

Freedom's Devices

The Place of the Individual in Hegel's Philosophy of Right

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The ordinary man thinks he is free if it is open to him to act as he pleases but his very arbitrariness implies that he is not free. When I will the rational, then I am acting not as a particular individual but in accordance with the concepts of ethics in general.... The rational is the high road where everyone travels, where no one is conspicuous.

Hegel, *The Philosophy of Right*¹

From out of the shadow of the condemnation of Hegel as an apologist for the Prussian state and the philosophical progenitor of modern 'totalitarianism', much recent Hegel scholarship has insisted that we place greater emphasis upon the role of the individual when considering Hegel's systematization of right. According to this line of interpretation, such a shift of focus should finally dispel any suspicions we might still harbour as to Hegel's alleged statism. No doubt the state is understood by Hegel as the most concrete form of existence acquired by right in the process of its actualization; but the *end* of this process, the purpose which draws it on through *all* its phases of existence, including this its last, is something distinct from any form it might adopt. This end is not then the state itself, but rather *freedom*. 'Freedom' is the achieved actuality of the concept of right: the *idea* of right as the unity of its constitutive moments.² But the difficulty that lies in any such appeal to right's status as the actualization of freedom in order to vindicate the claims of the individual *as against* those of the state is that it too, just as much as the position to which it is counterposed, must identify *all* of right but with *one* of the moments in its development: only now this privilege is accorded not to the moment of unmediated unity, but rather that of particularization or merely particular individuality [*besondere Einzelheit*] – both of which are distinguished by Hegel from the individualized universality or 'self-enclosed existence' [*das Beisichseinde*] achieved by freedom embodied in the system of right as a whole.³ Such an interpretive strategy, far from clarifying the role which Hegel assigns to individuality in actualizing freedom as the system of right, lifts individuality out of this system altogether and sets it up as the external standard *according to which* the progress of freedom's actualization is to be judged. Hence, to take a prominent example, Joachim Ritter writes that 'the *Philosophy of Right* can be understood as the philosophical theory of the realization of freedom, conceived as the actual existence of all as free individuals.'⁴ What is crucial on

this view is simply by unilateral pronouncement to 'conceive' freedom thus – 'as the actual existence of all as free individuals' or, alternately, 'as the condition of man in which he can realize his humanity and so be himself and lead a human life'⁵ – and then to search out the process which could 'actualize' it as so conceived. Here freedom has no hand whatsoever in its supposed 'actualization', but rather awaits some *other* agency to take an interest in bringing it about: this 'actualization of freedom' is not freedom's *own doing*. Whereas for the 'totalitarian' Hegel the work of freedom was the construction of the most far-reaching servitude, for the newly-discovered liberal Hegel the work of freedom is just *not* freedom's work at all. The irony of thus positing the individual's capacity to 'be himself' as the motivation for the entire systematic embodiment through which the idea of right passes is that it makes of the *Weltgeist* that subjects itself to this movement of particularization – or what Hegel also refers to significantly as 'free mind' (*der freie Geist*) – it makes of *Geist* the mere functionary of the individuals into which it gets dissolved: and hence, insofar as it is thus called upon to act *on the behalf of* something other than itself, precisely withdraws from *Geist* the aspect of *its freedom*. This benevolent *Weltgeist* of the liberal interpretation, that sacrifices *itself* for the benefit of individual freedoms, bears little resemblance to the *Weltgeist* as we know it, for example, from the *Philosophy of History*: consuming individuals as its steady diet, sacrificing *them* in droves on the 'slaughter-bench of history' – and all for no other purpose than 'finding itself – coming to itself – and contemplating itself in concrete actuality', i.e., realizing *its* freedom, or rather the freedom that it is in itself as an objective world for it to 'contemplate'.⁶

It would be a simple matter to demonstrate by the adducing of textual examples that, contrary to the claims of the liberal interpretation, the freedom of the individual as abstract person is not on Hegel's view the *end* of the systematization of right, but rather the instrumental *means* whereby *Geist* in its universality actualizes *itself* as free. It would be easy to show, for example, that what Ritter treats as 'substantial freedom', viz. the right of the individual to 'be himself' and satisfy 'his' own interests in 'his' activity, is precisely the *opposite*, viz. freedom only abstractly considered, of the 'substantial freedom' that Hegel strictly identifies with the system of right in its developed totality. For this latter, the very life of individuals, and all their rights with it, is eminently dispensable, if they fail to find their satisfaction and proper essence in the life of the ethical order as a whole.⁷ (In this

regard, one should recall Hegel's approving citation of Richelieu's response to the alibi 'Il faut donc que je vive': viz. 'Je n'en vois pas la nécessité' [PR, #126, add., p. 242].) But we can spare ourselves the exegetical labour of amassing examples (and they are legion) by instead returning to the concept of the free will as this forms the point of departure – and, of course, return – for the systematic elaboration of right that Hegel pursues in his *Rechtsphilosophie*. What I want to demonstrate here is not so much the textual inaccuracy of regarding the individual as the standard according to which the 'actualization of freedom' is to be measured in Hegel, as the *logical* incompatibility of so doing with the concept of the (free) will as Hegel develops it. If the absolutizing of individual freedoms is indeed *logically impossible* within the Hegelian system, or, more exactly, within the system of right comprehended as the development of the concept of the will, then we can rest assured – seeing as we are here dealing with Hegel – that in the *text* of the *Rechtsphilosophie* it will nowhere take place. In which case, our exegetical powers can be conserved for the more fruitful work of determining the *functions* to which individuality is assigned in the realization of a freedom which is necessarily other than its own. As we shall see, such a *substantive* freedom would be contradicted in its very nature were it to be understood as the mere attribute of a subject, rather than as the subject itself.

'The free is the will,' Hegel writes, 'Will without freedom is an empty word, just as freedom is actual only as will, as subject' (PR, #4, add., p. 226). On the liberal interpretation, the expression 'actualization of freedom' must imply some anterior conditions of individuals still *in want of* their freedom as the elimination of restriction. In contrast, Hegel's identification of freedom with the will in its concept, his exhaustive predication of the latter by the former – i.e., as that which the will in essence *is* – suggests instead that freedom as the unrestricted in itself is that which wants individuals, or rather that which, without remaining in want, determines itself straightaway as finite and hence particularized, precisely in order to gain actuality and so become *for itself* what as concept it is merely in itself. According to the liberal view, freedom *might* be 'actualized' (and, in which case, cause for celebration), but until such time as it was, there would be no freedom whatsoever. If, however, a speculative identity is maintained between that which is actualized and the agent of actualization (which is indeed the meaning of the Hegelian demand that substance be grasped as subject), then there simply could not be any 'actualization of freedom' unless freedom were there from the start. For Hegel, freedom is not then the *outcome* of the system of right, but rather

its *basis*. Thus, as I have suggested, it forms the logical point of departure for the philosophical science of right which attempts to grasp its object in the various stages of its development (i.e. into the existent 'idea' of freedom):

the basis of right is, in general, mind [*das Geistige*]; and its precise place and point of origin, the will, which is free, so that freedom constitutes both the substance of right and its goal, and the system of right is the realm of freedom made actual... (PR, #4, p. 20).

The 'freedom' which is at stake in Hegel's systematic presentation of right – or rather, the freedom which is *existent* within the system of right (since, as I have indicated, this is not the sort of freedom which might be or might not be) – is that of *mind* [*Geist*].

And this freedom of mind exhibited in practice is precisely the will. As Hegel takes some pains to emphasize, thinking and willing thus understood are not distinct things or 'faculties' [*Vermögen*], but rather willing is, so to speak, the mode according to which mind actualizes itself as freely existing: 'thinking translating itself into existence [*als sich übersetzend ins Dasein*]' (PR, #4, add., p. 226).⁸ It is then, for Hegel, senseless to speak of an 'unfree' will. 'Will without freedom is,' as he puts it, 'an empty word,' since will is nothing but the freedom of thinking in the course of its actualization. Thus, from the standpoint of right as the resultant trace of thought's intervention in the world, will, freedom, and *Geist* are identical; which is why in Hegel's exposition they in fact function interchangeably and in combination as the subject/substance of the development of right into an 'ethical' (i.e. *sittlichen*) whole.⁹ (The *will* is just the form of *Geist* as subject in its practical actualization, and so exhaustively characterized, i.e. in respect to its substance, as *free*.)

In defence of the liberal position, one might respond that if it is senseless to speak of an 'unfree will', it is equally senseless to speak of a freedom subsisting in itself *apart from* any will (and so the preeminence of the individual is preserved). And indeed Hegel's remark elaborating upon the asserted identity of freedom with the will would seem to lend support to this argument. 'Will without freedom is an empty word,' he insists, but then adds, 'just as freedom is only actual as will, as subject.' While both are expressions of the asserted identity of freedom and the will, it would be a mistake, however, to regard the two statements as simple converses. Rather they reflect two distinct moments in the articulation and concretization of the free will as 'idea', as, that is, *substantive* freedom. It would be senseless to speak of an 'unfree will' because not only does it 'belong' to the concept of the will to be free, but the free being of *Geist* *is* indeed that concept.



'Freedom,' as Hegel puts it, 'constitutes the ... substantiality of the will, its weight, just as weight constitutes the substantiality of the body' (and we might add, following the *Phenomenology*, universality that of the actual, etc.) (PR, #7, p. 23).¹⁰ The will in itself is then free – though free only abstractly, that is, as the possibility of abstraction from all determinate contents. This is the moment of abstract universality. At this stage, while we can speak of 'the will', we do so only *retrospectively*, on the basis of the foreknowledge that the subsequent moments have succeeded in realizing the concept here only abstractly considered, that this concept is indeed the concept *of* something and not just 'the concept' as such. The activity of willing, the freedom of mind, is precisely to abandon this abstract universality and subject itself to determinate existence: in Hegel's words, 'thinking reason is as will – resolving itself to finitude' (PR, #13, p. 26). As Hegel goes on to stress, *prior* to this determination (and the further 'idealization of this determination as the free act of mind), there is no will, but only mind abiding in its infinite abstraction.¹¹ Nonetheless, insofar as willing is mind's activity in determining itself, abstract universality constitutes a moment in the development of its concept, viz., that of the will prior to the activity that makes it (actually) what it is (in essence or 'in itself'). We should be careful, however, not to regard the will in this, so to speak, moment of anticipation as already realized and whole, and so subject to the determinations which in fact will accrue to it only via its subsequent moments. Thus, it would be illegitimate, for instance, to characterize the will yet on the verge of its actualization, i.e., the abstract universality of mind, as the condition of a will already individualized. The 'pure thought of the ego' is not the achievement of *an* ego, since as pure thought mind is precisely *unrestricted* and *universal*, and hence not yet determined as the will of a specific individual. Of course, Hegel describes this moment as a 'flight' from determinate contents, as if abstract universality was only arrived at consequent to a sort of renunciation on the part of the will in its particularity. But we should remember that abstract universality is only a moment of the will at all as seen retrospectively from the position of its substantial existence. Thus, as participating in the development of the will as concept, the moment of still unmediated universality, or the will in its passivity, has to be comprehended under this negative, and indeed contradictory, form. (Moreover, Hegel recommends that each of us verify the character of this moment by testing our own ability to undertake such an exhaustive abstraction. But, in so doing, in thinking the 'pure thought of self' (if we can), precisely what we abstract from is our determinate existence as individuals. 'The ego is thought,' Hegel writes, 'and so the universal. When I say "I", I thereby abandon all particularity, my character, disposition, knowledge, and age. The ego is completely empty...' (PR, #4, add., p. 226).)

If we understand that the will in itself is freedom, then the objection that we have adduced on behalf of the liberal position has already been answered. In its moment of abstract universality – that is to say, as *no more than* concept – the will is free. But since, as I have indicated, it is only retrospectively, from the standpoint of the will already actualized as the activity of free mind, that this prior moment can be identified as a moment of the will at all – since, that is, the will is not yet a will so long as it remains only 'in itself' and indeterminate – precisely what is implied therein is that freedom *can* indeed subsist independently of the individual (understood as the immediate form adopted by the will resolved into actuality). In Hegel's usage, it would not then be senseless to speak of freedom apart from a will. Hegel does so all the time, and in fact *has to*, insofar as previous to the determination that forms the second moment in the development of its concept, there simply is not yet any will to encompass that

freedom which is still only *about* to commit itself. Thus, to speak of such freedom apart from a will, as we must, is not senseless, but just *abstract*: it is merely abstract or 'negative' freedom of which we speak – freedom as the absence of restriction. And it is just this freedom of abstraction that, as we have seen, constitutes the first moment in the development of the concept of will, wherein the will is not yet the 'true will', but freedom must already be freedom, since it is the definitive condition of the will throughout *all* of its moments, it is what each of them *must* be in order even to be recognized in their articulated unity *as* precisely moments of the will.

Thus when Hegel writes that 'freedom is actual only as will, as subject,' he does not thereby suggest that apart from this form it takes in actuality, there is no freedom at all. Rather, there would have to be since, in order for the will to be 'truly' a will in and for itself, and not just the mere abstract concept of will, this actual freedom must be grasped as the objective of a process undertaken as freedom's own work: 'freedom willing freedom,' as Hegel puts it.¹² Freedom has at once to be the subject of this actualization, namely free mind in the course of foregoing its abstract universality, and the object, that is, the total system of right as freedom existent and thus mediated by particularity – as well as the conscious recuperation of the latter moment of determination *as* the free act of the former, i.e., 'abstract universality self-determined' (see PR, #21, p. 29). Otherwise – were freedom not grasped as the 'agent' of its actualization – one could intend when speaking of 'freedom' no more than the 'one-sided' abstract conception that, as we have just noted, corresponds to the condition of the will prior to its resolution upon particular contents: the merely negative freedom that pertains to the will before it has willed anything at all, before it has even been exhibited *as* will, would be taken in its abstractness as the whole of freedom and the only freedom possible. We should be sensitive to the contradiction inherent in this position. By tying freedom to the condition of an already individualized subject, the freedom one gives this subject to enjoy is precisely the sort that 'it' could have enjoyed just as well without ever having been actualized as subject. If freedom is nothing apart from the volitions of an actually existing individual, then it is simply not *freedom* which thus has actuality; rather freedom remains abstract (it is only thus *something* by not *itself* existing), since for such an individual every evidence of actuality is in fact a restriction. And yet it is just by thus being subjected to restriction that the particular individual even has any existence at all. Freedom so conceived as an inviolable static state: the pure pleasure of immobility that the individual enjoys at the expense of a labour which is not its own.

The absolutizing of such merely abstract freedom is referred to derisively by Hegel as 'the freedom of the understanding' [*die Freiheit des Verstandes*]. In his own exposition, it figures rather as the subordinate stage of *Willkür*: the capacity of the immediate 'natural' will (i.e., the determinate individual) 'freely' to choose among given contents and so subsume them, though only formally, as its own (as, for instance, in claiming property under the aegis of abstract right). *Willkür* represents, in Hegel's words,

the will's *abstract* certainty of its freedom, but it is not yet the *truth* of freedom, because it has not yet got itself as its content and aim, and consequently the subjective side is still other than the objective.... (PR, #115, p. 27).

The 'subjective side' thus remaining 'other than the objective', freedom is *neither*, but merely the formal attribute *of* a subject in its relating to objects other than itself; and it is precisely the necessity of this relation as standard (i.e., that the subject is 'free to choose') that implies the actual dependency of the subject in question. Thus, the immediate will allegedly 'realizing' its free-

dom in *Willkür*, in fact, if it realizes anything at all, realizes only its own limitation. This sort of 'freedom' then consists *not even* so much in resolving upon contents as in perpetually being *about* to do so, since in the actual choice – the resolution *upon* and hence restriction *by* a particular object – such negative freedom would be completely spent. *Substantive* freedom – the 'self-mediating' activity of free mind, rather than the dormant options of a determined individual – consists, by way of contrast, precisely in 'making its freedom objective': in the free will's having nothing other than itself as its aim and in its recognizing in the objects by which it is confronted nothing but the manifold forms of its own existence.¹³ This does not suggest the removal of all restrictions presented by objectivity, but rather the removal of the character of restriction *from* objectivity.¹⁴

Such a substantively free will which, by overcoming the merely immediate will's shyness towards objectivity, gains actuality in a system of right and recognizes its own free activity therein – 'freedom willing freedom' – Hegel calls 'true, or rather the truth itself' (PR, #23, p. 30). The verification of this truth lies in the identity between the completed work of right as freedom existent and the concept of the free will itself as the 'self-determining universality' capable of having undertaken it. Mind in its free activity as will brings its existence into accordance with its concept, and hence is 'true': the sought-for correspondence is the will's own, and indeed its definitive, achievement. As I have tried here to indicate, the merely immediate will of a particular individual could never accomplish such a feat, since it is merely immediate by virtue precisely of not having itself in the actuality which is at best only formally (i.e., as property) its own. Thus individuals, determined as such by the externality of the objects with which they are confronted, cannot be justifiably attributed the substantive freedom that belongs rather to the 'true' will, not even as a predictable attribute, but rather as the very criterion of its truth. The most that the individual can hope for is to contrive a sort of intimation of this freedom by precisely abdicating its determinate subjectivity – by, that is to say, *abstracting*. But the

movement of the free will in actualizing as 'idea' the freedom that it is (in itself) as concept is just *the opposite* of this, viz., foregoing its abstract universality in order to achieve determinate existence: 'resolving itself to finitude'. The individual's thought experiment is thus a sort of backwards reenactment of thinking's resolution upon existence; and the symmetry of these inverted images is not without importance, since it reminds us that the form in which the free will must posit itself in order to demonstrate its substantiality is precisely that of the individual. For the realization of the 'absolute aim of free mind' (to know itself as objective), the restriction of the merely particular individual and its contradictory *Willkür* is, then, indispensable. Or rather, the will is the very form of mind's finitude: the evidence it offers as a token of its existence – and then itself accepts as a manifestation of its freedom. Thus, if the particular individual is not the *standard* according to which the actualization of freedom is to be judged in Hegel (as the liberal interpretation has assumed), nonetheless, the 'actualization of freedom' would not be possible at all *without* the particular individual. And this is precisely the sense of Hegel's earlier cited remark that 'freedom is actual only as will, as subject'. The claim is not that freedom without will is inconceivable (just as the will without freedom is inconceivable), but rather that freedom without will is *only* conceivable: not an 'empty word', but just an abstract concept. In abandoning this abstractness and actualizing itself as concrete idea – as the 'true' will – freedom has to pass through the moment of determined particularity as the very *manner in which* it achieves actuality. Freedom is actual 'only as will'. Freedom *needs* the subject as the instrument of its actualization.

This is the reason I suggested at the outset that, once having returned particular individuality to its logical place *within* the self-systematization of the free will (as this forms the subject-matter of Hegel's *Rechtsphilosophie*), the functions *assigned* to the individual by the concept in pursuit of its actualization would have to become the focus of any further exegesis. The liberal interpretation has not been altogether mistaken in identifying Hegel as the champion of the 'right of subjective freedom': the right of a subject to find satisfaction in the action he or she undertakes. Only Hegel's advocacy is of a decidedly motivated sort (in this case, a theoretical motivation), since it is only by the acknowledgement of this right of particularity that freedom as such can escape its abstract universality and gain access to objective existence. Subjective freedom is not then elevated by Hegel to the status of the *goal* of right's systematization – it is expressly *not*, for instance, that which the state is meant merely to secure.¹⁵ Rather, subjective freedom is enlisted to serve as the vehicle of particularization that the free will must employ if it is to be realized as right, and so know itself as actual.

This 'freeing' of subjectivity from the substantial ties that bind it – historically in the states of classical antiquity and feudal Europe, and actually in the family as the merely immediate phase of mind's existence – represents for Hegel the distinguishing feature of the modern state and its 'perfection' (*vollkommenheit*) vis-à-vis its predecessors and constitutive moments. 'The principle of modern states,' he writes,

has the prodigious strength and depth to allow the principle of subjectivity to progress to its culmination (*vollenden*) in the self-subsistent extreme of personal particularity and at the same time to bring it back to the substantial unity and so maintain this unity in the principle of subjectivity itself (PR, #260).

By thus releasing subjectivity to 'self-subsistent' (*selbständig*) existence in civil society,¹⁶ only to bring it back again, by way of the administration of justice, public authority, and the corpora-



tion, to the substantive universality of the political constitution,¹⁷ the modern state achieves self-consciousness as not just one form of existence of universal 'free mind', but as that singular 'perfected' form in which the universal arrives at the awareness of existence as itself – as, that is to say, 'concrete freedom'. As against the right of the free will existent in the state, the right of subjective freedom has then no substantiality – because this former right is precisely the latter's substantive *basis*. It is no mere relative right, but rather right *as such*: freedom in its achieved actuality, or, as Hegel puts it, 'the right of actual concrete mind' (PR, #126, p. 185). From the outset, the right due to subjectivity is subordinated to the absolute purpose of free mind, and the right it reserves for itself to realize this purpose, i.e., to exist. And this subordination, moreover, implies not only a hierarchy, but also, as I have suggested, a functional relation. Thus, the merely subjective not only *might* come into conflict with right as such and so be forced to submit, but it is even positively *required* to do so, since only through the exposure of its difference (i.e., from the substantial unity) does it fulfil the function of particularization assigned to it by the concept. Or, to put this another way, the subjective will can only be *merely* subjective insofar as it deviates from the universal; but the universal will can only gain the actuality which is its 'absolute aim' by appearing in the form of the individual, by, that is to say, subjecting itself to particularity. Thus, the universal will *demand*s the non-correspondence of the subjective, in order thereby to create the opportunity to 'annul' this opposition, to negate this negation, and so reclaim the subjectivity that first appears thus opposed to it as the subjectivity of its own self-consciousness. A *right* – albeit a limited, subordinated one – does, then, pertain to the free subjectivity of the individual, as the liberal interpreters of Hegel have so much stressed; but it is only in *wrong* – *unrecht* – that the individual who could claim this right even appears in its specificity: wrong is the constitutive condition of such 'free' subjectivity.¹⁸

In Hegel's systematization of right, the individual is thus set free to err, to do *wrong*, since only by so doing does it attain the measure of self-subsistence required of it. But if, in this manner, the individual stands alone, posited in its particularity as opposed to the still abstract universal – if it is thus *selbständig* – it always stands at the very point of being corrected. From the perspective of the merely subjective freedom that the individual acquires just long enough for mind to register its resistance, the substantive freedom in which it is thus made to participate must appear as freedom of a somewhat inimical sort. For the individual 'released' to particularity, it is, in effect, the freedom *either* to return quietly to the universal, to *will* the universal end as is one's duty – and, in which case, the transition effected by the doing of justice issues without rupture at morality, as the sphere in which the subject is brought back to the universal, though still only in subjective intention – *or* to persist in one's opposition, and so be brought back to the universal *in fact* and by force, all to the greater glory of the 'free mind' which is thus afforded the occasion to demonstrate the brute objectivity of its existence in the form of state power. One way or another, and throughout the system of right – from the phase of 'civil society' up to that of world history as a whole – the individual is always set free by mind only to serve as alibi for the exhibition of mind's own free activity. To specify the manner in which individuality fulfils this mediating function at the determinate structural loci within the *Rechtsphilosophie* where its services are called upon is an exegetical task that remains to be performed; I have only tried to establish the general parameters within which that task might provide productive.



Afterword

Since the first drafting of this essay, the liberal interpretation of Hegel has acquired new and surprising audiences. Thanks to Francis Fukayama's celebrated ramblings on 'The End of History?' (*The National Interest*, Summer 1989, pp. 3-18), it is now even possible to speak of a 'U.S. State Department neo-Hegelianism'. According to Fukayama's 'reading' of Hegel, the state with which history is supposed to culminate (and is now indeed supposed to have culminated) is 'liberal insofar as it recognizes and protects through a system of law man's universal right to freedom' (p. 5). It is not hard to understand how Hegel's political philosophy might have served apologetic purposes in his own day, but it can only continue to do so in our own in the trivialized form of an interpretation that has to ignore virtually everything Hegel wrote on the subject of personal freedoms (not to mention that of popular democracy) – that has, in effect, to *ignore* Hegel's political philosophy. To say it once more: whatever 'freedom' may connote for Fukayama (or, for that matter, for Ritter), *for Hegel* freedom exists concretely only for *Geist as such*, viz. in the form of the state, which is *the actuality of freedom* and not merely its guarantor. The state does not exist in order to make the freedom of individuals possible, but rather *individuals* exist in order to make the freedom of *Geist* actual, i.e. precisely through their continual subordination to the demands of the state, the latter representing the instance of universality in which individuals are obligated (as I have said, *one way or another*) to 'participate'. Thus Hegel: 'If the state is confused

with civil society, and if its specific end is laid down as the security and protection of property and personal freedom, then the interest of the individuals as such becomes the ultimate end of their association, and it follows that membership of the state is something optional. But the state's relation to the individual is quite different from this. Since the state is mind objectified, it is only as one of its members that the individual himself has objectivity, genuine individuality and an ethical life. Unification pure and simple is the true content and aim of the individual, and the individual's destiny is the living of a universal life' (PR, #258, p. 156).

Notes

- 1 G. W. F. Hegel, *Grundlinien der Philosophie des Rechts*, ed. Helmut Reichelt (Frankfurt/M: Verlag Ullstein, 1972), #15, zusatz. Throughout I have used the English translations provided by T. M. Knox in *Hegel's Philosophy of Right* (Oxford: Oxford University Press, 1952), though with frequent modifications of my own. Subsequent references to the *Philosophy of Right* will be given in the text, abbreviated as 'PR'; page numbers are those of the English edition. Thus the full citation for this entry gives: PR, #15, add., p. 230.
- 2 See PR, #1, add.: 'The idea of right is freedom, and if it is to be truly understood, it must be known both in its concept (*Begriff*) and in the determinate existence (*Dasein*) of that concept' (p. 225).
- 3 Cf. PR, #7, #24, and #275 (add.), wherein Hegel stresses the distinction between the individuality one finds in immediate actuality and the individuality of the concept. 'Reciprocal externality (*das Auseinander*),' he writes, 'is not self-enclosed existence (*das Beisichseinde*)', p. 287.
- 4 Joachim Ritter, from 'Person and Property', in *Hegel and the French Revolution*, trans. Richard Dien Winfield, Cambridge, Mass.: MIT, 1982, p. 128.
- 5 Ritter (from 'Hegel and the French Revolution'), p. 48.
- 6 G. W. F. Hegel, *Reason in History*, trans. Robert S. Hartmann, Indianapolis: Bobbs-Merrill, 1953, p. 31. Cf. also *Reason in History*, p. 24: 'We have established Spirit's consciousness of its freedom, and thereby the actualization of this freedom as the final purpose of the world.' It is no accident that Hegel's discussion of individuality in this text falls under the heading 'Means of Realization'.
- 7 See Ritter, P. 58, and compare, for instance, PR, #258: 'The state is, as the actuality of the substantial will ..., the rational in and for itself. This substantial unity is an absolute unmoved end in itself, in which freedom comes into its supreme right; just as this final end has supreme right against individuals, whose supreme duty is to be members of the state' (pp. 155-56). Hegel even goes so far as to identify merely abstract freedom as 'unfreedom' (PR, #149, add., p. 260).
- 8 Cf. PR, #21: 'The self-consciousness which purifies its object, content and aim, and raises them to this universality, does this as though getting its own way in the will (*das im Willen sich durchsetzende Denken*). Here is the point at which it becomes clear that it is only as thinking intelligence that the will is a true, free will' (p. 30).
- 9 For example, *Sittlichkeit* is said to be 'the concept of freedom developed into the existing world' (PR, #145) or alternatively *das Sittlich*, 'the will in and for itself as the objective' (PR, #151), and 'to make freedom objective' is identified as the 'absolute goal of free mind' (PR, #27).
- 10 See *The Phenomenology of Spirit*, para. 62, illustrating the nature of the 'speculative proposition'.
- 11 See PR, #7: '... (the will) is not something complete and universal prior to its determination and prior to the supersession

(*Aufheben*) and idealization of this determination; rather it is first a will as this self-mediating activity and return into itself' (p. 24); as well as PR, #6, add.: 'A will which ... wills only the abstract universal, wills nothing and is therefore no will at all' (p. 228).

- 12 See PR, #21, add.: 'the true will is that for which what it wills, its content, is identical with itself, so that freedom wills freedom' (p. 232).
- 13 See PR, #27.
- 14 The nature of this 'substantive freedom' and its complete irreducibility to any abstract capacity on the part of an individual to 'be oneself' is most starkly exemplified by Hegel's treatment of the punishment of crimes under the jurisdiction of law (i.e., as pursued by the state rather than by the injured party). Thus, in the *Philosophy of Right*, Hegel argues that punishment is the right of the convicted, that is to say, 'a form of existence of his freedom', insofar as this freedom substantively represents no more than 'his' participation as rational in the concreter freedom belonging to mind in the midst of its actualization (PR, #100, p. 70). And again in the *Logic*, Hegel even adduces the objectivity of correction as an illustration of the concept of freedom comprehended as the 'truth of necessity': 'A criminal, when punished, may look upon his punishment as a restriction of his freedom. Really the punishment is not a foreign constraint to which he is subjected, but the manifestation of his own act: and if he recognizes this, he comports himself as a free man' (G. W. F. Hegel, *The Logic*, trans. William Wallace, Oxford, Oxford University Press, 1975, #158, add.). Cf. also PR, #268, on the 'political sentiment'.
- 15 See, for instance, PR, #100: 'the state is not a contract of all nor is its fundamental essence the unconditional protection and guarantee of the life and property of individuals as singular. On the contrary, it is the higher entity which even lays claim to his life and property and demands its sacrifice' (p. 71). Cf. also PR, #258.
- 16 See on the 'transition of the family into civil society' (PR, #181), as well as Hegel's criticisms of Plato's *Republic* in PR, #185 and passim.
- 17 See PR, #269.
- 18 See PR, #81: 'The transition to wrong is made by the logical higher necessity that the moments of the concept – here right *in itself*, or the will as *universal*, and right in its existence, which is just the particularity of the will – should be posited as *for itself different*, and this happens through the *abstract reality* of the concept' (p. 64). Cf. also PR, #104.