



Hegel and the Idea of the Dialectic

Week 11. 20th March 2017
The *Philosophy of Right* 2

Class aims

- Introduce the context of Hegel's *Philosophy of Right*
- Identify how *ethical life* emerges out of moral freedom
- Understand Hegel's critique of poverty, individualism, and the need for corporations
- Evaluate Hegel's theory of the state



Class recap

- Introduce Hegel's politics of human freedom in the *Philosophy of Right*
- Identify his dialectical progress of freedom from minimal abstraction to abstract right
- Evaluate his arguments for free will, choice and right
- Discuss Hegel in a broader context of political philosophers on freedom and self-determination

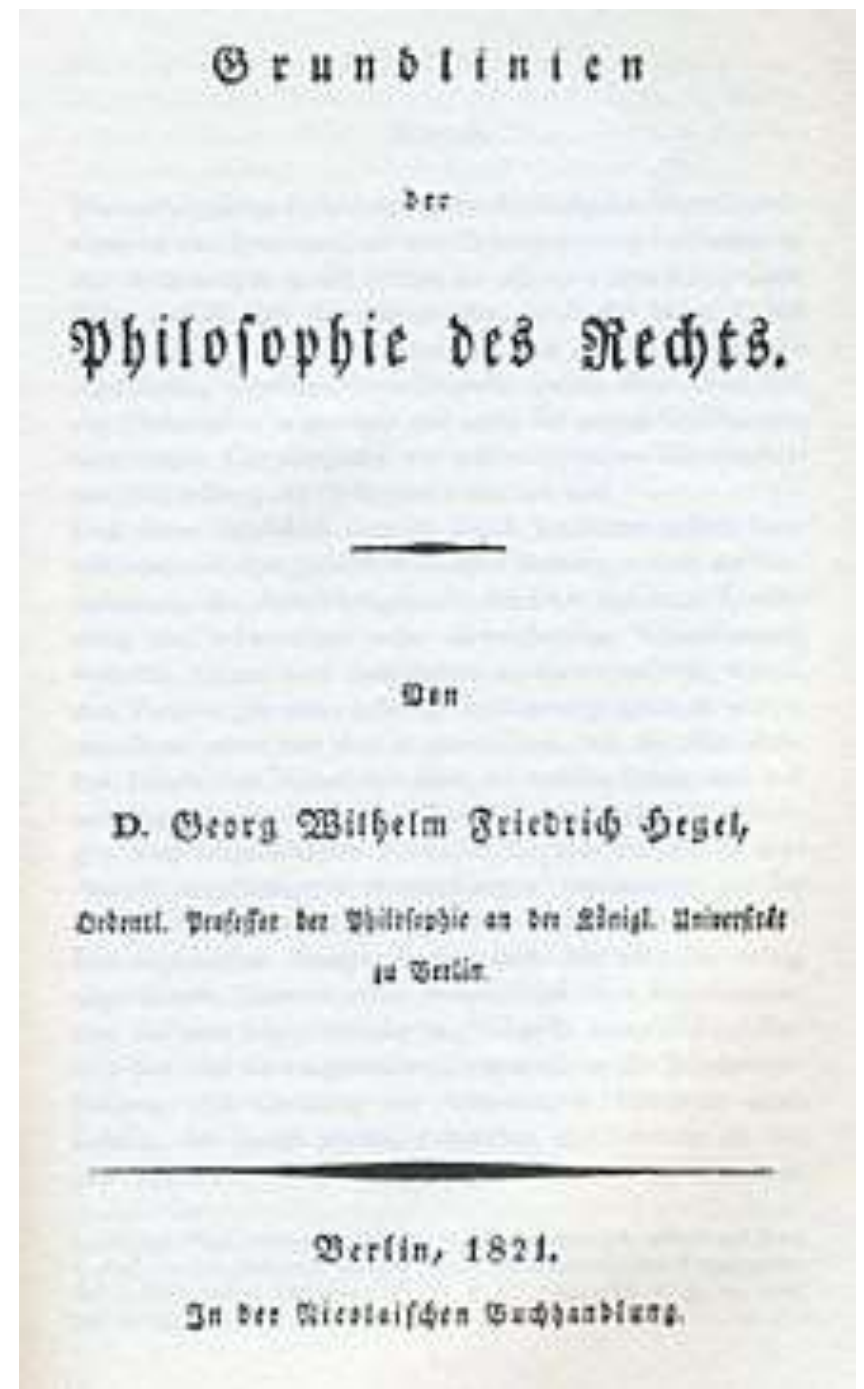


The *Philosophy of Right*

‘What is rational is actual; and what is actual is rational.’

‘The truth is that in philosophical knowledge the *necessity* of a concept is the principal thing.’

‘philosophy too is *its own time apprehended in thoughts*’

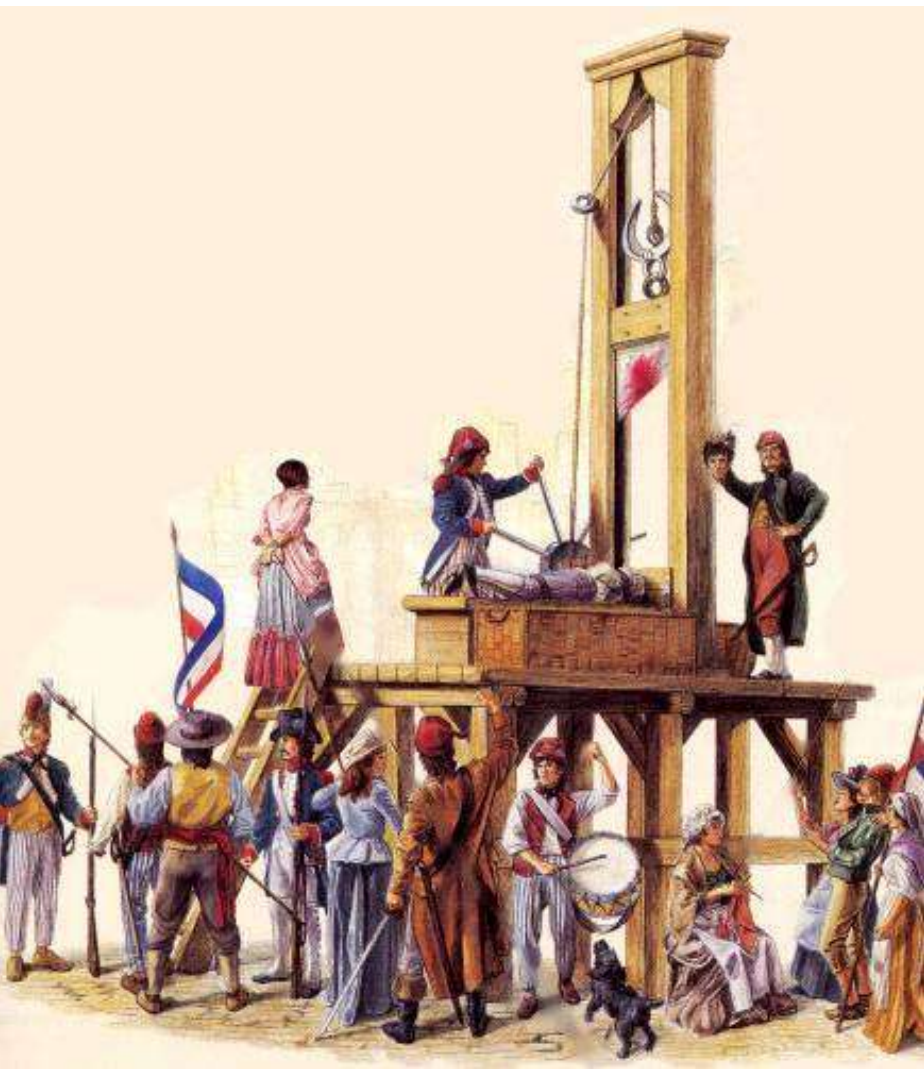


The Philosophy of Right

- Concerned with the objective conditions of human freedom, understood as self-determination in thought.
- Hegel's philosophy is concerned with the true character of being, with the underlying assumption that thought is capable of understanding on its own, a priori, the true character of being.
- Philosophy is therefore not an empirical comprehension of nature and human life, but...
- Instead discovers (and is able to discover) the fundamental character of being through examining the concept of being itself.

The *Philosophy of Right* - Preface

- Aim is to '*apprehend and present the state as something inherently rational*'.
- It is not involved in saying what the state ought to be, but rather how the state logically develops out of freedom's inherent dialectical development towards its own objective realisation.
- The *PoR* therefore aims to provide an *a priori* justification of right, property, moral conscience, family life, civil society, and the state.
- In each form, being is the process of self-determination, the Idea, and through this process being develops from simple nature to self-conscious spirit.
- This spirit is human self-consciousness, which is in turn characterised by freedom – of imagination, thought, and of will.



A political dialectic

‘I am about to be fifty years old, and I have spent thirty of these fifty years in these ever-unrestful times of hope and fear. I had hoped that for once we might be done with it. Now I must confess that things continue as ever. Indeed, in one’s darker hours it seems they are getting ever worse.’

Context

- The *PoR* is published in 1820 but dated 1821.
- After *SoL*, he was appointed to a salaried professorship at the University of Heidelberg (Spinoza refused 140 years or so earlier), and published his first edition of the *Encyclopaedia of the Philosophical Sciences* (1817) and lectured on natural law.
- In 1818 he receives a professorship at the University of Berlin by the reform-minded Prussian Minister Altenstein.
- In Berlin he becomes influential as a public teacher, becoming acquaintances with Wilhelm von Humboldt and closer to Goethe.
- The *PoR* comes out, as do two further editions of the *Encyclopaedia* (1827, 1830). He gave a full course on 'natural law and political science or the philosophy of right' five times between 1818-25.

Context: 1819 repression

- German nationalism had been increasing since the wars of liberation against Napoleon, expressed in student societies, often with anti-Semitism. The Civil Code was burned at one event in 1817.
- The playwright August von Kotzebue was murdered in 1819 by Karl Ludwig Sand; by late 1819 governments in Austria and Germany pass the Karlsbad
- Decrees imposing greater repressive scrutiny on universities, and censorship increased. Hegel and his students were briefly under suspicion, with one student, Leopold von Henning imprisoned for seven weeks (Hegel and his students row out on the Spree to his window, and assure him in Latin to avoid being understood by guards that they are doing everything to prove his innocence).
- Hegel's choice of teaching assistant, Friedrich Wilhelm Carové is denounced by Count Wittgenstein as a subversive in December 1819, and is advised by Altenstein to leave Berlin.

Context: 1819 Repression

Against anti-Semitism, Hegel writes (PoR §270 Remark):

‘the fierce outcry raised against the Jews [...] ignores the fact that they are, above all, human beings; and humanity, so far from being a mere superficial, abstract quality [. . .], is on the contrary itself the basis of the fact that civil rights arouse in their possessors the feeling of oneself as counting in civil society as a person with rights’.



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Truth about the rabble bringing fear to our streets: Working class warriors? No, middle class spongers and so-called academics

- Age hasn't mellowed university graduate Ian Bone - he's full of resentment
- Almost all his life has been devoted to waging war on the rich
- All the while he has been claiming benefits funded by their taxes
- So, what does the bitter graduate think of the cereal cafe protest?

By [ANDREW MALONE](#) and [SAM GREENHILL](#) FOR THE DAILY MAIL

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The rabble!

- Take a look at sections 241-44.
- Why are individuals reduced to poverty?
- Why is this a problem?
- What is the 'inward' state of being of the rabble?

The rabble!

- *Civil society leads dialectically* to poverty, because a society maximising the free production and exchange of goods inevitably produces more than it can consume, and overproduction leads to redundancies.
- Poverty produces a state of alienation and indignation, creating a ‘rabble’ animated by ‘an inner indignation against the rich, against society, against the government’ (§244 Addition).
- But through *corporations* – as well as welfare for the poor, exporting excess goods, sending people overseas and creating new jobs – these guild-like associations of workers can foster an explicit concern for the welfare of others in the same trade, and regulate the production of goods (§252).
- Thus economic activity and poverty dialectically leads to cooperation. Marx would differ in attributing wage labour, rather than overproduction, to this.

Dialectic of freedom

- The *Philosophy of Right* outlines the logical, objective development from human freedom from minimal choice to ethical self-consciousness.
- To understand this, let's recap on what the book sets out to argue...

Dialectic of freedom (Book 1)

- Self-determination begins with free will, or §27 ‘the abstract concept of the Idea of the will’.
- ... And follows how this free will comes explicitly to be the Idea or free self-determination, through the state
- It begins with *negative freedom*, ‘my ability to free myself from everything ... abstract myself from everything’
- And leads to an ability to affirm a specific ‘content and object’ of desire, a freedom to choose among desires – *caprice* or *arbitrariness*
- But this conception is limited, as we can freely choose *only* from what desires are given to us. Our I is indeterminate, and dependent on what nature predetermines us to choose from

Dialectic of freedom (Book 1)

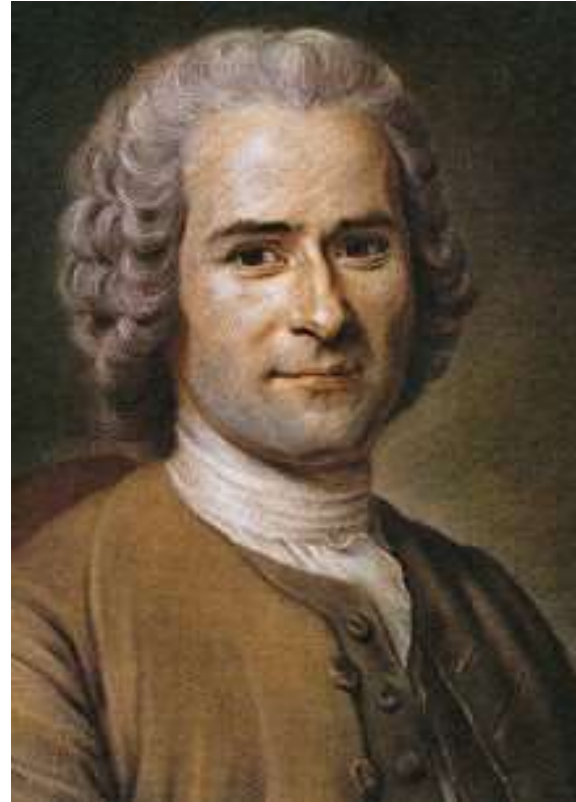
- In willing a particular (determined) desire, I also affirm the power of my own will itself, *my* freedom of choice.
- The next stage is for the will to make itself the explicit object of its own affirmation, no longer dependent on nature but just itself.
- This is somewhat Kantian: freedom is in the self-willing will which is aware of itself - '*the free will which wills the free will*'
- *Necessity* is crucial: the will must will itself, in order to be free and independent – it is motivated by an '*absolute* impulse ... of the free spirit' or determination, through which *Right* emerges.
- Each stage of freedom has a corresponding state of right.

The World of Right (Book 1)

- Its first is *abstract right*: to be treated as a bearer of rights or 'person' (§36), belonging to those who know themselves as free beings.
- Abstract right encompasses the right to own property, exchange property and make contracts with others, and right not to be injured or enslaved, and respecting others: we cannot take the property of what belongs to another (§50).
- But dialectically abstract right leads to *crime* or wrong, as it is contingent whether others will choose to respect each other's rights
- The criminal's violation requires that right be restored through punishment and retribution. Right is given clear priority over individual will through punishment.
- This is explicitly recognises and internalised by the will, which becomes a moral will (§104), and so *moral right* emerges.

From the moral to the ethical...

- What was Hegel's criticism of Rousseau's 'law of the heart', and of the beautiful soul which becomes the evil one?



From the moral to the ethical...

- What was Hegel's criticism of Rousseau's 'law of the heart', and of the beautiful soul which becomes the evil one?
- In the *PoR*, he makes the same points about the necessity of the ethical society (Book 3) emerging from the moral (Book 2)
- Moral freedom is self-determining activity in thought – the world of subjective conscience...
- But it lacks an objective criterion to determine the good, which it identifies with its own subjectivity
- But it wills what it takes to be the genuinely good, and so recognises the good as something 'universal and objective' (§141).
- Thus the new shape of freedom emerges, that which explicitly wills this universal good – the *ethical will*.

Ethical life

- Take a look at the excerpt and discuss....
- ‘Ethical life is the *Idea* of freedom as the living good’ (142) – what do you take Hegel to mean by ethical life?
- Why is it linked to self-consciousness (142) and freedom (143)?
- What are the roles of duty, rectitude and custom (148-151)?

Ethical life

- Ethical life takes freedom and the good as realised in the laws and institutions around us, not merely in inner conscience or moral conviction.
- In ethical freedom, we are only free when we are law-abiding participants in the institutions of civil society, the state, and family life.
- This involves an acceptance if not submission to existing customs – all that one need do in the ethical community is ‘follow the well-known and explicit rules of his own situation’ (§150 Remark).
- The ethical will holds that the laws and institutions of the state are objectively good and accepts them (not merely subjectively assented to); indeed the subject ‘bears witness to them as to *its own essence*’ (§147).
- For the ethical will, these laws and institutions are the necessary realisation of its own freedom and flourishing. It trusts, and is at home, in the world, unlike the moral will.

The ethical society leads to the State

- But not every social or political institution is ethical, and so not all deserve support, *if they do not actualise freedom*.
- Family life must be founded on love (§158);
- Civil society must guarantee the freedom to pursue one's own occupation and the right to own and exchange property (§182);
- Courts of law must uphold justice via published laws (§215);
- A public authority and corporations must protect persons' rights (§§230, 252);
- A state in which monarchical, executive and legislative powers are distinguished and distributed, with assemblies established who oversee legislation (§§273, 300).
- These assemblies will provide a public deliberative space for 'knowledge, deliberations, and decisions concerning universal matters' §314.

The ethical society leads to the State

- The ethical community is founded on equality of common humanity, that 'a human being counts as a human being in virtue of his *humanity*, not because he is a Jew, Catholic, Protestant, German, Italian, etc.' (§209 Remark).
- The goal of the ethical community is a classic one of Aristotle and Cicero, the common good, or the 'happiness of the citizens' (§265 Addition). It is therefore a liberal community of freedom and right.
- Does such a state exist?



The State!

- Take a look at the final excerpt, sections 257-273.
- Why is the state 'the actuality of the ethical Idea' (257), and 'the actuality of concrete freedom' (260)?
- What distinguishes the 'union' of being of the state, compared to the civil society of individuals? (258 Remark)
- How does Hegel attempt to defend patriotism? (268)

Where does such a state exist?

- It is based in part on Britain, France, the Netherlands and Prussia, but no one state corresponds and Hegel doesn't argue as such.
- Elements of some match ethical life but many are not rational or free (!)
- The 'state is no ideal work of art; it stands on earth and so in the sphere of caprice, chance, and error, and bad behaviour may disfigure it in many respects' (§258 Addition).
- The state enables us to realise our freedom, collectively.
- The *PoR* ends with human freedom, the 'actualisation of the universal spirit' (§342), and the 'activity of the world-spirit' (§344)
- Such a spirit is not an otherworldly, cosmic consciousness, but 'simply humanity coming to an ever clearer understanding of its own freedom and transforming the social and political world in the process' (Houlgate).

Class recap

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Next week

- Next week, we will turn to the *Lectures on the Philosophy of History*, and will round up on the dialectic
- There are some secondary guides out there
 - Singer, *Hegel: Short Introduction*, Chapter 2 (basic)
 - Houlgate, *Hegel: A Short Introduction*, Chapter 1
 - Lydia L. Moland, “Philosophy of History” in *Hegel: Key Concepts*, ed. Baur, Ch9
 - SparkNotes also has a page on the *Philosophy of History*
- Any questions? Please email dan.taylor@marywardcentre.ac.uk