Hegel's Philosophy of Freedom

Paul Franco

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Chapter 5 Hegel's Concept of Freedom

In this chapter, I explicate Hegel's concept of freedom through a careful analysis of the Introduction to the *Philosophy of Right*. In the writings examined so far, freedom has, of course, played a central role. Hegel's earliest writings, directed against the "positivity" of Judaism and Christianity, are suffused with the idea of freedom, which he largely interprets in terms of the Kantian notion of autonomy. "Reason and Freedom," he writes to Schelling in 1795, "remain our password" (*L*, 32/1:18). And he enthusiastically agrees when Schelling writes back, "The alpha and omega of all philosophy is freedom" (*L*, 32/22 and 35–36/1:23–25). Toward the end of the 1790s, however, Hegel begins to revise the notion of freedom or autonomy he finds in Kant's and Fichte's practical philosophies, rejecting the dualism of pure reason and sensuous impulse implied in it. While he continues to accept Kant's and Fichte's equation of freedom with radical self-determination and self-dependence, he nevertheless seeks to ground freedom in a more positive, less oppositional relationship to nature, the world, and otherness in general.

This critique of Kantian-Fichtean autonomy, in which freedom is

opposed to nature and sensuous inclination, runs through all of Hegel's ethical writings at Jena, culminating in the *Phenomenology*. From one point of view, the *Phenomenology* may be said to consist in an inventory and critique of all the various and inevitably unsuccessful strategies adopted by consciousness—from Stoicism and the "unhappy consciousness" to Kantian-Fichtean "morality" and the "beautiful soul"—to secure freedom apart from, above, or beyond the empirical self and the actual world. Even in Hegel's *Logic* the theme of freedom is not absent. He writes there: "In the Logic, thoughts are grasped in such a way that they have no content other than one that belongs to thinking itself, and is brought forth by thinking. . . . Spirit is here purely at home with itself, and thereby free." And he goes on to state a formula for freedom that recurs throughout his discussion of freedom in the *Philosophy of Right* and that encapsulates his revision of the Kantian-Fichtean idea of autonomy: "for that is just what freedom is: being at home with oneself in one's other, depending upon oneself, and being one's own determinant" (*EL*, §24A2).

It is only in the *Philosophy of Right*, though, that the idea of freedom receives full and thematic treatment. This book is nothing other than a complete elaboration of the meaning and implications of human freedom properly understood. That freedom is the starting-point and, indeed, sole object of the *Philosophy of Right* is made clear in §4 of the Introduction: "The basis of right is the *realm of spirit* in general and its precise location and point of departure is the *will;* the will is *free,* so that freedom constitutes its substance and destiny and the system of right is the realm of actualized freedom, the world of spirit produced from within itself as a second nature" (*PR*, §4). We will analyze fully this important paragraph that not only forms the starting-point for Hegel's argument concerning freedom in the *Philosophy of Right* but in many respects encapsulates the whole of it. Here I only observe that it places Hegel squarely in the voluntarist tradition of modern political philosophy—the tradition inaugurated by Hobbes and deepened by Rousseau, Kant, and Fichte—which we considered in the first chapter of this book. In contradistinction to ancient political philosophy, whose master concepts are reason and nature, modern political philosophy makes will or freedom the basis of the state.[1] It is true that Hegel, following Kant, identifies freedom with reason in a certain sense. And it is also true that he does not make will the basis of the state in the traditional contractarian sense of individual consent. Nevertheless, despite these modifications of the voluntarist tradition of modern political philosophy, there remains an important sense in which Hegel can still be said to belong to it. One purpose

of this chapter—and, indeed, of the ensuing chapters—will be to bring out what this sense consists in.[2]

Whether Hegel ultimately belongs to the voluntarist tradition of modern political philosophy has, of course, been seriously questioned by many critics. Some have questioned whether Hegel ultimately maintains the primacy of the will that is suggested in the paragraph quoted above; whether he doesn't, in the final analysis, lapse back into the standpoint of reason and nature—as opposed to will and artifice—belonging to ancient political philosophy.[3] Others have questioned whether what Hegel calls freedom really corresponds to what we ordinarily and properly understand by freedom. As E. F. Carritt, a liberal English critic of Hegel, once put it: "No doubt Hegel professed (as who does not?) and even persuaded himself (as who cannot?) that he was an admirer of freedom. And he managed this by giving the word a peculiar meaning of his own."[4] Connected with this latter criticism is the one made famous by Isaiah Berlin, which raises the question whether Hegel's "positive" conception of freedom doesn't lead to the very opposite of freedom ordinarily and properly understood.[5]

In general, I defend Hegel against the charges that his teaching on freedom turns into something else, showing that it does not abandon the modern standpoint of will or freedom for ancient reason, and that, while it certainly does not simply correspond with our ordinary understanding of freedom, it is not directly opposed to that understanding either but, rather, incorporates it in a more comprehensive notion. Hegel's positive conception of freedom ultimately captures more of what we mean by freedom and why we find it valuable than the competing negative conception of doing what we please without hindrance. The latter may be an aspect of the more comprehensive, positive notion of freedom, but it cannot be the ultimate meaning or justification of freedom. These issues, however, can only be definitely resolved after a complete analysis of the Introduction to the *Philosophy of Right,* which is devoted to the concept of freedom apart from its embodiment in specific practices or institutions—the latter aspect being taken up in the rest of the book.

THE CONCEPT OF WILL

Let us return to the paragraph quoted above, in which Hegel states that free will is the basis of right. We must inquire further into what Hegel means by "free will" here. And to simplify our task, let us take the words separately, beginning with the word "will."

The concept of will is, of course, one of the most problematic in the history of philosophical psychology. From Augustine down to Descartes and his progeny, the will has been conceived as a separate faculty mediating between thought and action. This notion of the will as a separate entity serving to translate thoughts into actions has come under intense criticism.[6] Fortunately, it has nothing to do with Hegel's concept of will. Indeed, Hegel begins his discussion of the will by rejecting the idea that it is a separate faculty distinct from thinking. "Those who regard thinking as a distinct *faculty,*" he writes, "divorced from the will as an equally distinct *faculty,* and who in addition even consider that thinking is prejudicial to the will—especially the good will—show from the outset that they are totally ignorant of the nature of the will" (*PR,* §5R). He puts the same point in a slightly different way in the Addition to §4: "[I]t must not be imagined that a human being thinks on the one hand and wills on the other, and that he has thought in one pocket and volition in the other, for this would be an empty representation" (*PR,* §4A).[7] For Hegel, the will is not a faculty separate from thinking but, rather, "a particular way of thinking—thinking translating itself into existence, thinking as the drive to give itself existence" (*PR,* §4A). It is thinking in its practical, as opposed to theoretical, guise—what Kant referred to as "practical reason."

What exactly does this mean, though? What exactly is Hegel getting at when he asserts that willing is inseparable from thinking? To answer this question, we must probe further into what Hegel means by thinking. In the Addition to §4, he gives a brief account of thinking, characteristically emphasizing its "ideality," its tendency to overcome the externality and independence of objects:

> 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. 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,* §4A)[8]

This idealization, this overcoming of the externality and independence of objects, is accomplished through generalization. Thinking is nothing but generalization, thinking the universal. And it is exemplified at the simplest and most fundamental level—here Hegel returns to the opening arguments of the *Phenomenology,* as well as to Kant's "transcendental unity of apperception" and Fichte's "intellectual intuition"—in the utterance of the "I." When I say "I," I abstract from all particularity and reduce the manifold to the simplicity of the universal (*PR,* §4A).[9] This, for Hegel, is the essence of thinking.

The thinking Hegel describes here belongs in the first instance to the theoretical attitude. Theoretical reason differs from practical reason in that it internalizes and assimilates alien objects, whereas practical reason seeks to externalize and objectify its subjective aims and interests (*PR*, §4A).[10] Despite this difference, though, the thinking that belongs to theoretical reason also belongs to practical reason. Indeed, Hegel sees such thinking as the essential precondition for willing: "The theoretical is essentially contained within the practical; the idea that the two are separate must be rejected, for one cannot have a will without intelligence" (*PR*, §4A). Hegel gives a full account of the way in which theoretical intelligence is presupposed by and resolves itself into practical will in the *Encyclopedia Philosophy of Spirit* (see §§445–68). In the *Philosophy of Right*, he simply points out that the will begins with thought or abstraction in the form of the "I," and that willing is always accompanied by a generalized representation of the object willed. This thinking, generalizing, representing aspect of human willing is what distinguishes it from the instinctive behavior of an animal: "The will determines itself, and this determination is primarily of an inward nature, for what I will I represent to myself as my object. The animal acts by instinct . . . it has no will, because it does not represent to itself what it desires" (*PR*, §4A; see also §11A).[11]

We now turn to the word that forms the other half of the starting-point of the *Philosophy of Right*, namely, "free." Of course, Hegel does not see freedom as something separable from the will. He makes this clear in the first few sentences of the Addition to §4:

> The freedom of the will can best be explained by reference to physical nature. For freedom is just as much a basic determination of the will as weight is a basic determination of bodies. If matter is described as heavy, one might think this predicate is merely contingent; but this is not so, for nothing in matter is weightless: on the contrary, matter is weight itself. Heaviness constitutes the body and is the body. It is just the same with freedom and the will, for that which is free is the will. Will without freedom is an empty word. (*PR*, §4A)

From this passage, too, it is clear that Hegel is not at this point in his argument concerned with freedom in the "positive" sense of being substantively self-directed or autonomous—a condition which may or may not be achieved by a human being—but, rather, with freedom as a formal condition inherent in all willing.[12] As weight is a basic determination of all bodies, so freedom in this formal sense is a basic determination of all wills. Nevertheless, as we will see more clearly below, Hegel does not conceive of this formal freedom intrinsic to

agency simply as a negative capacity but, rather, as itself marked by a certain sort of—even if deficient—self-dependence and autonomy.

In what, then, does this formal freedom inherent in willing consist for Hegel? As it turns out, it is closely connected with the intelligent or thinking aspect of willing brought out above. Thinking, as we have seen, is characterized by ideality, the overcoming of externality, being with oneself. But this is precisely how Hegel tends to characterize the freedom inherent in willing as well. In the *Philosophy of History*, for example, he returns to the matter-weight analogy deployed in the passage above to show that the freedom belonging to spirit consists essentially in self-dependence, being with oneself. He writes, whereas "matter has weight insofar as it strives toward a central point outside itself," spirit

> is that which has its center in itself. Its unity is not outside itself; rather, it has found it within its own self. It is in its own self and alone unto itself. While matter has its "substance" outside itself, spirit is autonomous and self-sufficient, a being-with-itself [*Bei-sich-selbst-sein*]. But this, precisely, is freedom—for when I am dependent, I relate myself to something else, something which I am not; as dependent, I cannot be without something which is external. I am free when I exist independently, all by myself. (*IPH*, 20/30)

Hegel makes the same point in the *Encyclopedia Philosophy of Spirit*, when he characterizes freedom as a formal feature of spirit that allows it to "withdraw itself from everything external and from its own externality, its very existence"; also as "the absence of dependence on an other, the relating of self to self" (*EPS*, §382). In other words, even the formal freedom inherent in willing Hegel conceives of in terms of autonomy; and the dialectic of freedom he will pursue will consist in transforming this abstract self-identity into one which incorporates otherness.

Freedom in this sense—of ideality, the overcoming of externality, self-dependence—is brought specifically to bear on the concept of the will in §5 of the Introduction to the *Philosophy of Right*. In §§5–7, Hegel develops the concept of will in accordance with the three moments of the logical concept, that is, abstract universality, particularity, and singularity. Paragraph 5 corresponds to the moment of abstract universality. Here the will—and freedom—is understood as the "*absolute possibility of abstracting* from every determination in which I find myself or which I have posited in myself, the flight from every content as a limitation" (*PR*, §5R). Though this represents only a very limited or abstract understanding of human will and freedom, according to Hegel, it

nevertheless corresponds to something essential. For it is precisely this capacity to abstract from all determinacy and particularity, to withdraw from all externality and be with oneself, which—as we have already seen—distinguishes human beings from animals. As he did in the passage from the *Encyclopedia Philosophy of Spirit* quoted above, Hegel sees this distinctive human capacity as revealing itself in an extreme form in the possibility of suicide: "The human being alone is able to abandon all things, even his own life: he can commit suicide" (*PR*, §5A). It also reveals itself in the master's willingness to risk his life in the struggle for recognition.[13]

Hegel calls freedom understood as the flight from all content and the abstraction from all determinacy and particularity "negative freedom." By this he does not mean what Isaiah Berlin means when he uses the same expression. For Berlin, negative freedom refers, not to the ultimate source of human action, but merely to the area in which a human being may act in an unobstructed fashion. This is the Hobbesian (or Benthamite) and wholly empirical notion of freedom as the "absence of external impediments" in pursuing whatever we have a desire to pursue.[14] For Hegel, negative freedom *is* ultimately concerned with the source of human actions, whether they emanate from and ultimately express one's self or not. And it has nothing to do with the unfettered pursuit of our empirical desires and inclinations but precisely abstracts from all such determinacy and particularity. It is not the empiricist tradition of Hobbes and Bentham that Hegel has in mind when he talks about negative freedom but, rather, the rationalist tradition of Kant and especially Fichte. Indeed, Hegel's earliest references to negative freedom come in connection with Fichte and the dominion of reason or intellect over empirical desire and natural inclination that is found in his ethical and political philosophy (see *DFS*, 133/69, 144–45/82).[15] Again, all this has little to do with negative freedom in Berlin's sense and, indeed, it shares a number of features with what Berlin describes under the rubric of "positive freedom."

For Hegel, the most dramatic and frightening example of the attempt to actualize the notion of negative freedom is the French Revolution. Here Hegel returns to his analysis of the French Revolution in the *Phenomenology*, where he argued that the "absolute freedom" embodied in the French Revolution was ultimately incapable of allowing anything positive—whether it be social classes, laws, or political institutions—"to become a free object standing over against" the individual. The logic of this absolute freedom led only "negative action" and the "fury of destruction" (*PS*, 357–59/433–36). It is just this emphasis on destruction and the intolerance of anything positive or determinate

that runs through Hegel's discussion of negative freedom and the French Revolution in the *Philosophy of Right*. Such negative freedom, he writes,

> may well believe that it wills some positive condition, for instance the condition of universal equality . . . but it does not in fact will the positive actuality of this condition, for this at once gives rise to some kind of order, a particularization both of institutions and of individuals; but it is precisely through the annihilation of particularity and of objective determination that the self-consciousness of this negative freedom arises. Thus . . . its actualization can only be the fury of destruction. (*PR*, §5R)

Hegel applies this insight into the destructive logic of negative freedom to the Reign of Terror in the French Revolution:

> This was a time of trembling and quaking and of intolerance towards everything particular. For fanaticism wills only what is abstract, not what is articulated, so that whenever differences emerge, it finds them incompatible with its own indeterminacy and cancels them. This is why the people, during the French Revolution, destroyed once more the institutions they had themselves created, because all institutions are incompatible with the abstract self consciousness of equality. (*PR*, §5A)

From the utter indeterminacy of the first moment of the concept of the will, Hegel moves on to the second moment, the moment of determination and of particularization. Though this transition from the indeterminacy and abstract universality of the first moment of the will to the particularity of the second moment obviously follows from Hegel's understanding of the logical concept, it can also be explained in more ordinary and "phenomenological" terms. Just as willing always involves the ability to abstract from whatever is simply given—this is the formal freedom that distinguishes human beings from animals—so it also involves that *something* be willed. This is not a particularly obscure or controversial point—it is easily grasped by the understanding. Nor does it constitute an insight that is any less one-sided than the insight into the formal freedom of the will. All that is asserted in this second moment of the concept of the will is that the will must will *something*. What that something consists in is not further specified at this point. The content of the will at this stage, Hegel tells us, may be either "given by nature" or "generated by the concept of spirit" (*PR*, §6).

It is only with the third moment of the concept of the will, treated in §7 of the Introduction, that we arrive at a concrete understanding of the freedom of the will. This moment—the moment of singularity or individuality—is the unity of the two preceding moments of abstract universality and particularity.

Here the universal "I" determines itself, wills a determinate something, but in such a way that it does not cease to be universal or with itself (*bei sich*). This is Hegel's definitive formula for freedom: "Freedom is to will something determinate, yet to be with oneself [*bei sich*] in this determinacy and to return once more to the universal." Nor is this understanding of freedom simply a speculative idea remote from our experience. Hegel tells us that we have access to it, in "the form of feeling," in love and friendship. "Here," he writes, "we are not one-sidedly within ourselves, but willingly limit ourselves with reference to an other, even while knowing ourselves in this limitation as ourselves. In this determinacy the human being should not feel determined; on the contrary, he attains his self-awareness only by regarding the other as other" (*PR*, §5A).

Hegel's idea of freedom as "being with oneself in an other" encapsulates his revision of the Kantian and (again) especially Fichtean idea of freedom as rational autonomy.[16] While this latter notion expresses an essential aspect of freedom, the aspect of self-dependence or being with oneself which Hegel treats under the rubric of negative freedom, it never successfully incorporates otherness or particularity. Hegel's concept of freedom aims to redress this defect of the Kantian-Fichtean outlook, breaking down the abstract opposition between self-dependence and otherness or determinacy. As he puts it in the *Encyclopedia Philosophy of Spirit:* "The freedom of spirit is not merely an absence of dependence on the other won outside of the other but won in the other; it attains actuality not by fleeing from the other but by overcoming it" (*EPS*, §382A). How exactly this notion of being with oneself in the other and in determinacy is to be accomplished Hegel does not say at this point in his argument. In §§4–7 he has been mainly concerned with achieving a satisfactory definition or concept of freedom and the will. This definition or concept now serves as a criterion by which to judge the various forms the will takes as it determines itself—the subject to which Hegel turns his attention in the rest of the Introduction.

THE NATURAL WILL, ARBITRARINESS, AND HAPPINESS

Having grasped the concept of the freedom of the will essentially as being with oneself in the other and in determinacy, Hegel must now show in what sort of actual will this concept comes to be realized. To this end he considers the various ways in which the will determines itself. He begins by distinguishing two points of view from which the determination of the will may be considered.

The first, treated in §8, considers the determination of the will from the point of view of form. Here determination refers essentially to the translation of a subjective end or purpose into objectivity. The second, outlined in §9, considers the determination of the will from the point of view of its content, of what specifically is willed. Whereas the former, formal point of view is concerned with the determination of the will insofar as it is *mine,* the latter is concerned with it insofar as it is *true,* that is, insofar as it corresponds not merely to my subjective intention but also to the concept of the will.

It is with the latter consideration, the determination of the will with respect to content, that Hegel concerns himself in the ensuing paragraphs of the Introduction. In the first instance, he argues, this content is merely immediate, consisting of our natural drives (*Triebe*), desires, and inclinations. Here "the will is *free* only *in itself* or *for us*"; it does not yet have itself or freedom for its content. Such a will exists in a sort of self-contradiction, according to Hegel: its content does not match its form; what it is explicitly or for itself does not correspond to what it is implicitly or in itself. It is only when the will has freedom as its object instead of what is merely immediate or natural, when it is for itself what it is in itself, that this self-contradiction is surmounted and the will is genuinely free (*PR*, §§10–11).

This is the general process of the determination of the will that Hegel describes in the rest of the Introduction. But before taking up the will that is completely free, free in and for itself, we must first examine what Hegel calls the "immediate" or "natural" will. Again, the content of this will consists in our "immediately present" and naturally given "drives, desires, and inclinations." And the first point Hegel wishes to make with respect to this natural will is that it is not natural in the same sense as an animal will. Whereas the animal is strictly determined by and must simply obey its drives, the human being (as we have already learned in §§4 and 5) is "wholly indeterminate"; he "stands above his drives and can determine and posit them as his own" (*PR*, §11A). The natural will is not exempt from the formal freedom that is inherent in all human agency.

While Hegel is ultimately critical of the natural will, insofar as it does not yet have freedom as its object, he does not simply dismiss it as nugatory. The natural will plays an important role in the process by which the will gradually determines itself. Initially, the natural will is completely indeterminate. It "exists only as a multitude of varied drives, each of which is mine *in general* along with others, and at the same time something universal and indeterminate which has all kinds of objects and can be satisfied in all kinds of ways." The first

task of the natural will is to cancel this "double indeterminacy" by "resolving" (*Beschliessen*) on something (*PR*, §12). Here the will picks out from the multitude of drives of which it originally consists one drive with which to identify itself. Further, it transforms this indeterminate drive—say, hunger—into a desire for a determinate object—say, a banana. For Hegel, such resolving constitutes an essential stage in the self-determination of the will. And, as he did in the *Phenomenology*, he criticizes the "beautiful soul" that refuses to resolve on or commit itself to anything determinate, preferring the false infinity of possibility to the finitude of actuality:

> A will which resolves on nothing is not an actual will; the characterless man can never resolve on anything. The reason for such indecision may also lie in an over-refined sensibility which knows that, in determining something, it enters the realm of finitude, imposing a limit on itself and relinquishing infinity. . . . Such a disposition is dead, even if its aspiration is to be beautiful. "Whoever aspires to great things," says Goethe, "must be able to limit himself." Only by making resolutions can the human being enter actuality, however painful the process may be; for inertia would rather not emerge from that inward brooding in which it reserves a universal possibility for itself. But possibility is not yet actuality. The will which is sure of itself does not therefore lose itself in what it determines. (*PR*, §13A)[17]

As determinate as the content of the resolving will is, its form remains wholly indeterminate, marked by the infinite "I" capable of abstracting from any determinate content which Hegel has already described in §5 of the Introduction. This "I" "*stands above* its content, i.e. its various drives, and also above the further individual ways in which these drives are actualized and satisfied" (*PR*, §14). Hegel has already mentioned this formally infinite and indeterminate aspect of the will in differentiating the natural will from a purely animal will. But at the level of the natural will this indeterminacy remained implicit, whereas here, at the level of what Hegel now calls the "reflective will," it becomes explicit. The content of the reflective will of course remains our natural drives, desires, and inclinations. But what is new is that the "I" stands above these natural drives and desires, "choosing" (*Wählen*) among them, but in no way identifying itself completely with any of them, in fact regarding what it chooses as external to its essential capacity to choose (*PR*, §14).[18] What Hegel describes here under the rubric of the reflective will looks very much like the deontological self prior to its ends which Michael Sandel has ascribed to John Rawls.[19] And it is interesting to note that Hegel himself cites Kant as embodying this notion of the will as "formal self-activity" (*PR*, §15R). Of course, Kant goes beyond this negative concept of freedom as the capacity to choose (*Willkür*) with his notion of the autonomous will (*Wille*).[20]

Hegel goes on to point out that the freedom which belongs to the reflective will is "arbitrariness" (*Willkür*). This is "the commonest idea we have of freedom," he says, namely, freedom of choice, freedom as "being able to do as one pleases." But it is also clearly a defective idea of freedom. It is defective because the form of the will here—namely, "free reflection which abstracts from everything"—is in contradiction with the content of the will—namely, our drives and inclinations that are simply given by nature. It is the given character of the content of the arbitrary will, the fact that this content "is not determined as mine by the nature of my will, but by *contingency*," that makes arbitrariness a radically defective notion of freedom (*PR*, §15). Hegel here refers to the "contingent" (*zufällig*) character of the arbitrary will. This word has a special meaning in his philosophy and captures exactly what he finds wrong with the notion of freedom as arbitrariness. In the *Encyclopedia Logic*, contingency is treated under the rubric of "actuality" as a primitive form of that logical category. "The contingent," Hegel writes there, "is generally what has the ground of its being not within itself but elsewhere." And he goes on to relate this notion of contingency to the notion of freedom as arbitrariness: "The content of arbitrariness is something given and known to be grounded, not within the will itself, but in external circumstances" (*EL*, §145A). Once again Hegel's fundamental criticism of freedom as arbitrariness comes down to this: that the content of such freedom remains something given by nature and not determined by me or by the concept of the free will. The arbitrary will remains free in itself but not yet for itself.

Hegel caps his critique of the notion of freedom as arbitrariness with an analogy to art. It is an illuminating analogy in that it confronts us with an application of Hegel's rationalistic conception of freedom that the modern reader might find difficult to subscribe to, thus providing a useful test for our acceptance of this conception. Hegel begins by stating that an individual is not free when he acts arbitrarily but only when he wills what is rational: "When I will what is rational, I act not as a particular individual, but in accordance with the concepts of ethics [*Sittlichkeit*] in general: in an ethical act, I vindicate not myself but the thing [*die Sache*]." Then comes the analogy to art:

> The rational is the high road which everyone follows and where no one stands out from the rest. When great artists complete a work, we can say that it *had* to be so; that is, the artist's particularity has completely disappeared and no *mannerism* is apparent

> in it. Phidias has no mannerisms; the shape itself lives and stands out. But the poorer the artist is, the more we see of himself, of his particularity and arbitrariness. (*PR*, §15A)[21]

Hegel here takes aim at the Romantic doctrine of art which holds that what is most important about a work of art is that it should express the particularity and personal idiosyncrasies of the artist. This Romantic attitude toward art is perhaps nowhere better expressed than in Novalis's remark that "the more personal, local, peculiar, of its own time, a poem is, the nearer it stands to the centre of poetry."[22] Modern aesthetic sensibility no doubt stands closer to Novalis's Romanticism than to Hegel's classicism. And yet, in the light of the wearisome excesses to which the doctrine of art as subjective expression has led, Hegel's rational, objective conception of art becomes more compelling. At any rate, the analogy forces us to realize how deeply embedded (if not questionable) the idea of freedom as arbitrariness is in our culture, beyond the sphere of action and morality.

Hegel further amplifies on the idea of the arbitrary will by indicating that its contradictory character reveals itself at the phenomenal level "as a *dialectic* of drives and inclinations which conflict with each other in such a way that the satisfaction of one demands that the satisfaction of the other be subordinated or sacrificed, and so on." The main point Hegel makes here is that there is no criterion or yardstick by which to determine which of these drives should be satisfied and which should be sacrificed. It all comes down to the "contingent decision of arbitrariness." When the understanding applies itself to the task of arranging these drives into some sort of order or hierarchy, it usually ends up uttering "tedious platitudes" along the lines of Kant's "counsels of prudence." There are ultimately no universal principles by which to organize our drives and inclinations into a rational system (*PR*, §17).[23]

What Hegel says here about the attempt to achieve some sort of comprehensive satisfaction of our drives and inclinations necessarily leads him to consider more carefully the issue of happiness. For it is precisely such comprehensive satisfaction, as opposed to the individual satisfaction of particular drives, that is at issue in happiness. We would do well to follow what Hegel has to say here about happiness, since happiness constitutes, in the history of ethics, the great alternative to his own designation of the final human good, namely, freedom. As Allen Wood has written, "Hegel shares with classical ethics the idea that practical philosophy is focused on a single encompassing human good, consisting in the self-actualization of human beings as agents." But Hegel differs from the classics in that his "name for the final human good is not 'happiness' but 'freedom.'"[24]

On first glance, Hegel's reasons for rejecting happiness as the final human good resemble Kant's. Like Kant, as we have already seen from §17 of the Introduction, Hegel emphasizes the indeterminacy of happiness, the fact that there is no yardstick or universal principle by which our drives and inclinations might be arranged into a hierarchical order or more comprehensive satisfaction.[25] But there is another aspect to Hegel's argument about happiness which, unlike Kant's, suggests a certain continuity between the end of happiness and the end of freedom—which suggests that the satisfaction really aimed at in happiness points to and is ultimately more adequately realized in freedom. The key to this aspect of Hegel's argument lies in what he says about the "universality" aimed at in happiness. In the transition to the theme of happiness in the *Encyclopedia Philosophy of Spirit,* he writes that "the truth of the particular satisfactions [of the drives and inclinations] is the universal, which under the name of *happiness* the thinking will makes its aim" (*EPS*, §478). And he elaborates on this universal aspect of happiness: "In this representation [*Vorstellung*] brought forth by reflective thinking of a universal satisfaction, the drives, in so far as their particularity is concerned, are posited as negative; and they are to be partly sacrificed to each other for the benefit of that aim, and partly sacrificed to that aim directly, either altogether or in part" (*EPS*, §479).

What comes through in this passage is the way in which happiness subordinates our particular drives and desires to a universal aim, the way it reduces them to merely negative moments in its quest for a more comprehensive satisfaction. In happiness, in other words, the will takes its first steps toward overcoming the merely natural character of its content that has afflicted it since we first began considering the natural will. Hegel makes the same point in the Introduction to the *Philosophy of Right,* where he speaks of the educative role of happiness in purifying and systematizing our drives: "In happiness, thought already has some power over the natural force of the drives, for it is not content with the instantaneous, but requires a whole of happiness. This is connected with education to the extent that education likewise implements a universal" (*PR*, §20A). And the anti-Kantian implication of this point is brought out clearly in Hegel's discussion of practical education in the Nuremberg *Philosophical Propaedeutic:*

> The freedom of man, as regards natural impulses, consists not in his *being rid* of such impulses altogether and thus striving to escape from his nature but in his recognition of them as a necessity and as something rational; and in realizing them accordingly through his will, he finds himself constrained only so far as he creates for himself

> accidental and arbitrary impressions and purposes in opposition to the universal. (*PP,* 43/261)

Of course, happiness ultimately fails in its aspiration to universality. It never completely escapes the naturalness and particularity of its content. In the end, "it is subjective feeling and pleasure which must have the casting vote as to where happiness is to be placed" (*EPS,* §479). And if we think of the ideal of happiness in terms of the universal happiness of everyone, we are still no better off, "since the content of this universal is in turn merely universal pleasure . . . and we are compelled to return to the drive. Since the content of happiness lies in the subjectivity and feeling of everyone, this universal end is itself particular, so that no true unity of content and form is present within it" (*PR,* §20A). In happiness we are still dealing only with formal universality, that is, a universality in which the content remains external to the form and is not yet produced out of the universal itself.

Despite this, we ought not to lose sight of the positive element Hegel ascribes to happiness, namely, its aspiration to universality and its attempt, albeit unsuccessful, to overcome the naturalness and particularity of the drives. It is this that links happiness to freedom for Hegel. And it is this that ultimately differentiates his analysis of happiness from that of Kant. For Kant, happiness is merely indeterminate and shares little with the moral or autonomous will; and this reflects the larger dualism running through his practical philosophy between freedom and nature, reason and sense. As we know, Hegel rejects this dualism in Kant's thought, and his analysis of happiness and how it ultimately points to freedom is emblematic of this. Of course, Hegel does not mean to blur the distinction between freedom and happiness. Indeed, he is quite clear that the former is not only different from but prior to the latter, and that it ultimately serves as a more complete expression of the final human good. But he does want to argue that happiness and freedom are not simply opposed to one another, and that the latter in many respects expresses the deepest, albeit incompletely realized, aspirations of the former. How this is so will become clearer as we consider the final step in Hegel's argument concerning the free will.

THE RATIONAL WILL AND RIGHT

Hegel takes the final step in his argument concerning the free will in §21 of the Introduction to the *Philosophy of Right.* Here the contradiction between the universal form of the will and the particularity of its content that

marked the natural will, arbitrariness, and happiness is finally overcome. The will no longer makes natural drive or inclination its content but, rather, freedom, the universal, itself. In this way the will becomes free not only in itself but for itself. "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). Hegel puts this idea even more succinctly in the Addition to this paragraph: "The 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" (*PR,* §21A).[26]

Yet another way in which Hegel characterizes the freedom of the will at this final stage is in terms of "self-determining universality" (*PR,* §21). From the outset of our analysis in this chapter, we have seen how important the idea of self-determination or self-dependence—what Hegel frequently refers to as "being with oneself"—is to his concept of freedom. This idea is already prominent in the treatment of "negative freedom" in §5 of the Introduction to the *Philosophy of Right;* and it receives perhaps its clearest expression in Hegel's comment that the essential characteristic of spirit is that it is "autonomous and self-sufficient, a being-with-itself (*Bei-sich-selbst-sein*). But this, precisely, is freedom—for when I am dependent, I relate myself to something else, something which I am not . . . I am free when I exist independently, all by myself" (*IPH,* 20/30). Of course, this aspiration to self-determination remains unfulfilled in the earlier stages of the will—in the natural will and the arbitrary will. The content of the will here is at odds with its universal and infinite form. The will does not remain with itself in the other. It is only now, when the will makes freedom or the universal its content, that it achieves complete self-determination, absolute self-dependence. Only now "is the will completely *with itself* [*bei sich*], because it has reference to nothing but itself, so that every relationship of *dependence* on something *other* than itself is thereby eliminated" (*PR,* §23).[27]

How exactly does the will begin to make freedom, the universal, its content? In the Remark to §21, Hegel makes a great deal of the role of thought in this development. He writes that the "process whereby the particular is superseded and raised to the universal is what is called the activity of *thought.* The self-consciousness which purifies and raises its object, content, and end to this universality, does so as *thought asserting itself* in the will. Here is the *point at which it becomes clear* that it is only as *thinking* intelligence that the will is truly itself and free (*PR,* §21R)."[28] It is not immediately clear what Hegel has in mind here. Of course, thinking has played a crucial role in Hegel's conception of the

will from the start. In the first part of the Introduction, Hegel underlines the thinking aspect of willing largely to distinguish human willing from the instinctive behavior of an animal. In human willing, unlike animal behavior, the object willed is posited in the "I" and appears as something "I represent to myself as my object" (*PR*, §4A). But Hegel has more in mind in §21 than this formal role of thinking in willing. Here he draws attention to the way in which thinking purifies and raises the *content* of the will to universality.

What Hegel has in mind becomes clearer in the remainder of the Remark to §21, where he refers to slavery. "The slave," he writes, "does not know his essence, his infinity and freedom; he does not know himself as an essence—he does know himself as such, for he does not *think* himself. This self-consciousness which comprehends itself as essence through thought and thereby divests itself of the contingent and the untrue constitutes the principle of right, of morality, and of all ethics" (*PR*, §21R). From this passage it becomes clear that what Hegel is referring to when he speaks of "thought asserting itself in the will" or the will "thinking itself" (*EPS*, §469) is the self-consciousness of the will as free in its essence. This self-consciousness is missing in the slave; and it is missing (Hegel tells us elsewhere) in all those civilizations that have tolerated slavery, for example, the Orient, Greece, and Rome. It is only with Christianity that there first emerged "the awareness that "*every* human is free by virtue of being human, and the freedom of spirit comprises our most human nature" (*IPH*, 21/31).[29] It is just this awareness that Hegel sees as the crucial first step in the will's becoming free not only in itself but for itself.

Apart from Christianity, there is one figure above all with whom Hegel identifies the development whereby thought is made the content of the will: this is Rousseau. In a later passage of the *Philosophy of Right*—and one already considered in chapter 1—Hegel writes: "[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 (as with the social instinct, for example, or divine authority) but also as its content, and which is in fact *thinking* itself" (*PR*, §258R). Hegel repeats this assessment of Rousseau's contribution to political philosophy in his *Lectures on the History of Philosophy*, quoting the *Social Contract* to the effect that "to renounce one's freedom is to renounce that one is a man. To not be free is a renunciation of all duties and rights" (*HP*, III, 401/306–7). In both of these passages, Hegel criticizes Rousseau's misunderstanding of the general will. But he does not allow this misunderstanding to detract from what he sees as Rousseau's great achievement, namely, the setting up of thought as the content of the will, the recognition of freedom as the

essence of human beings. Rousseau's misunderstanding of the general will, Hegel writes,

> does not concern us. What does concern us is this, that thereby there should come into consciousness the sense that man has freedom in his spirit as the altogether absolute, that free will is the concept of man. Freedom is just thought itself; he who casts thought aside and speaks of freedom knows not what he is talking of. The unity of thought with itself is freedom, the free will. . . . It is only as having the power of thinking that the will is free. (*HP*, III, 402/407–8)

We have been pursuing Hegel's initial discussion of the will that is free in and for itself in §21 of the Introduction to the *Philosophy of Right*. In particular, we unpacked what Hegel means when he says that the will begins to make freedom or the universal its content through thought, or as thinking will. In §§22–24, Hegel connects the notion of the will that is free in and for itself with some of the key concepts from his logic and metaphysics. Thus, in §22, he tells us that the "will which has being in and for itself is *truly infinite*, because its object is itself, and therefore not something which it sees as *other* or as a *limitation*." By the same token, this will is also said to be "true" (*PR*, §23)—"truth" for Hegel referring to the fact that the content or reality of something corresponds to its concept (*PR*, §21A).[30] Finally, the will that has being in and for itself is said to be "universal" (*PR*, §24)—not in the "abstract" sense of something common which stands outside of and opposed to the particular, but in the "concrete" sense of particularizing itself and "remaining at home with itself in its other" (*EL*, §163A1).

With respect to the last point, Hegel also remarks that the "universal which has being in and for itself is in general what is called *rational*" (*PR*, §24R). We can extrapolate from this that the will that has being in and for itself can also be called "rational." Hegel nowhere in the *Philosophy of Right* explicitly defines the crucial notion of the "rational will." The expression first appears in the Remark to §29 of the Introduction, where it is simply identified with the will which has being in and for itself (see also *PR*, §258R). In the *Encyclopedia Philosophy of Spirit*, he provides a more formal definition: "The spirit which knows itself as free and wills itself as this its object, i.e. which has its essence for its determination and aim, is in the first instance the rational will [*der verünftige Wille*] in general" (*EPS*, §482). All this is simply to say that what Hegel has been describing as the will that is free in and for itself is also what he calls elsewhere the rational will. This is worth noting, not simply because it is convenient to have a brief expression to stand for the concept of free will Hegel is defining

here, but also because this particular expression, the rational will, has been the subject of so much controversy in the interpretation of Hegel's political philosophy.

With the rational will, the will that knows itself as free and makes freedom its content, Hegel has arrived at a complete definition of the *concept* of free will. Nevertheless, there remains one final step in his argument in the Introduction. The "concept" of free will must be developed into what he calls the "Idea" of freedom. For Hegel, the Idea of something is the concept of it plus its actualization. Thus he writes in the first paragraph of the *Philosophy of Right* that the Idea of right consists in the "concept of right and its actualization." In the *Encyclopedia Logic,* he provides a more general definition: "The Idea is what is true *in and for itself, the absolute unity of concept and objectivity.* Its ideal content is nothing but the concept in its determinations; its real content is only the presentation that the concept gives itself in the form of external thereness [*Dasein*]" (*EL,* §213). The rational will is only the "implicit" or "abstract" Idea, Hegel tells us in the *Encyclopedia Philosophy of Spirit* (§482). In order to become the explicit Idea, the Idea which exists in and for itself, the rational will must develop itself into objectivity and give itself the form of external thereness or existence.

In §§25–28 of the Introduction to the *Philosophy of Right,* Hegel is mainly concerned to clarify what he means by the objectivity into which the concept of free will must develop itself in order to exist as Idea. He begins by listing the various senses in which objectivity and subjectivity can be used, with a view to showing that the meanings of these terms are by no means stable or absolutely opposed, and that, "like other distinctions and antithetical determinations of reflection, they pass over into their opposites on account of their finitude and hence of their dialectical nature" (*PR,* §26R). Nevertheless, he goes on to argue that, in considering the development of the concept of free will into the Idea, he is concerned with objectivity in two specific senses: "in the sense that [freedom] becomes the rational system of the spirit itself, and in the sense that this system becomes immediate actuality." It is only by becoming objective in this way, in developing itself into immediate and external existence, that the "abstract concept of the Idea of the will," namely, the rational will or "the free will which wills the free will," can become the fully developed or explicit Idea (*PR,* §27).

The stage is now set for Hegel's momentous definition of "right" (*Recht*) in §29: "*Right* is any existence [*Dasein*] in general which is the existence of the *free will.* Right is therefore in general freedom, as Idea" (*PR,* §29).[31] In a certain way this definition embodies the paradox—or at least what has been seen as the paradox—that lies at the heart of Hegel's teaching concerning freedom:

namely, its identification of freedom with right, or *Recht.* But in order to see what is paradoxical in this, we must first say something more about the crucial word *Recht.*

As is generally observed, the word *Recht* in German has a wider meaning than "right" does in English, at least so far as the latter is conventionally used. Whereas "right" in English generally refers to a subjective claim in some sense distinguishable from our legal obligations or duties, *Recht,* like equivalent words in other European languages—*ius* in Latin, *droit* in French, *diritto* in Italian—can also refer to law or the objective conditions to which our subjective will must conform. *Recht* refers to law, of course, not in the narrow sense of specific legal statutes or positive law—for this Hegel uses the word *Gesetz*— but in the comprehensive sense of the whole basis and system of law—again like *ius, droit,* and *diritto.* As Hegel puts it in the *Encyclopedia Philosophy of Spirit: Recht* is here "to be taken, not merely in the sense of limited juristic law, but in the comprehensive sense of the actual body [*Dasein*] of all the conditions of freedom" (*EPS,* §486). And in the *Philosophy of Right,* he remarks that "when we speak here of right, we mean not merely civil right [*bürgerliche Recht*], which is what is usually understood by this term, but also morality, ethics, and world history" (*PR,* §33A). The important point, though, at least as we compare *Recht* to the English "right," is not simply that *Recht* refers to law in a comprehensive sense, but that it refers to law at all and not merely to a subjective claim in some way distinguishable from legal obligation or duty.

Of course, what gives Hegel's definition of *Recht* its peculiarly paradoxical character is that, while it certainly retains the primary German reference to law in the comprehensive sense, Hegel also wants to preserve its reference—primary in the English "right"—to freedom. And this is what leads to the striking identification of rights and duties—so strange to the English and empiricist ear—which runs through Hegel's discussion of freedom. As he writes in the *Encyclopedia Philosophy of Spirit,* having just defined *Recht* exactly as he did in the *Philosophy of Right* as a reality that is the "existence of the free will":

> What is a right is also a duty, and what is a duty is also a right. For an existence is a right only insofar as it is grounded in the free substantial will; and the same content in relation to the will distinguished as subjective and individual is a duty. It is the same content which the subjective consciousness recognizes as a duty and brings into existence in others. The finitude of the objective will thus creates the semblance of a distinction between rights and duties. (*EPS,* §486)

It is important not to turn Hegel's point here into something more commonplace than it is. By identifying rights and duties he does not simply mean to assert that rights and duties are correlative, that for every right on my part there corresponds a duty in someone else. Rather, he wants to argue that my rights, insofar as they are existences of freedom, *are* duties in relation to my subjective will, and vice versa. Thus he writes with respect to the right of property: "[M]y right to a thing is not merely possession, but as possession by a *person* it is *property*, or legal possession, and it is a *duty* to possess things as property, i.e. to be as a person" (*EPS*, §486).[32] He sums up his point about the utter coincidence of right and duty in the following remark from the *Philosophy of Right*:

> *Duty* is primarily an attitude *towards* something which, for me, is *substantial* and universal in and for itself. Right, on the other hand, is in general the *existence* of this substantial element, and is consequently the latter's *particular* aspect and that of my own *particular* freedom. . . . In the state, as an ethical entity and the interpenetration of the substantial and the particular, my obligation towards the substantial is at the same time the existence of my particular freedom; that is, duty and right are *united* within the state *in one and the same relation.* (*PR*, §261R; see also §155)[33]

Hegel's reflections on the identity of rights and duties brings us back to what I earlier referred to as the paradox that is contained in his definition of *Recht* and the paradox which in some ways lies at the heart of his teaching on freedom in general: namely, the paradox that freedom is compatible with constraint. This is the paradox to which Rousseau gave expression in his notorious line that "whoever refuses to obey the general will will be forced to do so," that is, "he will be forced to be free."[34] I am not, of course, the first to notice this paradox in Hegel; in one way or another, it is the focus of almost every noteworthy criticism of his "positive" doctrine of freedom. Before dealing with some of these criticisms, there is one passage from the *Philosophy of Right* that I will quote, because it perfectly captures the identification of right and duty, freedom and law, toward which the entire discussion of freedom in the Introduction has been leading. The point of the passage is encapsulated in the striking sentence, "The individual, however, finds his *liberation* in duty," but the surrounding context amplifies Hegel's meaning and underscores the importance of his critique of the natural will in the Introduction:

> A binding duty can appear as a *limitation* only in relation to indeterminate subjectivity or abstract freedom, and to the drives of the natural will or the moral will which arbitrarily determines its own indeterminate good. The individual, however, finds his *liberation* in duty. On the one hand, he is liberated from his dependence on mere natural drives, . . . and on the other hand, he is liberated from that indeterminate subjectivity which does not attain existence or the objective determinacy of action, but remains *within itself* and has no actuality. In duty, the individual liberates himself so as to attain substantial freedom. (*PR*, §149)

Hegel's discussion of freedom in the Introduction to the *Philosophy of Right* culminates with the identification of right or law with freedom (in §29), and this identification leads directly to the paradoxical conclusion drawn in the passage just quoted: that the individual finds his liberation, his substantial or "affirmative" freedom, only in duty. Hegel, of course, is aware of how strange this must sound and how much of a departure it marks from the tradition of modern political philosophy. And he goes on, in the Remark to §29, to make this departure explicit by commenting on and criticizing his great predecessors in the modern tradition, Kant, Rousseau, and (by implication) Fichte.

Of all thinkers, Kant might seem to be the least likely for Hegel to contrast his position with here. No thinker has been more eloquent about the liberating effects of duty than Kant. But, as we saw in chapter 1, there is a tension between Kant's moral philosophy, in which the liberating effects of duty are spoken of, and his political philosophy, in which liberty is conceived of in a more conventional, "negative" fashion. And it is with the latter that Hegel is now concerned. He quotes, not entirely accurately, Kant's definition of right in the *Rechtslehre* as "the *limitation* of my freedom or *arbitrary will* in such a way that it may coexist with the arbitrary will of everyone else in accordance with a universal law." The inaccuracy does not fundamentally alter Kant's meaning, which does imply a very different understanding of right from the one we have found in Hegel. As Hegel himself points out, Kant's definition of right "contains only a *negative* determination—that of limitation"; and it leaves the arbitrary wills of individuals intact, uniting them through a "universal law" in an utterly formal way (*PR*, §29R). In Hegel's definition of right, by contrast, right is not a negative limitation of the arbitrary will of the individual but, rather, the positive realization of freedom understood in terms of the rational will.

There certainly is a difference in the way Kant and Hegel formulate their definitions of right here. But it is not immediately clear what the significance of this difference is, or why Hegel finds the Kantian formulation so problematic. This becomes somewhat clearer when he traces Kant's definition back to its source in Rousseau. He writes:

> The definition of right in question embodies the view, especially prevalent since Rousseau, according to which the substantial and primary factor is supposed to be

> not the will as rational will which has being in and for itself or the spirit as *true* spirit, but will and spirit as the *particular* individual, as the will of the single person in his distinctive arbitrariness. Once this principle is accepted, the rational can appear only as a limitation on the freedom in question, and not as immanent rationality, but only as an external and formal universal. (*PR*, §29R)

I will say more about the idea of rationality and of the rational will that this passage intimates in a moment. Here I only want to draw attention to the difficulties Hegel sees as flowing from this Rousseauan outlook. In the first place, he points out that this outlook "is devoid of any speculative thought and is refuted by the philosophical concept." In place of the immanent rationality of the Hegelian concept we have a merely external and formal rationality that supervenes upon a nonrational material, the arbitrary will of the individual. But more important than this, at least from a practical point of view, the Rousseauan outlook has "produced phenomena in people's minds and in the actual world whose terrifying nature is matched only by the shallowness of the thoughts on which they are based" (*PR*, §29R). The reference here is, of course, to the French Revolution. And Hegel makes clear, as he has earlier in the Introduction to the *Philosophy of Right* (in §5), as well as in the *Phenomenology*, that this is real danger that flows from the individualistic conception of freedom found in Rousseau and preserved in Kant's definition of right.

The latter point is amplified in Hegel's most extensive discussion of Rousseau in the *Philosophy of Right*, in the Remark to §258. We already referred to this Remark in connection with Hegel's statement that "it was the great 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." But Hegel goes on from this to criticize Rousseau's particular conception of the will, in basically the same way he did in §29:

> But Rousseau considered the will only in the determinate form of the *individual* will (as Fichte subsequently also did) and regarded the universal will not as the will's rationality in and for itself, but only as the *common element* arising out of this individual will *as a conscious will*. The union of individuals within the state thus becomes a *contract*, which is accordingly based on their arbitrary will and opinions, and on their express consent given at their own discretion; and the further consequences which follow from this . . . destroy the divine [element] which has being in and for itself and its absolute authority and majesty. (*PR*, §258R)

This is Hegel's principal worry. When right is reduced to the harmony of my arbitrary will with the arbitrary will of everyone else, when the state is reduced to a contract based on the arbitrary wills of individuals, the majesty of the law and the divine quality of the state are destroyed. This is the danger Hegel wishes to avert with his definition of right as the realization of rational freedom. For him right "is something *utterly sacred*" (*PR*, §30), and the Rousseauan-Kantian definition of right somehow undermines this sanctity. Hegel proceeds to draw the expected connection between Rousseau's abstract and individualistic conception of freedom and the French Revolution:

> Consequently, when these abstractions were invested with power, they afforded the tremendous spectacle, for the first time we know of in human history, of the overthrow of all existing and given conditions within an actual major state and the revision of its constitution from first principles and purely in terms of *thought*; the *intention* behind this was to give it what was *supposed* to be a purely *rational* basis. On the other hand, since these were only abstractions divorced from the Idea, they turned the attempt into the most terrible and drastic event. (*PR*, §258R)

Throughout his discussion of Rousseau, in both §§29 and 258, Hegel contrasts Rousseau's emphasis on the arbitrary will of the individual with his own notion of the rational will. Even Rousseau's conception of the general will, Hegel argues, fails to grasp the universal will "as the will's rationality in and for itself," understanding it instead "only as the *common element* arising out of [the] individual will *as a conscious will*." As was pointed out in chapter 1, it can be doubted that Hegel's individualistic interpretation of the general will here entirely captures all that is contained in Rousseau's complex and not always coherent doctrine, although it certainly corresponds to some of the things that Rousseau says about the general will.[35] But whether Hegel is ultimately right about Rousseau is less important here than what is disclosed in these passages about Hegel's own notion of the rational will, the notion that marks the pinnacle of his reflections on freedom in the Introduction to the *Philosophy of Right*. The main point is, of course, that the rational will is not to be confused with the arbitrary will of the individual. The content of the rational will, unlike that of the arbitrary will, is not simply at the discretion of the individual but, rather, corresponds directly to the free nature of the will. This is what Hegel means when he says that the rational will is for itself what it is in itself. And what he wants to emphasize more than anything else about the rational will at this point, as he contrasts it with the arbitrary will, is that it is rational "in itself," that it has an objective character which cannot be reduced to the subjective consent of the individual. He puts the point this way:

> In opposition to the principle of the individual will, we should remember the fundamental concept according to which the objective will is rational in itself, i.e. in its *concept,* whether or not it is recognized by individuals and willed by them at their discretion—and that its opposite, knowledge and volition, the subjectivity of freedom (which is the *sole* content of the principle of the individual will) embodies only *one* (consequently one-sided) moment of the *Idea of the rational* will, which is rational solely because it has being both *in itself* and *for itself.* (*PR,* §258R)

The sharp contrast Hegel draws here between the rational will, on the one hand, and the individual will, on the other, underlines once again the way in which the former concept—which simply encapsulates the main thrust of Hegel's teaching about freedom—cuts against our ordinary notions of will and freedom. It is true that Hegel does not overlook the importance of the subjective element, of the "for itself," in this passage, but he clearly subordinates it to the objective, "in itself" rationality of the genuinely free will. As he succinctly puts it in the Addition to §258: "Any discussion of freedom must begin not with individuality or the individual self-consciousness, but only with the essence of self-consciousness; for whether human beings know it or not, this essence realizes itself as a self-sufficient power of which single individuals are only moments" (*PR,* §258A). This is what usually provokes the objections to Hegel's doctrine of freedom that the rational will really abandons the will for something else—reason or intellect—and that Hegelian freedom no longer corresponds to what we ordinarily or plausibly mean by that term. Having fully explicated Hegel's conception of freedom and of will as it is definitively presented in the Introduction to the *Philosophy of Right,* it is time to consider these objections more carefully.

FREEDOM AND REASON

Before taking up some of the more common objections to Hegel's concept of freedom, let us try to reduce that concept to its essence. The core idea, as we have seen, is that freedom consists in thoroughgoing self-determination, self-dependence, or, in Hegel's language, "being with oneself." The will is free only when it is determined by or has as its object its own freedom. For this reason, freedom does not consist in arbitrariness or simply doing as we please; for here the will is determined by something other than its own freedom and universality, namely, by its natural inclinations and particular desires. Only the rational will is genuinely free because only the rational will has itself, its freedom and its universality, for its content; only the rational will is for itself what it is in itself. To recur to the sentence that best summarizes the idea of freedom as self-determination which is embodied by the rational will: only in the rational will "is the will completely *with itself,* because it has reference to nothing but itself, so that every relationship of *dependence* on something *other* than itself is thereby eliminated" (*PR,* §23).

This is, no doubt, a rather grandiose notion of freedom, but it is not without its distinguished antecedents in the tradition of modern philosophy. One thinks of Spinoza's definition of freedom in terms of self-determination: "A thing is said to be free when it exists solely from the necessity of its nature, and is determined to act by itself alone."[36] But most of all one thinks of Kant's notion of autonomy, the notion of the will as determined, not by natural inclination or sensible impulse, but by the rational nature of the individual. This Kantian notion of autonomy, prepared by Rousseau, radicalized by Fichte, and in some ways representing the deepest current of modern moral sensibility, remains the animating idea behind Hegel's conception of freedom as radical self-determination or being with oneself.[37]

Of course, Hegel criticizes the Kantian-Fichtean idea of freedom as autonomy. He maintains that, in the end, this idea fails to come to terms with nature, particularity, and otherness in general. It represents a merely "negative" (again in the Hegelian, not in the Berlinian, sense) conception of liberty, abstracting from all determinacy and fleeing from all content. Its logical outcome, when put into practice, is the fury and destruction of the French Revolution. Freedom is not just being with oneself but "being with oneself in the other." This formula encapsulates Hegel's distinctive appropriation and modification of the Kantian-Fichtean notion of autonomy. Hegel not only deepens and extends the quintessentially modern notion of freedom as self-determination and autonomy, he also represents one of the first and most profound critics of its excesses. This is what makes his conception of freedom so important.

Though not without distinguished antecedents in the modern philosophical tradition, Hegel's conception of freedom as radical self-determination nevertheless departs from the typical definition of freedom found in the better part of modern, and to a large extent liberal, political philosophy. According to this definition, freedom consists in the ability to pursue one's wants and desires without obstruction or interference. This is, of course, the notion of freedom that Hegel dismisses as mere arbitrariness. It is a notion to be found in its purest form, on the one hand, in Hobbes's definition of liberty as the "absence of external impediments," and on the other, in Bentham's definition of law as always being a fetter or constraint on liberty.[38] It can also be found, albeit not so

starkly, in such classically liberal writers as Locke and Mill. While Locke does not necessarily oppose freedom to law, he still largely sees it in terms of doing whatever one pleases within the space carved out by the law: "a liberty to follow my own will where the rule prescribes not"; "a liberty to dispose, and order, as [a man] lists, his person, actions, possessions, and his whole property, within the allowance of those laws under which he is."[39] And for Mill, the "only liberty which deserves the name is that of pursuing our own good in our own way, so long as we do not attempt to deprive others of theirs or impede their efforts to obtain it."[40]

This is, of course, what Isaiah Berlin termed the "negative" concept of freedom. And in his famous essay, "Two Concepts of Liberty," he defends it against what he considers to be the insidious confusions of the concept of "positive freedom," which he associates with Rousseau, Kant, Fichte, and Hegel, among others. Because Berlin's criticisms of the latter, positive (and, by implication, Hegelian) concept of freedom have been so influential, it is necessary to give them some consideration. We find that Berlin imports much into this positive concept of freedom which has little to do with Hegel's own thinking about freedom. Nevertheless, his argument is valuable insofar as it crystallizes the prejudices of a certain empiricist and (one might say) English way of thinking about freedom which refuses to consider freedom in any but a negative way.

Let us start with the distinction between negative and positive freedom itself. Berlin defines negative freedom pretty much in the way we defined it above, as the ability to pursue our wants and desires without obstruction or intrusion. The only thing that is noteworthy in his account of negative freedom is that he chooses to defend it in its most implausible Hobbesian-Benthamite form.[41] To this notion that law always represents a restriction on freedom Locke's reply to Filmer remains decisive: "that ill deserves the name of confinement which hedges us in only from bogs and precipices."[42] In contradistinction to the unfettered character of negative freedom, positive freedom involves the idea of self-mastery, the mastery of one's empirical, passional self by one's "real" or "rational" self; it involves the idea of self-direction in the sense of direction by one's "true" self. Berlin's characterization of positive freedom here does bear some resemblance to Hegel's notion of freedom as radical self-determination, though it should be noted that his language of self-mastery or mastery by one's "real" self suggests a dualism between reason and passion that is more congenial to Kant and Fichte and possibly some of the later British idealists than it is to Hegel.

Berlin argues that the idea of positive freedom, the idea of being self-directed or directed by one's "true" self, has historically taken two forms. In the first, self-mastery is achieved and independence won through the denial or overcoming of our passions and desires. Berlin characterizes this strategy of self-emancipation as the "retreat to the inner citadel," and he associates it with such thinkers as Kant and the Stoics. The second form the idea of positive freedom has taken, and the one that Berlin associates specifically with Hegel, is that of "self-realization, or total self-identification with a specific principle or ideal in order to attain the selfsame end."[43] Here freedom is understood as comprehending the necessity of the world. Berlin gives the examples of the mathematician and the musician. For the mathematician, the truths of mathematics do not appear as an alien necessity but as a product of his own rational capacity with which he freely identifies. Likewise, the musician does not see a piece of music as something externally imposed upon him by the composer but, rather, as something that he has so completely absorbed and understood that it loses its alien or unfree character. Understanding equals freedom. "That," Berlin writes, "is the programme of enlightened rationalism from Spinoza to the latest (at times unconscious) disciples of Hegel. *Sapere aude.* What you know, that of which you understand the necessity—the rational necessity—you cannot, while remaining rational, want to be otherwise."[44] And it is a programme which Berlin sees as leading from Hegel to the naturalisms of Marx and Freud: "We are enslaved by despots—institutions or beliefs or neuroses—which can be removed only by being analyzed and understood. We are imprisoned by evil spirits which we have ourselves—albeit not consciously—created, and can exorcise them only by becoming conscious and acting accordingly."[45]

It is not clear how all this actually relates to Hegel. While it is true that Hegel does, at some level, identify freedom with rational necessity, he does not see this necessity as a kind of fact that first exists outside of human freedom and only later comes to lose its alien character by being understood. For Hegel, the rational necessity of right or of the state, for example, is itself derived from freedom, is produced by the logic of freedom, consists in the immanent development of freedom. This is what makes Berlin's examples of the mathematician and the musician somewhat misleading. The truths of mathematics exist independently of the mathematician, and the musical score is composed by somebody other than the musician. In neither case is the rational necessity that is to be appropriated itself understood to be the product of the agent's own freedom.[46] In the end, Berlin makes Hegel's understanding of the relationship between freedom and necessity here too

Spinozistic, mistakenly assimilating it to the outlook of what he calls "enlightened rationalism."

Berlin's most famous claim regarding the positive notion of freedom as rational self-direction is that, when applied to the realm of society and politics, it leads to authoritarianism or totalitarianism. In order to sustain this claim, Berlin finds it necessary to attribute to adherents of positive freedom the assumption that in morals and politics "there must exist one and only one true solution to any problem."[47] Once this assumption is admitted, it is not difficult to derive the features of a full-blown totalitarian rationalism, replete with the "rule of experts" and an "elite of Platonic guardians."[48] The problem is, of course, that the assumption has nothing to do with Hegel. Nowhere in his thought do we find such a rigid and simple-minded rationalism. Indeed, as we shall see later on, the Hegelian state accommodates a considerable amount of diversity in the form of what he calls the "right to the satisfaction of the subject's particularity" (*PR*, §124R; see also §185R, etc.). Of course, Hegel does not ultimately subscribe to Berlin's radical and irreducible value-pluralism. In the end, he does try to forge some sort of unity out of diversity and articulate a framework "whereby all the diverse ends of men can be harmoniously realized."[49] But it is a serious flaw in Berlin's argument that he takes this reasonable aspiration of any political philosophy and necessarily links it with an extravagant and tyrannical rationalism. In the end, one is forced to agree with Allen Wood's judgment that "perhaps Berlin's only point is that *any* idea (however true and noble) may be perverted into its virtual opposite if it falls into the hands of people who are sufficiently deranged, self-deceiving, or opportunistic."[50]

We have seen that Hegel's identification of freedom with rationality need not lead to the totalitarian nightmare Berlin depicts. Nevertheless, there exist other, less crude versions of the Berlinian criticism that would repay consideration. According to one version, Hegel's identification of freedom with rationality or the rational will, while it may not lead to totalitarianism, does lead to a displacement of the distinctively modern emphasis on freedom and the primacy of the will and returns us to the rationalistic outlook characteristic of ancient political philosophy. This criticism of Hegel's doctrine of freedom and of the rational will has been made most powerfully by M. B. Foster in his early and extremely suggestive *The Political Philosophies of Plato and Hegel* and by Patrick Riley in his *Will and Political Legitimacy.*

Foster's critique of Hegel's doctrine of freedom starts from the distinction between ancient political philosophy and modern political philosophy cited at the beginning of this book. Whereas the ruling ideas of the ancient outlook are reason and nature, the ruling idea of the modern outlook is will, freedom, self-actualization:

> Modern political theories differ from ancient principally in making freedom the ground, end, and limit of the state; however much modern theories may differ from one another, according to the variety of meanings freedom may bear, these differences sink into relative insignificance when they are seen to be differences only in the interpretation of the principle which all have in common and in virtue of which they may be all contrasted with the ancient theories that the state is natural.[51]

With respect to this grand distinction between ancient and modern political philosophy, Foster argues that Hegel's position is equivocal. On the one hand, Hegel criticizes Plato and the ancients for not giving enough recognition to the "subjective element," or individual will and freedom—here Foster shows a sensitivity to this aspect of Hegel's thought that is missing from cruder critiques. On the other hand, Hegel's conception of the rational will is ultimately only "imperfectly differentiated from reason"[52] and does not escape the rationalism characteristic of Plato's political philosophy. Foster's argument here is too intricate to go into. The gist is that Hegel's rational will ultimately lacks the spontaneity and creativity that Foster sees as essential to the concept of will and that he traces back, for its metaphysical expression, to the Judeo-Christian doctrine of Creation. While Hegel tentatively admits the individual will into his political philosophy in a variety of ways, he fails to recognize completely "a worth in will other than its conformity to reason."[53]

Riley elaborates on Foster's criticism of Hegel's rationalism. Like Foster, he distinguishes the tradition of modern political philosophy from that of ancient political philosophy in terms of its voluntarism. Whereas ancient political philosophy conceived of political obligation largely in terms of the notions of reason and nature, having only an indistinct notion of will or voluntary action, modern political philosophy grounds political obligation squarely in will and consent.[54] Like Foster, Riley too criticizes Hegel for compromising the modern voluntarist standpoint and incorporating only a very "attenuated" notion of will into his political philosophy, ultimately subordinating will to reason. With respect to this latter point, Riley does not simplistically overlook Hegel's attempt to "preserve the will as a moral concept." He distinguishes Hegel's outlook, for example, from the nonvoluntaristic outlook of Burke. Nevertheless, he ultimately sees Hegel as preserving the will in only a passive and attenuated form—as "recognition" of the

rational—and canceling it "in every form thought politically important since the time of Hobbes."[55]

What can be said against these criticisms of Hegel's conception of will and freedom by Foster and Riley? On the one hand, not a great deal. Foster and Riley legitimately point out that Hegel's voluntarism departs in significant ways from the voluntarism of early modern social-contract theory as well as from the voluntarism implied in early Christian doctrine. On the other hand, this point still begs the most important question. In the end, Foster's and Riley's criticism of Hegel reduces to the claim that Hegel's notion of will is "attenuated" or insufficiently spontaneous or "creative" because it is not indeterminate or arbitrary.[56] But this is only to point out what Hegel already acknowledges: the rational will is not the arbitrary will, and freedom is not to be identified with indeterminate choice. The question remains whether this teaching of Hegel's does not constitute a deeper insight into human freedom than the conception of will Foster and Riley hold up against it. Below I will argue that it does.

Another way to approach Foster's and Riley's critique of Hegel is by reconsidering their understanding of Hegel's relationship to the great tradition of political philosophy. Their critique rests largely on a sharp division of the tradition of political philosophy into two parts, the ancient labeled "reason," and the modern labeled "will," and on the further contention that insofar as Hegel departs from the conventional interpretation of the latter he must lapse back into the standpoint of the former. But is this necessarily so? Does not Hegel's conception of freedom as rational self-determination differ in important ways from the classical ideal of rational self-realization?

Despite important similarities, the classical ideal of rational self-realization is ultimately partnered by an idea of nature that is alien to Hegel and to the modern tradition in general. To bring reason to bear on practical life, according to the classical view, is to bring the individual into line with the rational order that inheres in nature. Rational self-direction is ultimately a matter of discovering one's place in the rational order of a purposive cosmos. This link to nature is what enables the classics to describe the final human good in terms of "happiness." A very different spirit informs Hegel's conception of freedom as rational self-determination, and one which is more consonant with modern presuppositions. This conception is in no way linked to a teleological understanding of nature. Rational self-determination does not involve conformity to some sort of end or purpose given by nature. Rather, it involves the overcoming of all merely contingent determination by nature and the spinning out of freedom itself a content that is congruent with it.[57] This is what lies behind Hegel's rejection of

the natural will for the rational will in the Introduction to the *Philosophy of Right*. And it is what lies behind his adoption of "freedom" instead of "happiness" as the name for the final human good.

By contrasting Hegel's conception of freedom as rational self-determination with the classical ideal of rational self-realization in this way, we are again reminded of Kant. For it is to the Kantian ideal of autonomy that Hegel's conception of rational self-determination ultimately harks back, not to the classical ideal of rational self-realization. For all of his criticism of Kant's dualism, Hegel never really abandons the Kantian principle of autonomy. His philosophy represents an attempt to extend and deepen this principle, allowing it to penetrate reality even more profoundly than it does in Kant's philosophy, but it never abandons or compromises this principle. Nor is the Kantian ideal of autonomy to be confused with the classical ideal of rational self-realization. Despite a common emphasis on reason and rational self-control, the Kantian ideal of autonomy, unlike the classical ideal, is not tied to a teleological conception of nature that provides reason with its end. For Kant, as for Hegel, reason liberates us from nature; it does not seek conformity with it. As Robert Pippin has put it: "Reason itself, in all its manifestations, does not, in Kant, discover the human place within Nature or serve some natural end or passion; it 'legislates to Nature'; it does not discover the good life, it prescribes the rules for human activity, be Nature as it may."[58]

Kantian autonomy is the name for the deepest current of modernity: the determination to rely on human reason alone, without metaphysical support from God or nature. And insofar as Hegel's conception of rational self-determination represents an extension and deepening of the Kantian ideal of autonomy, it, too, very much belongs to this modern current. This is the point to be urged against Foster's and Riley's contention that Hegel's conception of freedom in terms of the rational will somehow represents a betrayal of the voluntarism of modern political philosophy and a lapsing back into the rationalistic standpoint of ancient political philosophy. The rationality Hegel invokes is not, like the reason of the ancients, something independent of or opposed to human will or freedom; rather, it is its consummate expression. The rational will is the will that has itself for its content and is utterly self-dependent. Such self-dependence is what Hegel, not implausibly, understands by freedom. To repeat once more the sentence which I quoted at the beginning of this chapter: "[F]or that is just what freedom is: being at home with oneself in one's other, depending upon oneself, and being one's own determinant" (*EL*, §24A2). Freedom thus understood does not constitute an abandonment of the voluntarist tradi-

tion of modern political philosophy. Quite the contrary, in many ways it represents the most radical and self-consistent expression of the modern emphasis on the primacy of the will.

To distinguish Hegel's conception of freedom as rational self-determination from the more naturalistic classical ideal of rational self-determination in this way is not, however, to deny that it has any metaphysical status whatsoever. A number of recent commentators, trying to push Hegel ever further in a non-metaphysical direction and thus make him more palatable to contemporary philosophical taste, have denied that there is anything metaphysical about Hegel's conception of freedom or agency; but the evidence for this position is quite slim.[59] As we have seen repeatedly throughout this chapter, Hegel is quite comfortable with arguing that freedom understood as self-determination or being at home with oneself is the essence of human beings. To have the capacity for self-determination is not simply a contingent or historic acquisition; it is what it is to be a human being, what distinguishes human beings from animals. And the desire to cultivate or realize this essential human capacity for self-determination, to transform this implicit, in-itself character of human beings into an explicit, for-itself actuality, is not merely a contingent or historic disposition; it is the rational destiny of human beings. It is true that Hegel does not, like Kant and Fichte, ground his positive conception of freedom in a questionable metaphysic of a higher and lower—or true and false—self. But he does ultimately justify the rational or universal will in terms of its correspondence to the free or universal nature of human beings, and he rejects the natural will for its failure to correspond to the same. The metaphysical status of this argument would seem hard to deny.

To admit this metaphysical dimension of Hegel's conception of freedom is, of course, from the standpoint of much contemporary political theory, to weaken it. Even if it is not seen as dangerous, the attempt to ground human freedom and the disposition to cultivate it in some sort of conception of human nature is at the very least regarded as unnecessary or redundant. Without defending this metaphysical aspect of Hegel's teaching, I maintain that it does not necessarily undermine the value of his overall conception of freedom as rational self-determination. Regardless of whether we follow Hegel in thinking that freedom as he understands it is the essence of human beings, what differentiates us from animals, we can still concede that his positive conception of freedom brings out more clearly than other—especially negative—conceptions just what we understand by freedom and why we find it valuable. Our deepest intuitions about freedom suggest that it does not involve simply doing

what we please but, rather, self-control, self-coherence, cultivation of capacities, and fulfillment of significant purposes. As Charles Taylor has written, "Freedom is important to us because we are purposive beings."[60] It is this purposive, self-realizing dimension of freedom that Hegel captures with his positive conception of freedom as rational self-determination. It may be that the disposition to cultivate and not suppress the capacity for self-determination is a contingent and historic disposition—albeit one that runs rather deep in the modern European tradition—but Hegel provides us with an account of it that, for its penetration and subtlety, surpasses the accounts of his predecessors as well as many metaphysically more parsimonious contemporary theories.

In defending Hegel's concept of freedom in this section, I do not imply that there is nothing to be said against it. My main point has been that this concept, as a concept, is not necessarily vulnerable to turning into something other than or opposed to freedom, whether it be totalitarianism (*a là* Berlin) or a version of classical rationalism (*a là* Foster and Riley). But there are other and potentially more serious questions that might be raised about Hegel's doctrine of freedom. These questions do not have to do so much with the internal coherence of Hegel's concept of freedom as they do with his identification of freedom with certain historic practices and institutions and ultimately with the modern state. They are questions that we will consider as we go through the rest of the argument of the *Philosophy of Right,* concerned with the embodiment of freedom in the various forms of right, in the following chapters.

27. See also *LNR*, §§1–2 on this distinction. There Hegel argues that "the term 'natural right' [*Naturrecht*] ought to be abandoned and replaced by the term 'philosophical doctrine of right' [*philosophische Rechtslehre*]," owing to the ambiguity of the word "nature," which can refer to the concept of a thing but also to immediate nature, as in the "state of nature" (§2R). On the ambiguity of the term *Naturrecht*, see also *EPS*, §502R.
28. Many what might be called "left" Hegelian theorists exaggerate this critical dimension of Hegel's thought, most recently Pinkard, *Hegel's Phenomenology*, 339–43.
29. See also the *IPH*, 75–82/96–105.
30. Smith, *Hegel's Critique of Liberalism*, 222–23.
31. Avineri, *Hegel's Theory of the Modern State*, 129–30.
32. See Taylor, *Hegel and Modern Society* (Cambridge: Cambridge University Press, 1979), 66–69, 135. For similar views, see Z. A. Pelczynski's introduction to *Hegel's Political Writings*, 135–36; Anthony Quinton, "Spreading Hegel's Wings," *New York Review of Books*, 12 June 1975, 42.
33. Wood, *Hegel's Ethical Thought*, 5.
34. See, for example, David Kolb, *The Critique of Pure Modernity: Hegel, Heidegger, and After* (Chicago: University of Chicago Press, 1986), chaps. 2–6; Peter Steinberger, *Logic and Politics: Hegel's Philosophy of Right* (New Haven: Yale University Press, 1988); Terry Pinkard, *Hegel's Dialectic* (Philadelphia: Temple University Press, 1988).
35. See, for example, *EL*, §25 and the subordinate role of the "Phenomenology" in the *Encyclopedia* as a whole.
36. See also *EL*, §22A.
37. Again, see Taylor, *Hegel and Modern Society*, 66–69, 135; also *Hegel* in general. See also Inwood, *Hegel*.
38. On this, see Pippin, *Hegel's Idealism*, 8–9, 24–41.
39. For this understanding of Hegel's project in the *Logic* vis-à-vis Kant's critical philosophy, I am drawing heavily on Pippin's analysis in *Hegel's Idealism;* see especially 7–9, 37–38, 204, 208–9, 222.
40. On the dialectical method, see also *SL*, I, 53–57/48–53; *PR*, §31R.
41. For Hegel's most sustained defense of starting the *Logic* with the immediate thought of "being," see the section entitled "With What Must the Science Begin," in *SL*, I, 67–78/65–79. See also Hegel's letter to Sinclair from 1813, where he writes that "however much trouble one is justifiably used to taking in philosophy about the beginning, in another respect one ought not to make so much fuss over it. The nonphilosophers in particular foolishly demand a beginning which is absolute and against which they cannot immediately quibble—an incontrovertible first principle. . . . But it would show little cleverness for a philosopher to let himself be tricked or misled into honestly wishing to make such a beginning. For the beginning, precisely because it is the beginning, is imperfect. . . . [The philosopher's] entire philosophy is nothing but a struggle against the beginning, a refutation and annihilation of his starting-point" (*L*, 293/2:3–4).
42. For the ontologicization of Hegel's dialectic of "quality" in this way, see Taylor, *Hegel*, 232–39. For a criticism of such ontologicization, see Pippin, *Hegel's Idealism*, 188–94.

43. Pippin, *Hegel's Idealism*, 247.
44. Pippin, *Hegel's Idealism*, 246–47.

CHAPTER 5 HEGEL'S CONCEPT OF FREEDOM

1. For this formulation of the difference between ancient and modern political philosophy, again see Foster, *The Political Philosophies of Plato and Hegel*, 72; also Oakeshott, Introduction to Hobbes's *Leviathan*, xi–xii.
2. For similar defenses of Hegel's belonging to the voluntaristic tradition of modern political philosophy, see Riedel, *Between Tradition and Revolution*, chaps. 3–4; George Armstrong Kelly, *Hegel's Retreat from Eleusis* (Princeton: Princeton University Press, 1978), 113; Donald Maletz, "The Meaning of 'Will' in Hegel's *Philosophy of Right*," Interpretation 13 (1985): 195–97; "Hegel on Right " as Actualized Will," *Political Theory* 17 (1989): 34–35.
3. See Foster, *The Political Philosophies of Plato and Hegel*, chaps. 3–6; Riley, *Will and Political Legitimacy*, chap. 6.
4. E. F. Carritt, "Reply," in *Hegel's Political Philosophy*, ed. W. Kaufmann, 38. Ernst Tugendhat provides a more recent example of this sort of criticism. Commenting on Hegel's identification of freedom with duty to the state in §514 of *EPS*, he writes: "This reversal of freedom into something that is normally considered its opposite means that the individual is to feel free precisely by fulfilling the duties originating from the power of the existing order . . . With this reversal, a level of perversity is reached that even Hegel cannot surpass" (*Self-Consciousness and Self-Determination*, 316).
5. See Berlin, "Two Concepts of Liberty."
6. See, for example, Gilbert Ryle, *The Concept of Mind* (London: Hutchinson, 1949), chap. 3. On the emergence of the concept of will, especially under the impact of Christian ideas and the reflective effort of St. Augustine, see Hannah Arendt, *The Life of the Mind: Willing* (New York: Harcourt Brace Jovanovich, 1978), 3, 55–110; Riley, *Will and Political Legitimacy*, 3–8; Albrecht Dihle, *The Theory of Will in Classical Antiquity* (Berkeley: University of California Press, 1982), chaps. 1, 4–6.
7. See also *EPS*, §§445, 468A.
8. See also *EPS*, §381A.
9. Again, see also *EPS*, §381A.
10. See also *EPS*, §443.
11. See also *EPS*, §468A. In the Introduction to the *Philosophy of History*, Hegel argues that the human being, as a thinking being, represents his impulses to himself before they are satisfied, interposes "the ideal, the realm of thought," between his impulses and their satisfaction, and this enables him ultimately to control his impulses. The animal, on the other hand, "cannot interpose anything between its impulse and the satisfaction of its impulse; it has no will, and cannot even attempt to control itself. . . . Man, however, is not independent because he is the initiator of his own movement, but because he can restrain this movement and thereby master his spontaneity and natural constitution" (*LPHI*, 49–50/57). On this distinction between the freedom that belongs to human conduct and the purely instinctive character of animal behavior, compare Rousseau,

Discourse on the Origin of Inequality: "Nature commands every animal, and beasts obey. Man feels the same impetus, but he knows that he is free to go along or to resist and it is above all in the awareness of this freedom that the spirituality of his soul is made manifest" (*Basic Political Writings,* 45).

12. Kant and Fichte also distinguish between "formal" or "negative" freedom and "material" or "positive" freedom; see Kant, *Foundations,* 64–65, and *Metaphysics of Morals,* 42; Fichte, *Science of Ethics,* 138–45 (*SW* 4:132–39). For a more recent version of this distinction between freedom as a formal condition intrinsic to agency and freedom as substantive self-direction, see Oakeshott, *On Human Conduct,* 36–37.
13. In his treatment of the struggle for recognition in the *Philosophical Propaedeutic,* Hegel explicitly distinguishes between "purely negative freedom, which consists in the abstraction from natural existence" and the positive concept of freedom, which consists in "selfsameness in otherness, that is, in part the beholding of oneself in another self and in part freedom not *from* existence but *in* existence, a freedom which itself has an existence" (*PP,* 62–63/120–21).
14. See Berlin, "Two Concepts of Liberty," 121–23.
15. On this idea of negative or indeterminate freedom in Kant, see *HP,* III, 459–60/367.
16. On this idea of freedom as "being with oneself in an other," see Wood's subtle discussion in *Hegel's Ethical Thought,* 44–49.
17. On the superiority of the actual to the possible, see also Soren Kierkegaard, *Concluding Unscientific Postscript to "Philosophical Fragments,"* trans. Howard and Edna Hong (Princeton: Princeton University Press, 1992), 320; also his critique of the "aesthetic" point of view, which values possibility above actuality, in *Either/Or,* trans. David and Lillian Swenson (Princeton: Princeton University Press, 1959).
18. See also *EPS,* §§476–77. Mark Tunick, in *Hegel's Political Philosophy: Interpreting the Practice of Legal Punishment* (Princeton: Princeton University Press, 1992), 57n.92, criticizes a number of commentators for blurring the distinction between the "natural will" and the "reflective" or "arbitrary" will. While there is something to this criticism, Tunick I think exaggerates the difference between the natural will and the arbitrary will. The arbitrary will represents an aspect and implication of the natural will insofar as its content remains tied to our natural drives and inclinations.
19. See Michael Sandel, *Liberalism and the Limits of Justice* (Cambridge: Cambridge University Press, 1982).
20. Kant, *Foundations,* 64–65; *Metaphysics of Morals,* 42. Again compare parallel distinction between "formal freedom" and "material freedom" in Fichte, *Science of Ethics,* 138–45 (*SW* 4:132–39).
21. Hegel deploys this analogy of art in connection with the discussion of freedom of the will as early as 1810, in *PP,* 16/224–25. On the difference between genuine artistic originality—which Hegel associates preeminently with Homer, Sophocles, Raphael, and Shakespeare—and mere mannerism, the expression of the particular idiosyncrasies of the artist, see *A,* I, 291–98/376–85.
22. Quoted in Sheehan, *German History: 1770–1866,* 332.
23. For Kant's "counsels of prudence," see *Foundations,* 36; also Wood's editorial note to §17 of *PR.*

24. Wood, *Hegel's Ethical Thought,* 53. My discussion of happiness that follows owes much to Wood's instructive chapter on this subject.
25. See Kant, *Foundations,* 35–36.
26. See also *EPS,* §469; *PH,* 442–43/524. In the Berlin lectures of 1818–19 on the philosophy of right, Hegel relates his notion of the genuinely free will to Fichte's notion of absolute self-activity: "I must equal I, as Fichte says. Self-consciousness [comes into being] in becoming the free will that has being in and for itself. The will determines itself, invests itself in an object, but this object is itself; in its object it is at home with itself [*bei sich*]. This is the absolutely real will" (*LNR,* p. 325/274).
27. Richard Schacht captures well the centrality of the idea of self-determination to Hegel's concept of freedom in his essay, "Hegel on Freedom," in *Hegel: A Collection of Essays,* ed. Alasdair MacIntyre (New York: Doubleday, 1972): 289–328.
28. See also *EPS,* §469.
29. See also *EPS,* §482. Hegel sees the Reformation as having given this Christian insight that human beings are by nature free its decisive impetus in the modern world (see *PH,* 344–45/416–17, 416–17/496–97).
30. See also *EL,* §§24A2, 172A, 213A.
31. See also *EPS,* §486.
32. Compare *PR,* §49A.
33. In his 1817–18 Heidelberg lectures on the philosophy of right, Hegel writes: "*Right* expresses in general a relation which is constituted by freedom of the will and its realization. *Duty* is one such a relation insofar as I regard it as essential and have to recognize it, respect it, or bring it about" (*LNR,* §8).
34. Rousseau, *Social Contract,* I, 7.
35. For example, when Rousseau says that, in joining civil society and submitting to the general will, each "nevertheless obeys only himself and remains as free as before" (*Social Contract,* I, 6). Or when he argues that the general will cannot be represented and therefore demands some sort of directly democratic arrangement (*Social Contract,* III, 12–15). Hegel provides a more sympathetic view of Rousseau's concept of the general will in *EL,* §163A1.
36. Spinoza, *The Ethics,* trans. S. Shirley (Indianapolis: Hackett, 1982), pt. I, def. 7, p. 31.
37. On the development of this idea of freedom as self-determination or self-dependence and Hegel's relation to it, see Schacht, "Hegel on Freedom," 291–300; Wood, *Hegel's Ethical Thought,* 42–45. Charles Taylor's attempt to see Hegel's doctrine of freedom as a rejection of the modern idea of freedom as self-dependence in favor of the notion of "situated freedom" seems to me somewhat problematic; see *Hegel,* 560–62, 568–69.
38. See Hobbes, *Leviathan,* chap. 14; Bentham, *Of Laws in General,* ed. H. L. A. Hart (London: Athlone Press, 1970), 54–55.
39. Locke, *Second Treatise,* ed. Peter Laslett (Cambridge: Cambridge University Press, 1988), §§22, 57.
40. John Stuart Mill, *On Liberty,* ed. E. Rapaport (Indianapolis: Hackett, 1978), 12.
41. See Berlin, "Two Concepts of Liberty," 123n., 148.
42. Locke, *Second Treatise,* §57. See also Wood's discussion of how the Hobbesian-

Benthamite idea of law as a restriction of freedom does not accord with ordinary usage (*Hegel's Ethical Thought,* 40–41).

43. Berlin, "Two Concepts of Liberty," 134.
44. Berlin, "Two Concepts of Liberty," 142.
45. Berlin, "Two Concepts of Liberty," 143.
46. See G. H. R. Parkinson, "Hegel's Concept of Freedom," in *Hegel,* ed. M. Inwood (Oxford: Oxford University Press, 1985), 171.
47. Berlin, "Two Concepts of Liberty," 145.
48. Berlin, "Two Concepts of Liberty," 152.
49. Berlin, "Two Concepts of Liberty," 169.
50. Wood, *Hegel's Ethical Thought,* 42.
51. Foster, *The Political Philosophies of Plato and Hegel,* 72.
52. Foster, *The Political Philosophies of Plato and Hegel,* 131.
53. Foster, *The Political Philosophies of Plato and Hegel,* 179; in general, see chaps. 3–6, esp. 125–41, 167–79, 180–204.
54. Riley, *Will and Political Legitimacy,* 1–9.
55. Riley, *Will and Political Legitimacy,* 166–67, 192–93, 199. In keeping with this assessment of Hegel's political philosophy, Riley agrees with Shklar's interpretation of the *Phenomenology* as a "massive assault upon the 'subjectivity' of individualism" (see *Will and Political Legitimacy,* 165, 176–90)—an interpretation that I rejected in chap. 3.
56. See Riley's discussion of freedom in terms of "undetermined choice," *Will and Political Legitimacy,* 12.
57. On this difference between the classical ideal of rational self-realization and the Kantian-Hegelian ideal of rational self-determination or autonomy, see Pippin, *Modernism as a Philosophical Problem,* 12–14. This book powerfully argues for the centrality of the Kantian (and Hegelian) idea of autonomy or self-determination to the self-understanding of modernity.
58. Pippin, *Modernism as a Philosophical Problem,* 13–14.
59. See, for example, Pinkard, *Hegel's Phenomenology,* 13, 272–74, 296–97, 336. Pinkard admits that Hegel sometimes speaks of freedom as the essence or nature of human beings, but he argues that Hegel's language in these instances is "misleading" (see 418n.4).
60. Charles Taylor, "What's Wrong With Negative Liberty," in *Philosophy and the Human Sciences,* 219. This essay presents a cogent contemporary defense of the move from a simple-minded negative conception of freedom to a more positive conception.

CHAPTER 6 THE BASIC STRUCTURE OF THE *PHILOSOPHY OF RIGHT*

1. For similar structural approaches, see K. H. Ilting, "The Structure of Hegel's *Philosophy of Right,*" in *Hegel's Political Philosophy,* ed. Pelczynski, 90–110; Kenneth Westphal, "The Basic Context and Structure of Hegel's *Philosophy of Right,*" in *The Cambridge Companion to Hegel,* 234–69.
2. For a similar approach, see Wood, *Hegel's Ethical Thought,* especially chaps. 11–12; Pippin, "Hegel's Ethical Rationalism," in *Idealism as Modernism.*

3. See also *LNR,* §8R.
4. For a questioning of Hegel's philosophical procedure in the *Philosophy of Right* and specifically of his claim to have "deduced" or immanently developed the content of the book out of the concept of freedom, see K. -H. Ilting, "The Dialectic of Civil Society," in *State and Civil Society.*
5. On this double significance of Hegel's treatment of abstract right, see also Ilting, "The Structure of Hegel's *Philosophy of Right*"; Peter Stillman, "Hegel's Critique of Liberal Theories of Rights," *American Political Science Review* 68 (1974): 1086–92.
6. See also *LNR,* §12R.
7. For a good discussion of the relationship between recognition and abstract right, see Wood, *Hegel's Ethical Thought,* chap. 4.
8. See also *LNR,* §13; *PP,* 24/234–35.
9. See Fichte, *Foundations of Natural Right,* 22–23, 80–81; *SW* 3:13, 54.
10. See Jeremy Waldron, *The Right to Private Property* (Oxford: Clarendon Press, 1988), 373.
11. See Kant, "Theory and Practice," 74–76.
12. See Waldron, 4, 343, 350, 377–386; Wood, *Hegel's Ethical Thought,* 107. Waldron, in particular, puts a great deal of weight on this passage from *PR,* §49A, but his argument for the expansive distributive implications of it go well beyond the considerations of abstract right and personality, and this introduces a certain amount of confusion into his interpretation.
13. Again, see Waldron, especially 377–86.
14. On the difference between genuine universality and mere commonality, see *EL,* §163A1.
15. See David Cooper, "Hegel's Theory of Punishment," in *Hegel's Political Philosophy,* ed. Pelczynski, 151–67; Peter Stillman, "Hegel's Idea of Punishment," *Journal of the History of Philosophy* 14 (1976): 169–83; Steinberger, *Logic and Politics,* chap. 3; Wood, *Hegel's Ethical Thought,* chap. 6.
16. See Kant, *Metaphysics of Morals,* 140–45.
17. According to Kant, "Even if a civil society were to be dissolved by the consent of all its members (e.g., if a people inhabiting an island decided to separate and disperse throughout the world), the last murderer remaining in prison would first have to be executed, so that each has done to him what his deeds deserve and blood guilt does not cling to the people for not having insisted upon this punishment; for otherwise the people can be regarded as collaborators in this public violation of justice" (*Metaphysics of Morals,* 142).
18. Compare Kant's rejection of Beccaria's contractarian argument against capital punishment in *Metaphysics of Morals,* 143–44.
19. See also *LNR,* §§40, 48.
20. Hamilton, Madison, and Jay, *Federalist Papers,* ed. Clinton Rossiter (New York: Mentor, 1961), #51.
21. Compare *PP,* 43/261.
22. See also *IPH,* 34–35/47–48; *EL,* §10A.
23. See Ludwig Siep, "The 'Aufhebung' of Morality in Ethical Life," in *Hegel's Philosophy of Action,* ed. L. Stepelevich and D. Lamb (Atlantic Highlands, N.J.: Humanities Press, 1983), 140.
24. See also *PP,* 37/253.