the creation of use values—and is reduced both quantitatively, to a smaller proportion, and qualitatively, as an indispensable but subordinate moment, compared to general scientific labor, technological application of natural sciences, on one side, and to the general productive force arising from social combination in total production on the other side—a combination which appears as a natural [product] of social labor (although it is a historical

product). Capital thus works towards its own dissolution as the form dominating production.<sup>270</sup>

Hegel, in contrast to Marx, is concerned not with the material implications of the objectivization of labor and the possibility of overcoming the social relation of capital, but rather with the prevention of the subjective disposition of alienation that accompanies this separation of the worker from the activity of production which results from the objectivization of labor under the social relation of capital. This distinction points toward a more general observation. Hegel's political philosophy is based on the presupposition that modern individuals are alienated from the economic and political institutions to which they are related, and so his project consists in articulating the conceptual framework required for any such individual to subjectively reconcile himself to those institutions. Conversely, Marx's social philosophy begins with the premise that modern individuals are objectively, materially alienated from these same institutions, that there is no possible way for such individuals to achieve either subjective or objective reconciliation to them—and even if such subjective reconciliation were in fact possible (e.g., ideology), individuals would nevertheless remain objectively, materially alienated from them. And so rather than attempting to achieve reconciliation to them (either subjectively or objectively), Marx's project consists in articulating the conceptual framework required for individuals to comprehend the necessity of objectively, materially overthrowing these institutions, of abolishing them.

Hegel is therefore concerned with only the *subjective* side of both alienation and its contrary of reconciliation. Marx, in contrast, argues that, while a subject may be subjectively reconciled to X, she can at the same time be objectively alienated from X.

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<sup>270</sup> Marx, *Grundrisse*, pp. 699-700.

This argument appears to reveal an incompleteness in Hegel's political philosophy in particular and his philosophical project in general. But what does it mean to be "objectively" alienated from X, or, for that matter, to be "objectively" reconciled to X? If we return to Hegel's philosophical justification for his exclusive concern with the subjective side of any subject-object relation, an important opposition is revealed to exist between Hegel and Marx, an opposition based on a contradiction not in Hegel's argument, but rather in Marx's.

The real opposition between Hegel and Marx is not between Hegel's idealism and Marx's materialism, for, as Postone convincingly argues, Marx's mature critique of the capitalist mode of production is not a "materialist," anthropological inversion of Hegel's idealist dialectic, but rather is its materialist "justification." Rather, as I will now argue, the real opposition between Hegel and Marx derives from the fact that *Marx, in his rejection of Hegel's absolute idealism, implicitly iterates the contradictory elements of Kant's subjective idealism*. For Marx, any concept of material reality is derived from that reality itself and any such concept "can never exist other than as an abstract, one-sided relation within an already given, concrete, living whole."<sup>271</sup> Any concept of material reality achieves a greater determinateness only as a result of the given material reality it articulates becoming more determinate, i.e., the concept is dependent upon the external object it describes for its determinateness, and so Marx iterates Kant's presupposition of a concept-intuition opposition.

For Kant, finite human cognition cannot achieve correspondence between its concept or criterion of objectivity and the object of its cognition. Thought is inescapably

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<sup>271</sup> Ibid., p. 101.

subject to the antinomial opposition between the transcendental object and the thing-in-itself, between spontaneity and receptivity, between a priori and a posteriori knowledge, between understanding and experience. Hegel resolves the Kantian problem of the relative priority of thought and its object through his argument that thought achieves correspondence with its object only if it makes itself its object and corresponds to itself. The identity of thought and its object in the Idea is for Hegel the moment in which thought makes the totality of its own determinations its object. His entire philosophical project therefore finds its completion in *the sublation of the subjectivity-objectivity opposition in subjective thought only*,<sup>272</sup> in the pure logical Concept, and the movement of German Idealism that began with Kant finds its completion in Hegel because it is in this final philosophical determination of Hegel's that the central principle of Kant's system of transcendental cognition, i.e., an object of cognition can only be an object insofar as it is constituted by thought, finds its realization.

It is therefore not possible for a subject to be subjectively reconciled to (or alienated from) X but, at the same time, independent of that subjective determination, to be objectively alienated from (or reconciled to) X. There is simply no objectivity independent of its subjective concept because the objectivity of any object is contained within the subject of cognition itself, i.e., it is only in and through the unity of thought or the Concept that any object of thought's cognition can be an object at all. Longuenesse explains: "Because there are objects of cognition at all only by virtue of their conformity

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<sup>272</sup> Cf. Longuenesse: "This is what true idealism is: the recognition of the merely phenomenal character of *both* sides of the opposition. *Both* concept and sensible reality, I and nature, Kantian reason (and more particularly, Kant's most pure, i.e., practical reason) and sensibility, are merely phenomenal which means that they are nothing in themselves, and have as their common ground the absolute identity which is Kant's suprasensible or intuitive understanding, i.e., Hegel's absolute" (*Hegel's Critique of Metaphysics*, p. 182).

to the categories (as the forms of the unity of consciousness that makes possible the representation of objects), the categories are a priori applicable to all objects of cognition.”<sup>273</sup> Hegel’s philosophical project, as the complete system of a priori representations of objects, is the realization of this Kantian principle, and he articulates this position concisely in his statement that “what anything actual is supposed in truth to be, if its concept is not in it and if its objectivity does not correspond to its concept at all, it is impossible to say; for it would be nothing” (WL XII 174/756). It is Marx’s failure to observe this philosophical insight that compels us to turn to Hegel.

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<sup>273</sup> Longuenesse, *Hegel’s Critique of Metaphysics*, p. 18.

CHAPTER 7  
HEGEL'S CONCEPT OF THE RATIONAL STATE

The state is the determinate reflection of the Idea.

The Idea is the identity of the subjective Concept and immediate objectivity, an identity that is both immediate and mediated. The immediate objectivity to which the Concept is related within this identity is an immediacy only through the “self-sublating mediation” of the Concept itself, and the identity of the Idea is itself the “process” of antinomial alternation between the mediated relation and immediate identity of these determinations. In its first moment, the Idea as life, the identity is only immediate because objective externality does not yet exist for the Concept explicitly or for-itself as Concept. The Concept is distinguished from its objectivity and has individuality for the form of its existence. But the reflection-into-self of its absolute process is the sublating of this immediate individuality, and so the Concept converts externality into universality and posits its objectivity as identical with itself. In the second moment, the Idea as cognition, the abstract objectivity the Concept has given itself for its reality in the form of a presupposition is sublated and converted by its cognitive activity into a positedness, so that “the objective world is the ideality in which it cognizes itself” (WL XII 178/760). In the third moment, the absolute Idea, mind cognizes the Idea, the identity of the subjective Concept and objectivity, as the absolute truth.

The state is the identity of the self-consciousness of the individual and the immediate existence of his freedom. This identity is both immediate and mediated, for, as Hegel explains, the state is the ethical mind which “has its immediate existence in custom and its mediate existence in the self-consciousness of the individual.” The state, as this identity of immediacy and mediation in the self-consciousness of the individual, is not a



simple identity, but rather is achieved only through “the individual’s knowledge and activity” and exists only as “the product of its activity” (PR §257). In its first moment, constitutional law (*inneres Staatsrecht*), the identity of the state is only immediate because the externality of its relation to other states is not yet explicit for it. In its second moment, international law (*äußeres Staatsrecht*), the presupposition of the externality of its relation to other states is converted into a positedness, a moment or determination in the universal form of history: “The history of mind is its own deed; for mind is only what it does, and its deed is to make itself...the object of its own consciousness, and to comprehend itself in its interpretation of itself to itself.” In the third moment, world history, mind cognizes the totality of world history as “the ideality in which it cognizes itself,” i.e., as “rooted in the single unity and Idea” (PR §360) that is the absolute Idea of pure logic.

The state is the truth of both the family and civil society moments of ethical life in particular and abstract right and morality in general in a way that is identical with how the Idea is the truth of both the subjective and objective moments of the Concept in particular and being and essence in general. The transition to the state in the final moment of civil society is therefore critically important for a proper understanding of the argument of the PR. It is the moment in which the ethical

takes on its infinite form, which contains within itself the following two moments: (1) infinite differentiation to the point at which the inward being of self-consciousness attains being-for-itself and (2) the form of universality which is present in education, the form of thought whereby the mind is objective and actual to itself as an organic totality in laws and institutions, i.e., in its own will as thought (PR §256A).

Civil society is the “infinite differentiation” (*unendliche Unterscheidung*) of the individuals unified in the preceding moment of the indeterminate universality of the

family; it is particularity that has not yet been brought back to the determinate “form of universality” (*Form der Allgemeinheit*) that is the state. Hegel’s identification of this movement to universality with his theory of education, articulated earlier in the critically important *Anmerkung* to §187, is the key to understanding the logical-idealist foundation of his political argument for the transition from civil society to the state. This movement is the activity through which the particulars of the second moment are unified, raised to the form of universality. It is this element of rational cognition, the unification of particulars to the form of universality, that Hegel refers to as the understanding (*Verständigkeit*). Consider the following critical passage:

The end of reason is...to eliminate the immediacy and individuality in which mind is immersed, so that this externality may take on the rationality of which it is capable, namely the form of universality or of the understanding...By this very means, the form of universality comes into existence for itself in thought, the only form which is a worthy element for the existence of the Idea. Education, in its absolute determination, is therefore liberation and work toward a higher liberation...Within the subject, this liberation is the hard work of opposing mere subjectivity of conduct, of opposing the immediacy of desire as well as the subjective vanity of feeling [*Empfindung*] and the arbitrariness of caprice. The fact that it is such hard work accounts for some of the disfavor which it incurs. But it is through this work of education that the subjective will attains objectivity even within itself, that objectivity in which alone it is for its part worthy and capable of being the actuality of the Idea. – Furthermore, this form of universality to which particularity has worked its way upwards and cultivated [*heraufgebildet*] itself, i.e., the form of the understanding, ensures at the same time that particularity becomes the genuine being-for-itself or individuality; and, since it is from particularity that universality receives both the content which fills it and its infinite self-determination, particularity is itself present in ethical life as free subjectivity which has infinite being-for-itself (PR §187A).

This return to Hegel’s theory of education reveals that the internal movement of rational thought, i.e., thought in accordance with the logical structure of the Concept, is the theoretical foundation of his political argument for why, amidst the infinite differentiation

of individuals, i.e., the irreducible “disorganization” of civil society, each rational individual contains within himself and his particular end the end of the universal community of individuals that is the state. Hegel consequently explains in his introduction to the state that,

[c]onsidered in the abstract, rationality consists in general in the unity and interpenetration of universality and individuality. Here, in a concrete sense and in terms of its content, it consists in the unity of the objective freedom and subjective freedom. And in terms of its form, it therefore consists in self-determining action in accordance with laws and principles based on thought and hence universal (PR §258A).

The absence of particularity in this description of rationality has led to a great deal of confusion among commentators on Hegel’s social and political philosophy. Neuhouser for instance argues that Hegel does not hold fast to the terminological distinction between particularity and individuality: “Even though the terms have different technical meanings, Hegel’s usage often ignores that fact.”<sup>274</sup> This attribution is incorrect. The truth is rather that the individuality of the individual subject and the universality of the state are revealed in this passage to be mediated or interdetermined by the particular end of the individual, forming the syllogistic totality that is the Concept. The moments of universality and individuality are critical for Hegel in this passage because they form the extremes of this syllogism, and the “unity and interpenetration” of these moments is achieved in the sublation of the moment of particularity. Hegel’s failure to note explicitly in this sentence that the mediation or interdetermination of these extreme moments is achieved by particularity should not cause us to make the incorrect attribution that he “ignores” the fact that particularity and individuality are distinct moments. As I have noted, rationality to Hegel is the completed syllogism of the Concept, the instantiation of

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<sup>274</sup> Neuhouser, *Foundations of Hegel’s Social Theory*, p. 312n30.

universality by individuality through its particularity.<sup>275</sup> The Concept is the criterion of rationality to Hegel, or, even more directly, the Concept *is* rationality. The argument that Hegel himself did not entirely grasp the central principle of his own philosophy does not in any way compel belief.

Hegel's philosophical project, I have been arguing, is transcendental in character: It is an examination of the universal determinations at work in any attempt to think an object determinately. He therefore explains that, first, empirical examinations of the state are of no value, for the reason that the "very intention of comprehending the state brings with it thoughts or universal determinations" and, second, historical examinations of the state are equally of no value:

[I]t makes no difference what is or was the historical origin of the state in general...In relation to scientific cognition, which is our sole concern here, these are questions of appearance, and consequently a matter for history. The philosophical approach deals only with the internal aspect of all this, with the concept as thought [*mit dem gedachten Begriffe*] (PR §258A).

This distinction Hegel draws between the "historical" approach and his own "philosophical" approach parallels his earlier discussion of this same distinction in §3A, which I employed to demonstrate that the PR is the completion of Hegel's theoretical-philosophical project, in a way that is distinct from his historical-philosophical project.

What is the state? I have already noted above that ethical life is for Hegel a subjective disposition, the self-consciousness on the part of this community of subjects that the existence of its freedom is a reflection of itself to itself. *The state is the moment in which this self-consciousness finds its completion.* It is consequently introduced by

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<sup>275</sup> This is clear from the Doctrine of the Concept in the WL, where Hegel explains that "[e]verything is a syllogism, a universal that through particularity is united with individuality" (WL XII 95/669) and "the syllogism is the completely posited Concept; it is *therefore* the rational" (WL XII 90/664) (emphasis added).

Hegel as “the ethical mind...[that is] manifest and clear to itself, which thinks and knows itself and implements what it knows insofar as it knows it” (PR §257). The state is the “actualization of freedom” (*Verwirklichung der Freiheit*) because it is the for-itself or explicit self-consciousness awareness on the part of the will of its in-itself or implicit freedom. Hegel therefore describes the state as the moment in which mind “consciously realizes itself,” noting variously that “[o]nly when it is present in consciousness, knowing itself as an existent object, is it the state” and that “its basis is the power of reason actualizing itself as will” (PR §258Z).

The state, as the third moment of ethical life, is individuality or determinate universality. But, as in every sequence of dialectical cognition, the completion of a syllogism in individuality or determinate universality is at the same time the first moment of another syllogism, and so it is also indeterminate universality—*its completion reveals its incompleteness*. Hegel therefore describes the “Idea of the state” in its first moment of constitutional law as having “immediate actuality” and being “the individual state as self-related” (*der individuelle Staat als sich auf sich beziehend*) and in its third moment of world history as “the universal Idea” (*die allgemeine Idee*). The self-related character of the state’s immediate actuality in its first moment is a reference to his theoretical argument that immediacy is itself an expression of thought’s reflection into itself, and this reflection-into-self or positive relation to itself in the first moment becomes a reflection-into-otherness or negative relation to itself in the second moment of international law, i.e., in the “relationship of the individual state to other states” (PR §259).

#### Constitutional Law

It is in the first paragraph of the constitutional law section that Hegel provides some of the clearest textual evidence that the rationality of his rational state is identical to the conception of rationality articulated in his logic of absolute idealism in the WL. Rationality is the Concept, and the Concept is the completed syllogism in which universality is instantiated by individuality through its particularity. Now consider the following passage:

The state is the actuality of concrete freedom. But concrete freedom requires that personal individuality and its particular interests should reach their full development and gain recognition of their right for itself, and also that they should, on the one hand, pass over of their own accord into the interest of the universal, and on the other, knowingly and willingly acknowledge this universal interest...and actively pursue it as their ultimate end (PR §260).

The syllogistic logical structure of the state is identical to that of the Concept: It is only through the particular interest of the individual that the universal of the state is the actuality of concrete freedom. To state the matter in terms of the dialectical movement of the state as the determinate reflection of the Concept, it is only through the particularity of the second moment that the indeterminate universality of the freedom of the individual in the first moment is restored in the third moment as individuality or determinate universality. This second moment of particularity, however, is the movement of thought in opposition to itself, it is the moment of the opposition of universality and particularity, and so the third moment of individuality is the return of thought to itself in the mediated identity of the preceding first and second moments. The completion of this syllogism of the Concept is articulated as a dialectical movement in the following sentence from the same paragraph:

The principle of modern states has enormous strength and depth because it allows the principle of subjectivity to attain fulfillment in the self-

sufficient extreme of personal particularity, while at the same time bringing it back to substantial unity and so preserving this unity in the principle of subjectivity itself.

The subjectivity or particularity of civil society must be brought back to the ethical universal, present only in an indeterminate form in the family, in the determinate universality of the state. It is sublated, but not entirely negated in the mediated identity of the first and second moments. Despite the fact that subjectivity or particularity is preserved in this final identity, Hegel explains that “[t]he Idea of the state in modern times has the distinctive characteristic that the state is the actualization of freedom not in accordance with subjective caprice, but in accordance with the concept of the will, i.e., in accordance with its universality” (PR §260Z).

Interestingly, this principle illumines how the “Idea of the state,” i.e., Hegel’s theory of the state, is the restoration of the ancient conception of the state in a modern form. Hegel conceives of the state of classical antiquity as the moment of indeterminate universality, the state of liberal modernity as the moment of particularity, and his own conception of the state, i.e., the Idea of the state, both as the resolution of these opposing moments in a mediated identity and as the restoration of the indeterminate ancient conception of the state as determinate. Consider the following passage:

In the states of classical antiquity, universality was indeed already present, but particularity had not yet been released and set at liberty and brought back to universality, i.e., to the universal end of the whole. The essence of the modern state is that the universal should be linked with the complete freedom of particularity and the well-being of individuals (PR §260Z).

The “essence of the state” is Hegel’s conception of the rational state. The “complete freedom of particularity” and the “well-being of individuals,” i.e., the foundations of the modern liberal state, must be brought back to principle of the ancient conception to

restore the latter in a determinate form. Hegel therefore appears to assign logical priority, not to the modern liberal state, but rather to the ancient one. At the same time, however, neither the ancient nor the modern liberal conceptions of the state is rational in-itself. He is not arguing for the ancient conception because both conceptions of the state are equally one-sided: “Only when both moments [universality and particularity] are present in full measure can the state be regarded as articulated and truly organized” (PR §260Z).

This integral character of particularity in its mediated or interdetermined relation to universality is a central element of Hegel’s political argument. Hegel derives from both Rousseau and Kant the principle that subjectivity or particularity is the operative element in the realization of objective or universal freedom. For Rousseau, political institutions should correspond to the universal will of the individual subjects living under them. If individual subjects do not recognize the political institutions governing them as representative of their own “universal will,” then those institutions lack legitimacy. And for Kant, freedom is conceived of as self-determination, i.e., the will is free in-itself, but is only truly free when it becomes for-itself or self-consciously aware of its in-itself freedom. This principle of subjectivity takes a concrete political form in Hegel’s political requirement that “the universal does not attain validity or fulfillment without the interest, knowledge, and volition of the particular” for the reason that it is only when individuals are “directing their will to the universal end and acting in consciousness awareness of this end” that the universality of the state, and therewith of freedom, can be actualized (PR §260), and in his position that the “universality of the end cannot make further progress without the personal knowledge and volition of the particular individuals, who must retain their rights” (PR §260Z). Hegel’s argument is therefore that *it is only through*



*modern particularity or subjectivity that the ancient aspiration to ethical universality or objectivity can be actualized.*

The mediation or interdetermination of particularity and universality assumes a determinate character in the relation between the rights of the individual subject from the state and his duties or obligations to the state. It is only through his particularity that the relation of the individual subject to the universal community of subjects takes on the character of being both his “external necessity” (*äußerliche Notwendigkeit*) in the form of right and his “immanent end” (*immanenter Zweck*) in the form of duty, and so individual subjects in general “have duties towards the state to the same extent as they also have rights” (PR §261). Right and duty are concepts that only “appear” to be opposed. While they are “different in content,” they are “identical in themselves,” finding their unity in the “personal freedom” (*persönliche Freiheit*) of the subject (PR §261A). This particular argument is reflective of Hegel’s compatibilism in general: The contradictory relation between any two thought determinations only *appears* to be fixed or absolute from the “logical” standpoint of finitude, the understanding, subjective idealism, etc., whereas from the “metalogical” standpoint of infinity, reason, absolute idealism, etc.—i.e., from the standpoint of totality—any such contradictory relation is sublated in the identity of the Idea. Duty is universality to the exclusion of particularity and right is particularity to the exclusion of universality. It is only through his particular end that the universal “becomes [for the individual] his own particular cause.” The subject’s particularity is not dispensed with in his movement to universality, but rather is “harmonized” with the universal. What the state requires of the individual in the form of duty is at the same time the right of the individual, and Hegel’s justification for this position is that the state “is

nothing more than the organization of the concept of freedom.” He even goes so far as to state that “[e]verything depends on the unity of the universal and the particular within the state” (PR §261Z) (emphasis added).

The determinateness of the universal duty of the individual is therefore a function of its relation to his particular rights, and vice versa.<sup>276</sup> To consider these one-sided determinations in their truth, i.e., in terms of the holistic relational structure within which they are necessarily situated, is to consider the determinate concept from which they originated, i.e., the concept of the state, in a way that is identical with how indeterminate universality and particularity in general are determinations that are considered in their truth only when considered in terms of the determinate universal or individual concept from which they originated. As Hegel explains,

[i]n these spheres in which its moments, individuality and particularity, have their immediate and reflected reality, mind is present as their objective universality which manifests itself in them [*als ihre in sie scheinende objektive Allgemeinheit*] as the power of the rational in necessity (PR §263).

The “rational in necessity” in the strict sense, of course, is the Concept, and Hegel’s identification of the rational Concept with the rational state is then indicated by his explanation that the state is a syllogism defined by “the extreme of individuality which knows and wills for itself, and the extreme of universality which knows and wills the substantial” (PR §264). It is the syllogism of the Concept, and the logical structure of this syllogism forms the constitution (*Verfassung*), which Hegel refers to as “developed and actualized rationality” (PR §265).

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<sup>276</sup> Cf. PR §261A: “The abstract aspect of duty consists simply in disregarding and excluding particular interests as an inessential and even unworthy moment. But if we consider the concrete aspect, i.e., the Idea, we can see that the moment of particularity is also essential, and that its satisfaction is therefore entirely necessary.”

It is this consideration of universality and particularity, of right and duty, in terms of their mediated identity, that constitutes the actuality of the state. It is only when the individual achieves the self-conscious awareness that he has rights from the state only insofar as he has duties to the state and vice versa, and that it is only through the state that these concepts can possibly be determinate objects of cognition (thereby sublating the supposed opposition between “negative” and “positive” liberty), that the state is actualized. Actuality, it is to be recalled, is the final moment of reflection because it is the moment in which thought finally achieves the complete self-conscious awareness of its constitution or production of the object of its cognition. Each of the forms taken by its object in its preceding movement is in fact entirely constituted by thought, but this constitution is in each instance not yet explicit for thought. Rather, thought presupposes its immediacy to be independent of its own constituting activity. Actuality is the final moment of reflection because (1) it is the moment in which thought’s immediacy is (explicitly, self-consciously) posited as reflection-into-self, and its reflection-into-self is (explicitly, self-consciously) posited as immediacy and because (2) it is the moment in which thought (explicitly, self-consciously) posits the resolution of the opposition between the reflection-into-otherness of appearance and the reflection-into-self of essence. It is for this reason, I am arguing, that Hegel in the PR then argues that “[i]t is the self-awareness of individuals which constitutes the actuality of the state” (PR §265Z) and “[a]n essential part of the fully developed state is consciousness or thought; the state accordingly knows what it wills and knows this as an object of thought” (PR §270Z).

This moment of actuality, in which thought achieves complete self-consciousness through its thinking through of the presuppositions of the concept of freedom to their

final determination in the state, is identity of universal immediacy and particular mediation. Hegel therefore explains in the PR that “[w]hat matters most is that...my particular end should become identical with the universal” (PR §265Z). This implicit theoretical antecedent becomes explicit in Hegel’s later notation that “[t]he state is actual, and its actuality consists in the fact that the interest of the whole realizes itself through the particular ends” (PR §270Z), and, most importantly, in the following passage:

Actuality is always the unity of universality and particularity, the resolution of universality into particularity; the latter then appears to be self-sufficient, although it is sustained and supported only by the whole. If this unity is not present, nothing can be actual (PR §270Z).

The process through which this identity is achieved in the PR is identical to the movement to actuality in the WL. When it is learned that the object of thought’s cognition is in fact actuality, or pure reflection, a product of the Concept, the WL in the most general sense transitions from objectivity to subjectivity, from thought’s object to thought itself. This is the movement from necessity or determination to freedom or self-determination. The concept of necessity sublates the opposition between actuality and possibility and, at the same time, achieves the sublation of the most general opposition of the WL between being and essence in the Concept. Actuality is introduced as “contingency,” or the immediate identity of actuality and possibility. But because the contingent is both “immediate actuality” and the merely “possible” (*Mögliche*), the thinking through of these terms reveals (1) their mediation or interdetermination and (2) their truth in the mediated identity of “necessity.” The movement of actuality is from this original “formal” or “relative” necessity to “real necessity” to “absolute necessity.” Being is revealed to be actuality, or the immediacy of thought is revealed to be nothing more than its reflection-into-self, and absolute necessity then becomes simply necessity in the

transition to the final moment of Actuality, The Absolute Relation. Necessity is therefore the concept responsible for the central achievement of the WL: the absolute idealist realization on the part of thought that being *is* thought, or its immediacy is a reflection-into-self and its determinateness is a product of this reflection-into-self. It is also the concept responsible for the transition from the Objective Logic to the Subjective Logic, for it is in the movement to the Concept, to the moment in which thought turns to itself as the absolutely undetermined, that thought as necessity becomes thought as freedom or pure subjectivity.

Hence in the PR, the content of the movement of the state is one in which “universality becomes its own object and end,” and the final result of this movement is the moment in which “necessity...becomes its own object and end in the shape of freedom” (PR §266). It is further explained that “[t]he necessity in ideality is the development of the Idea within itself...it is the [individual’s] political disposition...[and] the political state proper and its constitution” (PR §267). The state, it is to be recalled, is presented as the “actuality of the ethical Idea” (PR §257), the “actuality of concrete freedom” (PR §260), and various other actualities. And, in a way that is identical with the presentation of actuality in the WL, Hegel explains in the PR that the state, as the “unity of freedom which wills and knows itself [as willing],” “is present in the first instance as necessity” (PR §267Z).<sup>277</sup> Later in the PR, Hegel will extend this argument to explain how the state, as a state or condition of “like-mindedness,” endlessly produces and

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<sup>277</sup> Cf. Hegel’s later statement that “[t]he state therefore knows what it wills, and knows it in its universality as something thought. Consequently, it acts and functions in accordance with known ends and recognized principles, and with laws which are laws not only in themselves but also for the consciousness; and it likewise acts in determinate knowledge of existing circumstances and relations insofar as its actions have relevance to these” (PR §270).

reproduces itself and is itself the product of its own willing activity, in a way that is identical with how in the WL the spontaneity of thought finds its realization in the logical necessity of the movement of the Concept:

True actuality is necessity; what is actual is necessary in itself. Necessity consists in the division of the whole into the distinctions within the concept, and in the fact that this divided whole exhibits a fixed and enduring determinateness which is not dead and unchanging but continues to produced itself in its dissolution (PR §270Z).

The state is a self-determining community of subjects that, rather than being grounded on some sort of first-order truth about “the world,” is the product only of its own self-determined willing activity, while the Concept, rather than being grounded on some sort of supposedly “external” object, is the product only of its own self-determined thinking activity.

Hegel’s introductory discussion of the state contains his familiar discussion of his understanding of the concept of “patriotism” (*Patriotismus*). Practically every study of Hegel’s political philosophy addresses this aspect of his political and ethical argument. Consequently, I will not provide an extended discussion of his argument, but rather will simply note that Hegel rejects the conventional definition of patriotism as the “willingness to perform extraordinary sacrifices and actions.” Rather, patriotism, “in essence” (*wesentlich*), is the “disposition which, in the normal conditions and circumstances of life, habitually knows that the community is the substantial basis and end” (PR §268A). Hegel’s description of the community as the “basis” (*Grundlage*) of the individual is a reference to the transcendental character of his argument in the PR: The state is the final determination in any attempt on the part of thought to think through

the conceptual conditions required for the object of freedom to be a determinate object of cognition. Hegel articulates this argument in practical terms:

[Individuals] trust that the state will continue to exist and that particular interests can be fulfilled within it alone; but habit blinds us to the basis of our entire existence. It does not occur to someone who walks the streets in safety at night that this might be otherwise, for this habit of [living in] safety has become second nature, and we scarcely stop to think that it is solely the effect of particular institutions. Representational thought often imagines that the state is held together by force; but what holds it together is simply the basic sense of order which everyone possesses (PR §268Z).

This is an important insight about how communities work in modern society. Indeed, the contemporary urban activist Jane Jacobs has applied this insight to great effect in her classic study, *The Death and Life of Great American Cities*.

Hegel then shifts his discussion to the church-state relation. His argument about this relation at first appears to be that, insofar as religion is concerned with the inner conscience of the minds of individuals, the state does not possess the authority to regulate its content, while the state, in contrast, is the realm of actuality, and so it possesses the authority to regulate religious activities only insofar as they are actualized in the form of the concrete actions of individuals. Nevertheless, while the doctrines and disposition of religion have their basis in faith, Hegel argues that the state also has a set of doctrines and a particular disposition whose basis is universal thought or rationality, and so the state *does* have the authority to regulate the content of religious doctrines insofar as they are incompatible with the rational principles of the state and the requirements of modern liberal society. It should not be surprising that Hegel does not conceive of the relation between conscience and action in terms of a hard and fast distinction given his more general argument that willing is a “particular form” of thinking. Interestingly, however, Hegel’s argument for the authority of the state to regulate religious doctrine to ensure that

it conforms to the requirements of any liberal society is based on a *rejection* of the liberal conception of the state, for, if the state is conceived of as a mere “mechanism” (*Mechanismus*) (PR §270A) to guarantee the rights of its subjects, then it does not represent a positive ethical doctrine to stand in relation to the ethical doctrines of religion.<sup>278</sup> In Hegel’s conception, in contrast, the state stands for the normative value of freedom, of self-determination and the capacity to self-legislate that achieves its determinateness “in the form of thought as law.”

### The Internal Constitution

The internal constitution of the political state, in both its form and content, is organized in accordance with the moments or determinations of the Concept in the particular sequence of the syllogism of the Concept:

- (a) the power to determine and establish the *universal* – the legislative power;
- (b) the subsumption of *particular* spheres and individual cases under the universal – the executive power;
- (c) subjectivity as the ultimate decision of the will – the power of the sovereign, in which the different powers are united in an *individual* unity is thus the apex and beginning of the whole, i.e., of constitutional monarchy (PR §273) (emphasis added).

Hegel’s transcendental deduction of the Idea of the state, his depiction of the rational state, is distinct from the actually existing states of his contemporary time. Consequently, his theory of reconciliation is not intended to reconcile modern individuals to any particular existing state, but rather to his own conception of the rational state.

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<sup>278</sup> Cf. Hegel’s argument: “Doctrine itself, however, has its province within the conscience, and enjoys the right of the subjective freedom of self-consciousness, that sphere of inwardness which is not, as such, the province of the state. Nevertheless, the state, too, has its doctrine, for its institutions and whatever it recognizes as valid in relation to right, to the constitution, etc. are present essentially in the form of thought as law. And since the state is not a mechanism but the rational life of self-conscious freedom and the system of the ethical world, the disposition [of its citizens], and so also the[ir] consciousness of this disposition in principles, is an essential moment in the actual state” (PR §270A).



Consequently, and this is a critical aspect of his political philosophy in the most general sense, *Hegel's conception of rationality as the pure logical Concept is the criterion against which any existing state is to be judged*: “One should expect nothing from the state except what is an expression of rationality” (PR §272Z).

His description of the concept of the political constitution begins with a rejection of the modern liberal doctrine of the separation of powers because it is based on the principle that powers should be exercised independently of one another (PR §270A).<sup>279</sup> In the organic totality of Hegel's rational state, in contrast, powers are separated, but each power is to be regarded as mediated or interdermined by each of the other powers. To the extent that powers are separated in Hegel's political order, they “should be distinguished only as moments of the Concept” (PR §272Z). He conceives of the monarch as the Idea of the state, and it is the result not only of the logical movement depicted in the PR, but also of the historical development which culminates in modernity: “The development [*Ausbildung*] of the state to constitutional monarchy is the achievement of the modern world, in which the substantial Idea has attained infinite form” (PR §273A).

Hegel regards the classical political science distinction between monarchy, aristocracy, and democracy to be an outmoded product of the historical development to modernity. Interestingly, his critique of this distinction is based on his theoretical argument that any concept is a determination or moment whose determinateness and truth is a function of its place within the more general movement of thought, and so any such moment presupposes the totality as thought, i.e., the Concept, within which it is situated.

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<sup>279</sup> Cf. also PR §300Z: “The idea of the so-called independence of powers contains the basic error [of supposing] that the powers should be independent yet mutually limiting. If they are independent, however, the unity of the state, which is the supreme requirement, is destroyed [*aufgehoben*].”

He applies this argument in his rejection of the classical political distinction because it “presupposes a still undivided and substantial unity which has not yet attained its inner differentiation and which consequently still lacks depth and concrete rationality” (PR §273A). According to Hegel, it is modern constitutional monarchy, as the Idea of the modern state, that is the truth of these determinations: “These forms [of monarchy, aristocracy, and democracy], which in this instance belong to different wholes, are reduced, in constitutional monarchy, to [the status of] moments (PR §273A). His rejection of these forms is based on his demonstration in the PR that constitutional monarchy is the completion of the movement of thought to the Idea. The Idea contains its preceding determinations within itself because it is their presupposition, i.e., the final condition required for their possibility, and this aspect of his argument in the WL is therefore integrally related to his argument in the PR in rejection of the modern liberal notion that individuals can be conceived of as existing in a condition prior to the formation of a political constitution. The question of who is to draw up the constitution is “nonsensical” (*sinnlos*), Hegel explains, because “it presupposes that no constitution as yet exists, so that only an atomistic aggregate of individuals is present.” Rather, “the constitution should not be regarded as something made” (PR §273A). The normative criteria for determining which states are good states include whether they contain within themselves the principle of “free subjectivity” (*freie Subjektivität*) and whether they are able “to conform to fully developed reason” (PR §273Z). The actuality of the state consists in the self-conscious awareness on the part of each of its members of his freedom as a member of a state. This is a theme that was discussed above, but it is important to note the idealist argument at work in this determination: Actuality in the WL is the

moment in thought's movement in which it achieves complete self-consciousness or self-awareness of its constitution or production of the object of its cognition, while, in the PR, the state "is actual only as that which it knows itself to be" (PR §274).

### Power of the Sovereign

The power of the sovereign section in the PR reveals an important element of Hegel's political argument: To Hegel it is the monarch, as the determinate individual of the state, who is sovereign, rather than the citizens of the state. Consequently, the power of the sovereign is the power of the monarch only. Hegel, in other words, rejects the concept of "popular sovereignty" (*Volkssouveränität*). He articulates this argument by noting, first, that "sovereignty belongs to the state" (PR §279A), and that "as an internally developed and truly organic totality, its [the state's] sovereignty will consist in the personality of the whole, which will in turn consist in the reality appropriate to its concept, i.e., the person of the monarch" (PR §279A). His justification for this position is that without the "articulation of the whole" which occurs only through the monarchy, "the people is a formless mass" (PR §279A). The power of the sovereign contains within itself the three moments of the Concept, i.e., the universality of the constitution and laws, "consultation" (*Beratung*) as the reference of the particular to the universal, and the individual "moment of ultimate decision as the self-determination to which everything else reverts and from which its actuality originates" (PR §275). Finally, it is thought which unifies the particular determinations of the internal constitution of the state,<sup>280</sup> and it is in this unity of thought that the determinations of the sovereign power "are justified

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<sup>280</sup> Hegel even discloses that he conceives of the concept of unity as identical with ideality. "[A]ll the various elements are present ideally and as a unity" (PR §275Z). "The basic determination of the political state is the...unity or ideality of its moments."

not as independent entities...but only [as] determined by the Idea” (PR §276). This lack of independence on the part of any of the powers from the organic state assumes a determinate character in Hegel’s requirements that the functions and powers of the state “cannot be private property” (PR §277) and that “an office can neither be sold nor inherited” (PR §277Z).

Hegel introduces the monarch as the determinate individual who represents the sovereignty of the rational state. This sovereign individual is the culmination of the indeterminate universal concept of self-determination with which the PR began, i.e., the universal concept of freedom is in its first moment indeterminate, and the thinking through of this concept to its determinateness or individuality is to think the individual person of the monarch. Sovereignty is “initially only the universal thought of this ideality,” but this concept has its objectivity in the “self-determination in which the ultimate decision is vested.” This is the ultimate moment of the thinking through of right or freedom, for this universal concept has its reality in the individual and the state has its reality in the monarch: “the state is itself one.” The determinateness of thought is identical to its reality or existence, and while it is achieved in the formal movement from universality to individuality, it is important to make a distinction between individuality as such and *an* individual. Theoretically, the individual for Hegel is the Idea, the determinate Concept that contains the totality of all thought determinations and of all actualities (unities of reflections-into-otherness and reflections-into-self) within itself. In political terms, this individual is the monarch: “This absolutely decisive moment of the whole, therefore, is not individuality in general, but one individual, the monarch” (PR §279). More generally, the entire course of the PR is the thinking through of the

indeterminate universal concept of personality (*Persönlichkeit*) to its complete determinateness in the individual person of the monarch. The state, as the Idea, is the totality that contains all of its preceding determinations within itself, and the monarch, as the immediate individuality of the state, is the determinate individual person that contains within himself each of the abstract forms taken by the concept of personality throughout the movement of the PR.<sup>281</sup> The indeterminate subjective concept of freedom, the concept that thought thinks through to its complete determinateness over the entire course of the PR, is united with its objectivity or is objectivized in the “absolutely decisive moment” in which the monarch actualizes the free will of the universal community of the state—in a way that is identical with how the Idea is the “absolutely decisive moment” of reflection, the moment in which thought thinks the identity of totality as thought and totality as object, with the latter as determined by the former. *This* is the reason why the state is referred to by Hegel as “the Idea of freedom” (PR §57A).

While contemporary commentators on Hegel’s political philosophy have endlessly recited his defense of monarchy, the logical and idealist foundations of this defense have been ignored. First, the infinite movement of thought in its opposing itself and returning to itself in accordance with the dialectic of rational cognition contains within itself (1) the production of particularity as reality presupposed by thought to be self-subsistent and, directly following this production, (2) its sublation, i.e., the total negation of this presupposed self-subsistence through the realization of its posited or

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<sup>281</sup> “The state...is precisely this totality in which the moments of the concept attain actuality in accordance with their distinctive truth. – All these determinations, both in themselves and in the [particular] shapes which they assume, have been discussed throughout this entire treatise; but they are repeated here because, although they are readily accepted when they assume a particular shape, they are no longer recognized and apprehended precisely when they reappear in their true position, i.e., no longer in isolation, but in their truth as moments of the Idea” (PR §279A).

determined character. This overcoming of particularity, I am arguing, is Hegel's theoretical basis for his position that the monarch must be "isolated for itself and exalted above everything particular and contingent; for only thus does its actuality accord with its concept" (PR §279A). The third moment of any dialectical sequence, as an individual determinate concept, is an Idea, and Hegel repeatedly emphasizes how the monarch is determinate reflection of the first moment of the Idea. He even notes that, "[i]n the organization of the state (which in this case means constitutional monarchy), the one thing which we must bear in mind is the internal necessity of the Idea; all other considerations are irrelevant" (PR §279Z). This particular sentence should lay to rest any claim that Hegel grounds his political argument on an historical or empirical foundation.

The details of Hegel's reduction of the monarch to a purely symbolic function are well-known. Hegel nevertheless believes that this symbolism is critically important: "[H]e often has nothing more to do than to sign his name. But this name is important: it is the ultimate instance and *non plus ultra*" (PR §279Z). The monarch is the "apex" (*Spitze*) of self-determining subjectivity (cf. his later claim that "the monarch is the absolute apex of an organically developed state" at §286A), the indeterminate universal concept of freedom and personality instantiated in a determinate individual. "In a well-ordered monarchy, the objective aspect is solely the concern of the law, to which the monarch merely has to add his subjective 'I will'" (PR §280Z). Hegel's monarch is a hereditary one (cf. his defense of hereditary succession at §286A), and its legitimacy is in no way to be based either on the "caprice [*Belieben*], opinion [*Meinung*], and arbitrariness [*Willkür*] of the many" or on "the welfare of the state or of the people" (PR §281A). He therefore rejects the concept of an elective monarchy for the reason that, in such a state,

the constitution becomes an electoral contract, i.e., a surrender of the power of the state at the discretion of the particular will; as a result, the particular powers of the state are turned into private property, the sovereignty of the state is weakened and lost, and the state is dissolved from within and destroyed from without (PR §281A).

As this sentence indicates, Hegel's rejection of an elective monarchy is based on his rejection of the modern liberal political philosophy in general and its ethical ground in instrumental rationality in particular.

The third moment of any dialectical sequence in determinate universality or individuality is at the same time the first moment of another dialectical sequence, and so this determinate universal or individual concept, when comprehended as such is itself an indeterminate universal identity that contains mediation, reflection, difference, etc. within itself. Hence the determinate individual of the monarch is determinate only insofar as he is conceived of in relation to the advisory offices which constitute the institution of the constitutional monarchy, or the "second moment contained in the power of the sovereign is that of particularity or of determinate content and its subsumption under the universal," and this particularity becomes a determinate object of cognition in the "highest advisory offices." This dialectical sequence is completed in "the third moment," "the universal in and for itself, which is present subjectively in the conscience of the monarch and objectively in the constitution and laws as a whole" (PR §285). Finally, the monarch's rule is just and this justice is derived from the "determination and form" of its sovereignty (PR §286A).

#### The Executive Power

Paradoxically, the monarch, as the final, determinate determination in the thinking through of the indeterminate concept of personality, is the least important person in the

entire state. His task is to objectivize the universal determinations of the state, and this objectivization is achieved through nothing more than the signing of his name. In contrast, the most important set of persons in Hegel's rational state is the universal class of civil servants that constitutes the executive power and universal interest of the state. Indeed, it would not be an overstatement to note that the civil servants reflect the rationality of the rational state. This interpretive claim is supported by Hegel's claim that "[t]he executive power is concerned with the transition from the universal to the particular and individual (PR §290Z). Hegel defines the function of the executive power in the following way:

The execution and application of the sovereign's decisions, and in general the continued implementation and upholding of earlier decisions, existing laws, institutions, and arrangements to promote common ends, etc., are distinct from the decisions themselves. This task of subsumption in general belongs to the executive power (PR §287).

The theoretical foundation of this reference to the task of the executive civil servants as one of "subsumption" should be clear. To review briefly, rational cognition, for both Kant and Hegel, begins with an abstract universal concept and involves the subsumption of determinate particulars under that conceptual universal. The central distinction between Kant's externalist classificatory model and Hegel internalist dialectical model is that, for Hegel and unlike Kant, the determinate particulars to which the conceptual universal is related are an expression or manifestation (*Äußerung*) of the concept itself, a position Hegel adopts because for him, unlike Kant, the object of thought's cognition is never external to or independent of thought itself. According to Hegel, Kant's classificatory model of rational cognition cannot overcome the opposition between conceptual universality and determinate particularity. It is for this reason that Hegel



repeatedly claims that “the understanding” (i.e., Kant and everyone else), incorrectly presupposes the oppositions of reflection to be “fixed” or “absolute.” There is no “third moment” in Kant’s conception, no mediated identity of the universal and particular in the determinate universal or individual, as occurs in Hegel’s dialectical logic. Nevertheless, it is clear that “subsumption” is the central component of rational cognition for *both* Kant and Hegel. The *only* relevant distinction between the two philosophers’ conceptions of rational cognition is that this “subsumption” is conceived of by Kant in externalist terms and by Hegel in internalist terms. In the most general sense, the form-content, thought-object, universal-particular, concept-truth relation is to Kant one of externality and to Hegel one of internality. Indeed, the entire theoretical-philosophical argument between Kant and Hegel is reducible to this externalism-internalism opposition. Yet even the most prominent contemporary commentators on Hegel’s political philosophy fail to comprehend this basic distinction, a topic to which I will return in the conclusion to this dissertation.

At any rate, the executive class of civil servants reflects the rationality of the rational state. Members of the executive civil servant class constitute the bulk of the “middle class” (*Mittelstand*), and as such embody the “educated intelligence and legal consciousness of the mass of the people.” The universality of the “delegates of the executive power,” i.e., the executive civil servants and the “higher consultative bodies,” derives from the fact that its central function consists in “upholding...the universal interest of the state” and bringing all that is particular “back to the universal” (PR §289). Hegel’s antidemocratic political standpoint comes into clear focus in his discussion of the executive and legislative powers of the state, and in his particular discussion of the civil

servants, for he clearly believes in government, but not in a government of the people. His political position is based on the normative value of merit rather than of democracy, and the central role he assigns to merit is captured in his following description of the conditions required for membership in the universal class of executive civil servants:

The functions of the executive are objective in character; as such [*für sich*], they have already been substantially decided in advance, and they must be fulfilled and actualized by individuals. Individuals are not destined by birth or personal nature to hold a particular office, for there is no immediate and natural link between the two. The objective moment in their vocation [*Bestimmung*] is knowledge [*Erkenntnis*] and proof of ability; this proof guarantees that the needs of the state will be met, and, as the sole condition [of appointment], at the same time guarantees every citizen the possibility of joining the universal estate (PR §291).

The content of this passage indicates that Hegel accepts the Enlightenment notion that universal political determinations, upon their determination *as* universal political determinations, can be conceived of in administrative terms and consequently can be rationally implemented on the basis of objective knowledge. Though Hegel conceives of the actualization or objectivization of predetermined political determinations in terms of nonpolitical bureaucratic administration, it would be incorrect to identify this conception with Marx's presupposition regarding the capacity to dispense with political considerations altogether in favor of administration in postcapitalist society.<sup>282</sup> It is clear that Hegel absolutely rejects the possibility of any such dispensation. Rather, in Hegel's state, both the deliberations and the legislation resulting from such deliberations which constitute the work of the estates assembly and form of the basis of all state actions are

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<sup>282</sup> Cf. Marx, "Conspectus on Bakunin," in the *Marx-Engels Reader*, p. 545: "The character of elections depends not on these [political] designations but on the economic foundations, on economic ties of the voters amongst one another, and from the moment these functions cease being political (1) no governmental functions any longer exist; (2) the distribution of general functions takes on a business character and involves no domination; (3) elections completely lose their present political character."

irreducibly political in character. It is only then, subsequent to this original determination, that this legislation is actualized or objectivized through the symbolic approval of the monarch and rationally implemented by the executive civil servants.

This argument for a separation of Hegel from Marx is simply another way of stating that Hegel is a *political* philosopher in a way that Marx is not.<sup>283</sup> It is true that Hegel's rational state mediates political conflicts among the particularistic interests within civil society and conceives of the execution of the laws enacted by the legislative assembly in terms of nonpolitical bureaucratic administration, but these aspects are by no means limited to Hegel's theory of the state: they are characteristic of modern political states as such. Hegel is best understood not as attempting to transcend political questions through their mediation, but rather as arguing for the *autonomy* of the state in the sense that the state should have the capacity to be a truly universal entity independent of the particularistic interests in civil society, for only then could it possibly be the universal political community he is arguing for. Contemporary sociologists and comparative political scientists have abandoned the theory of state autonomy for various "polity-centered" approaches, i.e., pluralisms, and the reason for this abandonment is empirical: existing modern liberal states are not independent of the particularistic interests in society. They do not in any way reflect the truly universal community that is Hegel's idealized conception of the rational state. This disparity between Hegel's theory of the state and actually existing modern liberal states is integrally related to his rejection of the liberal philosophy of freedom as particularistic, whereas true freedom as he conceives of it is universal in character. (Though, to be sure, it is a universality mediated by

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<sup>283</sup> Cf. the accounts of Hegel and Marx in Schwartz, *The Permanence of the Political*, pp. 70-145.

particularity.) The autonomy of the state is the final condition for the possibility of this universal conception of freedom. So while Hegel's theory of the state and of the freedom it objectivizes or actualizes is *antiliberal* in its content, it is not in any way *nonpolitical*. It would be incorrect, in other words, to identify politics as such with either the liberal philosophy of freedom and the state or the particularistic interests that dominate in existing modern liberal societies. It is true that these commitments to autonomy and universal freedom lead Hegel to adopt an antidemocratic political position, but that is only because he conceives of bourgeois democracy as it is typically practiced as irreducibly particularistic in character. If Hegel is correct about this particularism, then the question that that inevitably follows is whether particularistic democracy can be democratic if it is particularistic. If, as Allen Wood observes, "the formal institutions of representative government no more represent democracy than the capitalist wage bargain represents a free exchange between equals,"<sup>284</sup> then perhaps Hegel might not be without justification for this position. Hegel himself was a "centrist-reformist," i.e., a political moderate, but if his political philosophy suggests in a number of ways the determination that "modern civil society cannot fulfill its own principles of universal human freedom and dignity,"<sup>285</sup> then it should not be surprising that the subsequent philosopher of Marx, who was not moderate, would attempt to transcend the political altogether.

At any rate, the "objective qualification" of the civil servant, Hegel explains, is not "genius" (*Genialität*), and so identifying the relative merit of a particular individual and the knowledge, skills, and abilities required to perform the tasks and functions of the

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<sup>284</sup> Wood, *Karl Marx*, p. 33.

<sup>285</sup> Wood, *Hegel's Ethical Thought*, p. 260.

particular position “cannot be determined without absolute certainty”; rather, the relation between the office and the individual “must always be contingent” (PR §292). The class of civil servants must be provided with the security of “resources” (*Vermögen*), the satisfaction of “particularity” (*Besonderheit*), and in general with the capacity to free his “external situation and official activity from other kinds of subjective dependence and influence” (PR §294). These conditions required for the class of civil servants to be independent from particularity are depicted by Hegel for the following reason: The universal class of civil servants reflects the rationality of the rational state. Their function is to mediate the opposition between universality and particularity both from the standpoint of universality and through the sublation of particularity in the movement to determinate universality. Consequently, each civil servant must subordinate the particular aspect of his identity in favor of its universal aspect.<sup>286</sup> The relation between the individual civil servant and his office is not to be conceived of in instrumental terms as a contract.<sup>287</sup> At least part of the reason why the satisfaction of resources for the civil servants is guaranteed is to prevent them from employing their offices as instrumental means to the end of private resources.<sup>288</sup> The state provision of the resources for the civil servants is also required to ensure the insulation of the executive power from the many:

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<sup>286</sup> Cf. Hegel’s notation that “the service of the state requires those who perform it to sacrifice the independent and discretionary satisfaction of their subjective ends, and thereby gives them the right to find their satisfaction in the performance of their duties, and in this alone. It is here that, in the present context, that link is to be found between universal interests which constitute the concept of the state and its internal stability.”

<sup>287</sup> Cf. PR §294A: “[T]he [civil servant’s] relationship to his office is not one of contract, although the parties in question both give their consent and render a service. The civil servant is not employed, like an agent, to perform a single contingent task, but makes this relationship [to his work] the main interest of his intellectual and particular existence.”

<sup>288</sup> “The guaranteed satisfaction of particular needs removes that external necessity which may induce someone to seek the means of satisfying them at the expense of his official activities and duty” (PR 294A).

Those who are entrusted with the business of the state find protection in its universal power against another subjective factor, namely the private passions of the governed, whose private interests etc. are prejudiced when the universal is asserted against them (PR §294A).

Bureaucratic autonomy from political influence is the central principle of the modern executive system, and Hegel's defense of this autonomy is one of the most important elements of his political argument. On the other hand, however, the sovereign is to provide oversight of the universal class to ensure that they do not become a bureaucratic aristocracy which dominates society.

Finally, an "education in ethics and in thought [i.e., logic]" is required to ensure that the virtues of "dispassionateness" (*Leidenschaftslosigkeit*), "integrity" (*Rechtlichkeit*), and "polite behavior" (*Milde des Benehmens*) become "customary" (*Sitte*) among the civil servants, and for Hegel this education is to provide an integral "counterweight" (*Gleichgewicht*) to the "mechanical exercises and the like which are inherent in learning the so-called sciences appropriate to these [administrative] spheres, in the required business training, in the actual work itself, etc." (PR §296). It is interesting that Hegel posits an academic education in philosophy as the necessary corrective to the disposition engendered by a professional education in administration. It would therefore not be difficult to predict what Hegel's position would be on the reorganization of the modern university system under the contemporary conditions of advanced capitalism.

### The Legislative Power

The monarchy, as the first moment of the state, is "the power of ultimate decision." The executive power, its second moment, is the "advisory which has concrete knowledge and oversight of the whole...and knowledge of the needs of the power of the

state in particular” (PR §300). The executive is concerned with the “subsumption” (*Subsumtion*) of the universal under the particular, or with the implementation of the laws and regulations determined by the legislative power. The legislative power is therefore concerned above all else with determination. Hegel explains that “[t]he legislative power has to do with the laws as such, insofar as they are in need of new and further determination, and with those internal concerns of the state whose content is wholly universal” (PR §298). The legislature ensures that the actions of the state are “mediated by his [the individual citizen’s] own particular will” (PR §299A). It is integral, Hegel explains, to the concept of the modern state that all of an individual’s actions should be mediated by his will (PR §299Z).

An aspect of Hegel’s state that indicates a certain distance from modern liberalism is the fact that the legislative power does not represent individuals *as* individuals, i.e., there is no direct relation between the state and its individual subjects. Rather, each individual must be articulated into a particular estate on the basis of his trade or profession, and it is only the various estates in civil society that are represented in the legislative assembly. It is to be recalled from Hegel’s discussion of civil society that the estates are presented in accordance with the logical structure of the Concept: The agricultural estate is “substantial or immediate,” the commercial estate is “reflecting or formal,” and the estate of civil servants is “universal” (PR §202). From the standpoint of both the state and civil society, the role of the estates is to provide individual citizens with a mediating institution through which they can articulate their particular opinions on matters of universal concern. Hegel’s justifications for this framework include his theoretical requirement that individuality be mediated by particularity in its relation to

universality and his antidemocratic political standpoint, as the following passage indicates:

[I]f the term “the people” denotes a particular category of members of the state, it refers to that category of citizens who do not know their own will. To know what one wills, and even more, to know what the will which has being in and for itself – i.e., reason – wills, is the product of profound cognition and insight, and this is the very thing which “the people” lack (PR §301A).

The many, if not incorporated into the organic totality through their articulation in the particular estates and corporations within civil society, can exist “only as a crowd, i.e., a formless mass whose movement and activity can consequently only be elemental, irrational, barbarous, and terrifying.” Such unarticulated individuals to Hegel would have no place in the political state, i.e., “the sphere of the highest concrete universality,” because there is no direct relation between the universality of the state and its individual members as individuals (PR §303A). It is for this reason that the existence of the estates assembly, in which the agricultural estate, the estate of trade and industry, and the universal estate of civil servants achieve representation at the level of the political state, “acquires its own constitutional guarantee” (PR §308).

The central justification for Hegel’s insistence on this particular articulation of the individual members of his political order is the theoretical requirement that, if the rational political order is to be rational, it must be articulated in accordance with the logical structure of the pure Concept. The following passage concisely captures this emphasis on the determination of form as the justification for articulation:

The idea that all individuals ought to participate in deliberations and decisions on the universal concerns of the state – on the grounds that they are all members of the state and that the concerns of the state are the concerns of everyone, so that everyone has a right to share in them with his own knowledge and volition – seeks to implant in the organism of the



state a democratic element devoid of rational form, although it is only by virtue of its rational form that the state is an organism (PR §308A).

The articulation of individuals into the “rational form” is dispositive for Hegel, and this theoretical justification continues as the argument is advanced that each individual citizen exhibits the same determination (cf. PR §308A). The logical structure of the Concept is the completed syllogism in which universality is instantiated by individuality through its particularity. The rational articulation of the individual person takes place in an identical way. Each person contains within himself the extremes of individuality and universality, and it is only through his particularity that he can achieve determinateness and the state can be said to be rational. So while the state is rational because it contains each of the moments of the Concept within itself in the logical sequence of universality-particularity-individuality, the individual person can also be said to be rational in this same way, but only insofar as he fulfills the particular conditions Hegel has articulated and society is organized or structured in this particular way.

However, this capacity for leading a truly universal life is not extended to all members in Hegel’s rational political order. Rather, it is only the class of civil servants who represent the universality of the state, and this is a completed universality, i.e., determinate universality, for the reason that the state contains its preceding moments of indeterminate universality and particularity in the forms of the family and civil society within itself, or is their presupposition. In this way, it is only the class of civil servants that determinately reflects each of the moments or determinations of the logical structure of the Concept.<sup>289</sup> This framework of Hegel’s is meritocratic based on his repeated

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<sup>289</sup> There is a suggestive parallel here, it seems, to Plato’s argument in the *Republic* that, if justice is defined conventionally as “minding one’s own business” (433b), then all subjects in the just city can be said to be just—with the exception of the philosopher, who does not mind his own business. But if justice is

insistence that membership in the universal estate should be open to anyone based exclusively on their objective qualifications (cf. PR §§291, 308A), but it is clearly not democratic. Indeed, he justifies his rejection of the democratic argument that “everyone should participate in the concern of the state” on the ground that it is based on the “absurd” (*abgeschmackt*) assumption that “everyone is an expert on such matters” (PR §308A).

Consequently, elected representatives are to be chosen not because they will simply reflect the particular interests of their constituents, but rather because of their superior knowledge of the universal interest (PR §309). To ensure that the representatives maintain a concern with the universal, there should be property qualifications for elected representatives and they should perform their tasks “without remuneration” (*unentgeltlich*) (PR §310A). In order to ensure that the estates assembly reflects each of the articulations within civil society, they are to be elected by the various corporations (PR §311). Hegel critiques mass elections on the familiar grounds that (1) the number of voters is inversely related to the possibility of any particular vote cast affecting its outcome and (2) factions invariably distort the outcome of the election through their particularistic interests (cf. PR §311A). He divides the estates assembly into two houses (PR §312), separating the agricultural estate from the trade and industry estate and the estate of civil servants (cf. §§305, 308), for the reason that such a division would make the estates “less likely to come into direct opposition to the government” (PR §313).

More directly, Hegel explains that the role of the estates in relation to the operations of the political state is to be “purely accessory” (*nur ein Zuwachs*) and

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defined in the highest sense of the term as the philosophical life itself, then it is only the philosopher who is just—with the exception of every other subject in the city, who is nonphilosophical.

describes their function as ensuring that, through their knowledge, deliberations, and decisions on matters of universal concern, “formal freedom” (*formelle Freiheit*) is achieved for “those members of civil society who have no share in the government” (PR §314). He advances the requirement that the proceedings of the estates be publicized to permit “public opinion to arrive for the first time at true thoughts and insight with regard to the condition and concept of the state and its affairs, thereby enabling it to form more rational judgments on the latter” (PR §315), or, again, more directly, so that “the people can learn the true nature of their interests” (PR §315Z). The educative effect of publicizing the matters of universal concern which form the operations of the political state also includes providing the public with the capacity to acquire knowledge of and to respect the “functions, abilities, virtues, and skills” of the civil servants (PR §315). Finally, and most importantly, publicity of the legislative deliberations is required to ensure that both houses of the estates assembly “remain in touch with the wider implications of public opinion” (PR §315Z).

This discussion then leads to an extended defense and critique of the role of public opinion in modern society. Public opinion, “the particular opinions of the many,” is to Hegel a “manifest self-contradiction, an appearance of cognition; in it, the essential is just as immediately present as the inessential” (PR §316). There are good and bad opinions within public opinion, and, though Hegel thinks the centrality of public opinion in modern political life reflects the integral value of “subjective freedom,” it is nevertheless the presentation of the opinions of the members of civil society in an “unorganized way” (*unorganische Weise*) (PR §316Z). While public opinion “embodies” (*enthält*) both “the eternal and substantial principles of justice” and “common sense”

(*Menschenverstand*), it also contains within itself the contingencies of “ignorance” (*Unwissenheit*), “perverseness” (*Verkehrung*), “false information” (*falsche Kenntnis*), and the “errors of judgment” (*Beurteilung*) (PR §317). While it is not possible to deceive a people about its “essence” (*Wesen*), it is nevertheless the case that “the people is deceived by itself” (PR §317A).

On the other hand, however, the importance of public opinion in modern society reflects the principle of the modern world which requires that “whatever is to be recognized by everyone must be seen by everyone as entitled to such recognition.” The silence of the public is more dangerous than the expression of public opinion: If the many are silent, then it is possible that they are “keeping their opposition to something to themselves, whereas argument gives them an outlet and some degree of satisfaction” (PR §317Z). Public opinion, in Hegel’s final analysis, “deserves to be respected and despised” because, in his formulation, “the first formal condition of achieving anything great or rational, either in actuality or in science, is to be independent of public opinion” (PR §318). Despite these dangerous tendencies inherent in public opinion, every modern society should provide an absolute guarantee of the “[f]reedom of public communication” (*Preßfreiheit*). In the rational state, the opinions of the many are “rendered innocuous” by the “sound and educated insights concerning the interests of the state” which will invariably prevail in the deliberations of the estates assembly (PR §319).

It is from here that Hegel begins his transition from his discussion of the internal constitution to international law. In the following, I will attempt to demonstrate that, even in his final remarks in the PR about international relations and world history, he continues to base his political positions on the foundations of logic and idealism that I

have been making explicit throughout this dissertation. First, the state, as an individual thought-content, can only be a determinate object of cognition if it is thought in terms of its external relation to other states (cf. PR §322). The concept of the state, in other words, exhibits a negative self-relation: “[T]his negative relation of the state to itself thus appears as the relation of another to another, as if the negative were something internal...[and] this negative relation is the state’s own highest moment – its actual infinity as the ideality of everything finite within it” (PR §323). The content of the relation of each state to every other state is according to Hegel necessarily one of hostility. In fact, the content of the relation between states Hegel has in mind is ultimately war. The relation of the state to other states is a determination in which “the interests and rights of individuals are posited as a transient moment.” The concrete meaning of this transience is that individuals have a duty to preserve the state of which they are members “even if their own life and property...are endangered or sacrificed” (PR §324). This position is contrasted with the modern liberal conception of the state, which conflates the state with civil society in its incorrect conception of the state’s “ultimate end” (*Endzweck*) “as merely the security of the life and property of individuals” (PR §324A). Hegel observes that “successful wars have averted internal unrest and consolidated the internal power of the state” (PR §324A), thereby anticipating Charles Tilly’s argument that “war made states, and vice versa” in his classic study *Coercion, Capital, and European States*, and absolutely rejects Kant’s argument for the possibility of a “perpetual peace” (*ewiger Friede*) among nations (cf. PR §§324A, 324Z), instead arguing that states will continue to oppose themselves to one another and enter conflicts indefinitely, and this position is clearly based on his theoretical argument that thought

necessarily and endlessly opposes itself, even within the identity of its ultimate moment, the absolute Idea. When the existence of the state itself is at risk, “duty requires all citizens to rally to its defense” (PR §326). Importantly, this position is articulated in response to the phenomenon of class disparities in military service. Finally, he introduces the “military estate” (*Militärstand*) as the entity that is charged with the “universal duty” (*allgemeine Pflicht*) of “sacrifice for the individuality of the state” (PR §325; cf. §§327, 327Z),<sup>290</sup> though he also believes that the disadvantages of a standing army outweigh its advantages (PR §326A).

### International Law

International law refers to the relations among sovereign states. The international system is anarchic in character, a “state of nature” (*Naturzustand*) (PR §333) even, and, consequently, right or ethics cannot possibly determine the relations among independent sovereign states, but rather must remain a merely contingent “obligation” (*Sollen*) (PR §330; cf. §333) dependent on the arbitrary wills of the states involved (cf. also PR §§330Z, 333A). An explicit link is posited between the anarchic character of the international system and the irreducible insecurity, instability and even conflict endemic to that system: “The relations between states are unstable, and there is no praetor to settle disputes” (PR §339Z). Indeed, despite the constructed, ideal character of threats from one state to another—the “cause of discord [between states] arises in the idea of such an injury as a danger threatening from another state” (PR §335)—it is nevertheless the case that states are fundamentally insecure and continually at risk of conflict, and, Hegel notes directly, the “conflicts between states can be settled only by war” (PR §334). The “state

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<sup>290</sup> “The military estate is the universal estate to which the defense of the realm is entrusted, and its duty is to give existence to the ideality within itself, i.e., to sacrifice itself” (PR §327Z).

of nature” that is the international system, finally, is not, based on Hegel’s description of this state as a “ceaseless turmoil, not just of external contingency, but also of passions, interests, ends, talents and virtues, violence, wrongdoing, and vices in their inner particularity” (PR §340), reflective of the (relatively) harmonious and secure states of nature envisioned by Locke and Rousseau, but rather of the state of complete insecurity envisioned by Hobbes.

Hegel, in short, advances a “realist” theory of international relations, a theory that in many ways seems anomalous given his more general philosophical commitments. His idealism would seem to necessitate a “constructivist” theory of international relations, in which the anarchic international system “is” only what states *take it to be*, thereby greatly expanding the range of possible relations between and among states, and his absolute rejection of the concept of a “state of nature” in the more general domain of political philosophy in favor of the view that individuals simply cannot be conceived of independent of the states within which they are situated would seem to necessitate a “cosmopolitan” international relations theory based on the notion of a universal “community” of states. But Hegel’s theory of international conflict is, as I indicated above, directly based on his absolute idealist dialectical logic. The state, as the third moment of ethical life, is a individual state, but, as an individual thought-content, the state can only be a determinate object of cognition if it is thought in terms of its external relation to other states (cf. PR §322). The immediacy of the concept of the state contains mediation within itself, it is negatively self-related, and so it must *oppose* itself to its other, i.e., the content of the relation between states is, in accordance with the principles of dialectical logic, *determined* to be oppositional.

Second, the international system (*das äußere Staatsrecht*) is, in fact, a “moment” that is sublated in the movement to the final determination of the PR, the determinate reflection of the absolute Idea: world history. World history is a rational totality to Hegel, an identity that contains within itself the determinate individual states and their histories that constitute the world historical process. It is therefore an identity that is mediated, it contains opposition within itself, and, as with any theory of the “state of nature,” the determinate individual states which constitute world history are self-determining, independent of one another. As the determinate reflection of the absolute Idea, world history exhibits the structure of its identity, a structure captured in Hegel’s remarks that “[t]he identity of the Idea with itself is one with the process” (WL XII 177/759), that the Idea “contains within itself the highest degree of opposition” (WL XII 236/824). World history is this totality, an identity that contains all of its determinations within itself, an identity that is understood to be a “process,” and that contains within itself the “highest degree of opposition” in its perpetual wars and conflicts. Moreover, given that such conflicts are conscious human creations, and their resolutions in peace represent the conscious human overcoming of those creations, world history, in a way that is identical with the absolute Idea, “eternally creates and eternally overcomes that opposition, in its meeting with itself” (WL XII 177/759). Oppositions are created through war and overcome through peace, but these determinate individual events can, for Hegel, only be understood from the standpoint of totality. This totality is referred to as “world history” in the realm of objective mind, but it is, as I have been arguing, nothing more than the determinate reflection of the absolute Idea of pure logic, and this is because there can be nothing other than thought: the structure of social relations that forms the totality of the



world historical process is nothing more than the structure of the relations of thought-contents that forms the totality of the Idea.

Consequently, Hegel's articulation of the "logic" of state relations is presented in terms of thought only. The concept of recognition is the principle that determines the relations between states, and in particular their status as independent in relation to one another and even as states themselves. Hegel first explains that "[t]he state has a primary and absolute entitlement to be a sovereign and independent power in the eyes of others, i.e., to be recognized by them" (PR §331), and then further determines that "[w]ithout relations with other states, the state can no more be an actual individual than an individual can be an actual person without a relationship with other persons" (PR §331A). It should be clear that this logic of the state and its freedom is identical to Hegel's logic of the individual subject and his freedom: A state is a free state only in being taken to be or recognized as such, and the state can be taken to be or recognized as such only if the recognition on the part of the other state is given freely; and the taking to be or recognition on the part of the other state is given freely only if the initial state takes to be or recognizes the other as both free and a state. This is the formal logical form of state relations, and the determinate conceptual content of what a state recognizes when it recognizes another state as a (free) state consists in the following: it recognizes the *Idea* of the other state, or its mediated identity of universality and particularity. Hegel explains: "[T]he Idea of the state is precisely that the opposition between right as abstract freedom and the particular content which fills it, i.e., the state's own welfare, should be superseded within it, and it is on this Idea as a concrete whole that the initial recognition of states is based" (PR §336). From this argument, it can be deduced that if a state does

not contain within itself either of the integral moments of stateness, i.e., universal “right as abstract freedom” or the “particular content” of the welfare of its members, then the conceptual conditions required for the other state to take it to be, or to recognize it as, a state have not been fulfilled, and so the initial state would not *be* a state at all.

This argument about recognition is then extended to claim that “states reciprocally recognize each other...even in war” (PR §338), and, moreover, that “wars and conflicts...are struggles for recognition with reference to a specific content” (PR §351A). As this second sentence indicates, it is only particularity, and not universality, that can provide a valid justification for the decision to go to war. Hegel will even claim that the “principle for justifying wars and treaties is not a universal thought, but its actually offended or threatened welfare in its specific particularity” (PR §337). The waging of a war on the basis of some sort of universal principle that is separated from the particular context of the states involved is not a just action to Hegel. This argument might seem to be anomalous if not contradictory given Hegel’s repeated insistence that conceptual universality is the only adequate ground of any individual thought determination, and therewith of action. He even reiterates his absolute defense of modernity in this section by proclaiming that “[t]he principle of the modern world [is] thought and the universal” (PR §328A). But, at the same time, it is to be recalled that the international system, as the second moment of the state, is the realm of particularity, and so there is an implicit theoretical ground for Hegel’s normative argument that wars should be grounded only on the particular conditions of the states involved. This argument can, and in my view should, be conceived of as a normative restriction on the scope of possible justifications for the act of waging war. Having denied the possibility of

a “perpetual peace” among states as a result of their irreducible insecurity, an insecurity which in turn derives from the anarchic character of the international system, there seems to be no capacity for justice between or among states in this system. The international system cannot possibly be the ethical community that the Idea of the state is as Hegel logically depicts it. This framework would seem to provide evidence for the accusation by the early interpreters of Hegel’s political philosophy that he “glorified” war. But, as this normative restriction on what can possibly constitute a rational ground for the waging of war indicates, there can be no justification for such an accusation.

### World History

Hegel presents world history (*Weltgeschichte*) in a way that cannot be comprehended except through reference to his absolute idealism. It is the court of judgment of the world (*Weltgericht*), Hegel explains, *because* it is in this final, ultimate moment of “right” (*Recht*) that, “in its universality which has being in and for itself, the particular...is present only as ideal” (PR §341). Particularity, the object of thought’s cognition, is ideal: it is the manifestation or expression (*Äußerung*) of thought itself to itself. It is now observed that conceptual universality contains within itself the totality of particularity because the latter can only *be* the latter at all insofar as it is constituted by the former. This is the final determination in the WL and it is the final determination in the PR. Now, in what is a critically important confirmation of the central interpretive claim of this dissertation, Hegel explicitly discloses that the mental or mental form of actuality, and the objective-mental form in particular, is itself nothing more than a determinate reflection of the pure thought of logic, or “reason” (*Vernunft*) itself:

[S]ince mind in and for itself is reason, and since the being-for-itself of reason in mind is knowledge, world history is the necessary development,

from the concept of freedom of mind alone, of the moments of reason and hence of mind's self-consciousness and freedom (PR §342).

Historical development is the achievement of "form" (PR §349) in a way that is identical with how thought through its own internal movement achieves the determination of form from the formless identity of itself with itself in its original immediacy. Moreover, just as Hegel resolves the problem of the relative priority of thought and its object in Kant's transcendental idealism through his argument that the end of thought is for it to make itself its own object and to achieve correspondence with itself, he explains in this final section of the PR that "mind is its own deed; for mind is only what it does, and its deed is to make itself...the object of its consciousness, and to comprehend itself in its interpretation of itself to itself" (PR §343).

Indeed, mind is *defined* as nothing more than *the movement of thought itself*. It is "the movement of its own activity in gaining absolute knowledge of itself and thereby freeing its consciousness from the form of natural immediacy and so coming to itself" (PR §352). World history, as the temporal manifestation of this movement in the most general sense, therefore culminates in the "absolute opposition" between the "secular realm" and the "intellectual realm," an opposition which endlessly persists despite the fact that "both are rooted in a single unity and Idea." This "single unity and Idea," of course, is the absolute Idea. In the final paragraph of the PR, Hegel explains that "the true reconciliation [of these realms], which reveals the state as the image and actuality of reason, has become objective" (PR §360). The state is the identity of thought, i.e., the Concept, and its object, i.e., actuality. It is, in other words, the logical idea. But it is the Idea in its complete objectivization, the final determination of logic at its highest level of determinateness.

## Conclusion

The central interpretive claim of this dissertation is that the rationality of Hegel's rational state derives from the fact that it, and therewith the entirety of the PR, is the determinate reflection of the pure logical Concept depicted in the WL, and therewith the entirety of the WL. Because the entire progression of the WL from being to essence to the Concept is nothing more than the movement of the Concept itself, the entire progression of the PR from abstract right to morality to ethical life is nothing more than movement of thought in thinking through the concept of right or freedom itself from its original indeterminate determination to its complete determinateness. The WL demonstrates the Conceptuality of actuality: It reveals that reality, or the object of thought's cognition, is actuality, or the entirely constituted reflection of thought itself to itself. The Idea, as the identity of the Concept and actuality, is the identity of thought and its object, and, because its object of actuality is itself thought, the more general identity of the Idea is the identity of thought with itself. The immediacy reached by thought in its final moment of the Idea is the beginning of nature. Nature is the repetition of the movement of the pure Concept of the WL at a level of determinateness that is possible only after the movement of the WL in its entirety has been traversed. The immediacy of nature, however, is the pure Concept as determinate necessity or determination. The truth of necessity, however, is freedom. Consequently, the completion of the movement of the Concept as nature necessarily leads to the beginning of the Concept as mind, or the pure Concept as determinate self-determination or freedom. So while the completed movement of the pure Concept depicted in the WL necessarily leads to the Concept as nature, the completed movement of the Concept as nature leads to the Concept as mind.

Mind is therefore the second and final repetition of the movement of the pure Concept of the WL at its highest level of determinateness. The absolute spontaneity of the pure Concept depicted in the WL becomes necessity in its moment as nature and the necessity in its moment as nature becomes freedom—returns to the absolute spontaneity of the first, logical moment—in its complete determinateness as the freedom of mind. Objective mind is mind at its highest level of determinateness, and so the PR is the WL at its highest level of determinateness. So while the WL demonstrates the Conceptuality of actuality, the natural and mental forms of actuality in particular both have their truth in the pure Concept of logic—they are both determinations *of* logic. There is therefore nothing other than the pure thought of logic or the logic of pure thought. Hegel articulates his conception of the relation between logic and *Realphilosophie*, i.e., of science, in the following passage from the WL:

The Idea is itself the pure Concept that has itself for object and which, in traversing itself as object the totality of its determinations, develops itself into the whole of its reality, into the system of the science, and concludes by apprehending this process of comprehending itself, thereby superseding its standing as content and object and cognizing the concept of the science (WL XII 252-253/843).

Hegel's science is an absolute idealism because it is a closed conceptual system and his argument is that it is not logically possible for there to be any actual object independent of or external to this system. The Concept, or totality as thought, relates itself to actuality, or totality as object, and actuality is itself thought. Thought is therefore to itself its own object, a position that is also articulated through the formulation that what is rational is actual and what is actual is rational. The Concept is the syllogism of the totalities of universality, particularity, and individuality, and any actual object that is thought is thought in and through this totality as thought. The rationality of Hegel's state, as the

final determination in thought's cognition of the concept of freedom, therefore derives from the fact that it—and therewith the totality of the determinations in the PR—is thought through the Concept, or, what is the same thing, is nothing more than the determinate reflection of the Concept itself. This is Hegel's philosophical argument at the highest level of generality and it has been the central principle on which the argument of this dissertation identifying Hegel's criterion of rationality is based. The main implication of the argument of this study is that Hegel's political argument should be conceived of in radically different terms. There is no distinction between theoretical and practical philosophy. There is only the closed conceptual system of science. The determinate conceptual contents of the PR are in no way external to or independent of the logical structure of the Concept depicted in the WL. As the above passage clearly indicates, there is no "transition" (*Übergang*) between logic and *Realphilosophie*. So while the PR completes the WL, it is more precisely the case that—in a way that Hegel intended but that is not at all recognized in the contemporary scholarship on his political philosophy—it *is* the WL. This argument clearly sets this dissertation in clear and direct opposition to the legion of contemporary commentators who locate the philosophical foundation of Hegel's political argument in his ethical theory, his theory of freedom, his theory of reconciliation, and various other "practical" aspects of his science. Contemporary studies on Hegel's political argument, because they are not based on Hegel's own conception of his science, therefore provide unrepresentative images of the content of that argument.

On the other hand, this dissertation is not simply a replication of the earlier studies on Hegel that did attempt to take into account his systematic aspirations. The contemporary accounts which uniformly emphasize Hegel's "practical philosophy" and

attempt to dispense with his “speculative metaphysics” are in many ways a reaction against the preceding interpretive paradigm, in which studies uniformly emphasized Hegel’s philosophical system in explaining the practical aspects of his philosophy. These earlier studies, however, were based on the presupposition that Hegel simply ignored Kant’s critical philosophy, the Copernican Revolution, the transcendental project, etc., and rather relapsed into a precritical metaphysical framework similar to that of Spinoza and based on the notion of a “cosmic mind.” This interpretation of Hegel’s philosophy reaches its culmination in Taylor’s monumental 1975 work, but it is also found in the more recent works of Habermas and many others. It is not until Pippin’s 1989 work that Hegel’s philosophical project is first systematically presented, not as the abandonment of Kant’s critical philosophy, but rather as its *extension* and *completion*. This is the framework on which this dissertation is based. However, Pippin, in his attempt to portray Hegel’s project as the *extension*, rather than the rejection, of Kant’s critical project, fails to recognize the fundamental distinction between Kant and Hegel that emerges when Hegel’s *completion* of this project is adequately comprehended. It is here, in response to this failure on the part of Pippin, that this dissertation derives both its polemical force and its justification for a return to the systematic and scientific character of Hegel’s project.

Consider the following remark by Pippin:

[Hegel’s] philosophic consideration of nature and mind is not a deduction of the content and details of each, but a consideration of the particular ways in which necessary constraints imposed by a subject on itself, pure concepts, determine the form such investigations could take in various contexts.<sup>291</sup>

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<sup>291</sup> Pippin, *Hegel’s Idealism*, p. 259.



Following Pippin, Franco explains that he seeks to “avoid the implication that Hegel’s political philosophy is somehow ‘founded’ on or ‘deducible’ from his speculative philosophy,”<sup>292</sup> further claiming that “[t]o note the correspondence between the overall movement of the *Logic* and the overall movement of the *Philosophy of Right* provides, of course, only the most formal understanding of Hegel’s procedure in the latter work.”<sup>293</sup> These commentators are arguing from Kantian, rather than Hegelian, premises about the relation between the form of thought and its content. They prove therewith that they do not understand the central principle of Hegel’s philosophy: It is only logical thought that is determinate, and such thought is determinate only insofar as it is articulated in the form of the Concept. These commentators incorrectly attribute to Hegel the position that the determining function of logical thought is limited to the form of the object of its cognition only, that its content is independent of or external to this form. As I have already noted, this is a Kantian presupposition that Hegel rejects, and his entire philosophical system, in which thought determines both the form and the content of the object of its cognition *because its object is itself thought*, is designed to replace. Hegel himself could not be clearer about this in the following characteristic passage:

The manifestation of [mind] itself to itself is therefore itself the content of mind and not, as it were, only a form externally added to the content; consequently mind, by its manifestation, does not manifest a content different from its form, but manifests its form which expresses the entire content of mind, namely, its self-manifestation. In mind, therefore, form and content are identical with each other. Admittedly, manifestation is usually thought of as an empty form to which must still be added a content from elsewhere; and by content is understood a being-within-self which remains within itself, and by form, on the other hand, the external mode of the relation of the content to something else. But in speculative logic it is demonstrated that, in truth, the content is not merely something which is

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<sup>292</sup> Franco, *Hegel’s Philosophy of Freedom*, p. 140.

<sup>293</sup> *Ibid.*, p. 153.

and remains within itself, but something which spontaneously enters into relation with something else; just as, conversely, in truth, the form must be grasped not merely as something dependent on and external to the content, but rather as that which makes the content into a content, into a being-within-self, into something distinct from something else. The true content contains, therefore, form within itself, and the true form is its own content. But we have to know mind as this true content and as this true form (EG §383Z).

In contrast to the argument of Pippin and Franco, I have argued that Hegel *does* in fact “deduce” the entire content of his *Realphilosophie* in general and the content of his PR in particular from the pure Concept depicted in the WL. There is no other source from which thought could possibly derive its content. In the following passage, Hegel explicitly confirms this interpretation:

[S]peculative thinking has to demonstrate each of its objects [of nature and mind] and the explication of them, in their absolute necessity. This is effected by deriving each particular concept from the self-originating and self-actualizing Concept, or the logical Idea (§379Z).

The Concept is revealed to be the truth of actuality in the WL, and the state is revealed to be the truth of right or freedom in the PR—and this truth is deduced from the Concept itself. Further confirmation of this deduction is provided by the following statements from the PR itself. First, Hegel explains that

philosophical cognition...cannot come from ratiocination or from [the consideration of] ends, grounds, and utilities – let alone from emotionality, love, and enthusiasm – *but only from the Concept* (PR §272A) (emphasis added).

And second:

*It is only the self-determination of the Concept within itself, not any other ends or utilities, which contains the absolute origin of the different powers [of the state], and it is solely because of this that the organization of the state is inherently [in sich] rational and the image of eternal reason. – How the Concept and subsequently, in concrete fashion, the Idea, become determined in themselves and thereby posit their moments – universality,*

particularity, and individuality – in abstraction can be learned from logic (PR §272A) (emphasis added).

As this second passage indicates, it is precisely because the state, and therewith the entirety of the PR, is nothing more than “the self-determination of the Concept within itself” that the “organization of the state is inherently rational.” More concisely, Hegel explains that “[t]he constitution is rational insofar as the state differentiates and determines its activity within itself in accordance with the nature of the Concept” (PR §272). I take this to confirm the central thesis of this dissertation and at the same time to disprove the attempts by other contemporary commentators to posit various practical aspects of Hegel’s philosophy as his criterion for the rationality of the rational state.

Finally, it is to be recalled that Hegel presents the Concept both as a syllogism in which universality is instantiated by individuality through its particularity and as a dialectical movement from universality to particularity to individuality. This latter form of presentation is Hegel’s conception of rational cognition, and this conception is inseparable from his absolute idealism. Hegel reconceptualizes Kant’s externalist classificatory model of cognition in internalist dialectical terms, and this latter conception is absolute in its idealism because it reflects Hegel’s position that the set of particulars to which the conceptual universal is related is the reflection of the concept itself to itself. Consequently, in the PR Hegel explains that a proper understanding of his rational state is possible only through reference to the absolute idealist character of his dialectical conception of rational cognition, a conception that is nothing more than the sequence of the moments or determinations of the pure logical Concept. Consider the following:

The idealism which constitutes [the determinations of the state as the concept of freedom in its complete determinateness]...is the same principle which we encountered in the abstract concept of the will as self-

referring negativity, and hence as universality determining itself to individuality, in which all particularity and determinateness are superseded – i.e., the absolute and self-determining ground. *In order to grasp this, one must first have understood the whole conception of the substance and true subjectivity of the Concept* (PR §278A) (emphasis added).

This absolute idealist interpretation of the relation between the logical Concept and the *Realphilosophie* in general and the objective-mental form of actuality in particular I am arguing for in this dissertation might appear to be a return to earlier interpretations of Hegel's philosophy. It is therefore important that I explain in this conclusion how the absolute idealist interpretation of Hegel argued for in this dissertation is distinct from the early German and British figures who also interpret Hegel's philosophical project as a form of absolute idealism.

Consider first the Young Hegelians of the mid- to late-nineteenth century. It is familiar that, upon Hegel's death, his students divided themselves philosophically into a set of distinct "Hegelianisms." The "right" Hegelians such as H. F. W. Hinrichs and Johann Erdmann interpreted Hegel's philosophy to be a "defense of traditional Christianity," the "center" Hegelians such as Karl Rosenkranz and Karl Ludwig Michelet "subjected religious dogma to Hegelian reinterpretation," and the "left" Hegelians such as David Friedrich Strauss, Ludwig Feuerbach, Bruno Bauer, and Karl Marx argued for atheistic and humanistic interpretations (or instrumental appropriations) of Hegel's philosophy to be employed in the service of "political radicalism and the communist worker's movement."<sup>294</sup>

Ludwig Feuerbach, the most important of the Young Hegelian interpreters of Hegel's project as a form of absolute idealism, provides through a series of essays an

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<sup>294</sup> Cf. the account of these figures in Wood, "Hegel and Marxism," esp. p. 414.

extended critique of the latter as mystical, theological, and “idealistically” realist. For instance, he claims in an early essay that “[t]he Hegelian philosophy is, uniquely, a rational mysticism”<sup>295</sup> and, in a later essay, he claims the following: “Hegel’s *Logic* understands itself as the presentation of God in his eternal, world-antecedent essence”<sup>296</sup>; “for Hegel, the non-material being or being as a pure object of the intellect, as a pure being of the intellect, is the only true and Absolute Being, that is, God”<sup>297</sup>; “[t]he Hegelian philosophy is *inverted*, that is, *theological*, idealism, just as the *Spinozist* philosophy is *theological materialism*”<sup>298</sup>; and, finally, “Hegel is a *realist*, but a *purely idealistic* realist, or rather an abstract realist; namely, a realist abstracting from all reality.”<sup>299</sup> It is this basic image of Hegel’s philosophy that forms the object and content of the critiques by the Left Hegelians. It is therefore entirely reasonable that, based on such an apparent image, the attempt was made by Marx “to discover the rational kernel within the mystical shell.”<sup>300</sup>

According to my absolute idealist interpretation, in contrast, Hegel’s philosophical system is neither mystical nor theological nor realist (“idealistically” or otherwise). Rather, neither religion nor mysticism enters into Hegel’s philosophy at all: to construe *geistig* as spiritual in any sense other than the strictly mental is to distort Hegel’s project beyond recognition. In other words, Hegel’s philosophy is itself “Left Hegelian”

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<sup>295</sup> Feuerbach, *The Fiery Brook: Selected Writings of Ludwig Feuerbach*, p. 87.

<sup>296</sup> *Ibid.*, p. 184.

<sup>297</sup> *Ibid.*, p. 205.

<sup>298</sup> *Ibid.*, p. 208.

<sup>299</sup> *Ibid.*, pp. 221-222.

<sup>300</sup> Marx, *Capital: Volume I*, p. 103.

in character. Further, and as I will explain in the following discussion, the unified logical interpretation of Hegel's philosophical system I argue for in this dissertation is not in any way realist.

Consider next the British Idealists of the late-nineteenth and early-twentieth centuries. While T. H. Green and Edward Caird both adopt positions of absolute idealism, insisting on the validity of the concept of a metaphysical Absolute, Caird in particular sought to overcome the Kantian distinction between noumena and phenomena.<sup>301</sup> F. H. Bradley and Bernard Bosanquet also both adopt positions of absolute idealism, but while Bradley emphasizes the universal identity of his metaphysical Absolute, Bosanquet emphasizes the particulars which form the determinations of his own Absolute.<sup>302</sup> Both Bradley and Bosanquet sought to overcome the Kantian distinction between synthetic and analytic judgments. Bradley, the most important representative of the British Idealists, argues for a monistic conception of reality based on the notion of internal relations. He takes his own metaphysical system to be Hegelian in character, and he both directly and indirectly makes interpretive attributions to Hegel. The metaphysical image of Hegel's philosophy on which Bradley bases his own system is in a general sense shared by the other figures in the British Idealist movement. This monistic conception of an Absolute is based on the notion that each of its determinations derives its reality from its relation to each of the other determinations. The absolute character of the idealism of this system is indicated by

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<sup>301</sup> Cf. Green, "Introduction to Hume's *Treatise of Human Nature*"; and Caird, *The Critical Philosophy of Immanuel Kant*.

<sup>302</sup> Cf. Bradley, *Appearance and Reality*; Bradley, *Principles of Logic*; and Bosanquet, *The Principle of Individuality and Value*.

Bradley's summary of his position in the following terms, which he explicitly identifies with Hegel: "Outside of spirit, there is not, and cannot be, any reality, and the more that anything is spirit, so much the more it is veritably real."<sup>303</sup> This monism that Bradley argues for and at the same time attributes to Hegel is therefore ontological in character. However, Rolf-Peter Horstmann has convincingly demonstrated that Hegel completely rejects the realist conceptions of substance, property, and relation on which this account is based.<sup>304</sup>

In contrast, my position is that Hegel is exclusively concerned with the question of what is *logically* possible, as opposed to what is *really* possible. Consequently, while I interpret Hegel's philosophical system to be a closed conceptual system, I interpret his argument to be that it is not *logically* possible for there to be any actual object independent of or external to this system. So while there are certain affinities between Bradley's interpretation and the idealistic and holistic interpretation of Hegel I develop in this dissertation, it is critically important to note that my interpretation is distinct from the direct or metaphysical Spinozistic conception Bradley attributes to Hegel. In opposition to Bradley (and to Russell in his critical identification of Hegel with Bradley), Hegel does not have an ontology. Rather, as I have argued throughout the entire dissertation, Hegel maintains an ontologically relativistic standpoint throughout his entire philosophical project. My dissertation is therefore based on a fundamental agreement with Longuenesse: "The *Science of Logic* is not a doctrine of being qua being, it is a doctrine

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<sup>303</sup> Bradley, *Appearance and Reality*, p. 489.

<sup>304</sup> Cf. Horstmann, *Ontologie und Relationen: Hegel, Bradley, Russell und die Kontroverse über interne und externe Beziehungen*.

of being as being thought.”<sup>305</sup> To claim, as Hegel does, that thought is to itself its own object is not in any way to provide an answer to the question of whether it is possible for thought to possess knowledge of external objects. Rather, it is to deny that question of any relevance.

More particularly, Hegel’s argument is that thought achieves correspondence with its object only when it makes itself its own object and achieves correspondence with itself. This is in no way to argue for the possibility of knowledge of things-in-themselves. There is a pervasive tendency among both early and recent interpreters to attribute to Hegel metaphysical theses he does not hold, and this tendency is the direct result of the incapacity on the part of such interpreters to identify the limits of Hegel’s philosophical claims. Hegel, in a way that is characteristic of the history of post-Kantianism in general, attempts to overcome the contradiction in Kant’s philosophy between his argument that the objectivity of the object is contained within the subject of cognition and his conception of the thing-in-itself as external to or independent of that cognition. Both the British Idealists in their Spinozistic metaphysical interpretation and the Young Hegelians in their “mystical theologian” caricature fail to comprehend the fact that Hegel demonstrates the incoherence of the unknowable thing-in-itself, not by arguing for the possibility of knowledge of things as they are in-themselves external to thought, but rather by attacking the very notion of “externality” on which such a conception is based.

In sum, the argument of this dissertation has been that the criterion of Hegel’s conception of rationality, and therewith the rationality of his rational political state, is the unified activity of thinking in and through which any actual object is constituted and

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<sup>305</sup> Longuenesse, *Hegel’s Critique of Metaphysics*, p. 161.



comprehended, and this argument is derived from the basic insight of the *Science of Logic* that, “[i]f there is an absolute necessity of the structure of things, it is in virtue of the activity that constitutes them as things.”<sup>306</sup>

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<sup>306</sup> Ibid.

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