

**On Hegel's Method of Grounding Right**

by

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**MASTER OF ARTS**

**Department of Sociology  
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ROBERT MILLMAN

A Thesis submitted to the Faculty of Graduate Studies of the University of Manitoba  
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## Introduction

Richard Rorty, in Philosophy and the Mirror of Nature, claims that there has been a revolution in contemporary thought consisting in the rejection of the idea that philosophy is, or can be, the foundational discipline of culture. "Philosophy", Rorty writes, "can be foundational in respect to the rest of culture because culture is the assemblage of claims to knowledge and philosophy adjudicates such claims." Traditionally philosophy has seen itself, due to its privileged understanding of the nature of knowledge, as the ultimate arbitrator of cultural claims insofar as it has attempted to "underwrite or debunk claims to knowledge made by science, morality, art, or religion."<sup>1</sup> Rorty's judgment is that previous foundationalist projects have consistently failed to achieve an adequate rational ground that could legitimate cultural claims and that consequently such a project ought to be abandoned.

A similar conviction is found in Hans Albert's Treatise of Critical Reason where foundationalism is argued to result in what is termed a "Munchausen Trilemma". After falling from his horse, it is fabled, the Baron Munchausen, having recourse only to his own head of hair, hoists himself back up. Establishing a true self-sufficient ground, according to Albert, is as likely as the Baron's trick. In fact, such an attempt leads "to a situation with three alternatives, all of which appear unacceptable; that is, it leads to a trilemma."<sup>2</sup> The trilemma forces one to accept one of the following: firstly, an infinite regress required by the necessity of always going further back in search for reasons; or secondly, a

logical circle in the reasoning that results from presupposing that which has already been shown to be in need of justification; or finally, ceasing to present reasons and merely asserting the ground as inexplicably given.

The inability of foundationalism to attain self-transparency concerning its ground threatens the possibility of legitimate normative theory and cultural criticism. In this case, theory is at a loss to validate the ultimate criteria upon which its judgments are ground; leaving little option but to embrace dogmatism, or admit the irreducibly conventional and conditioned character of knowledge and social activity, relativism. Further, this inability to demonstrate "social practices of justification as more than just such practices"<sup>3</sup> (in Rorty's words) has led some -- Nietzsche, Heidegger, Derrida, to mention the most profound -- to perceive the need for an ideological critique of Western metaphysics; where the exclusionary practices, prejudices, and valances at work in the "will to truth" are unmasked from behind the facade of disinterested contemplation. From this postmodern perspective, understanding or consensus, not objective and timelessly valid truth, is the real purpose of argument.

What follows is an examination of Hegel's strategy for grounding right. Specifically we shall address his attempt to establish the Philosophy of Right as a true or perfect philosophical science -- i.e. as a presumptionless and self-legitimizing discourse that offers a sophisticated solution to the difficulties of foundationalism. The problem is to determine both the normative

intention of the Philosophy of Right and Hegel's unique methodology of justification that serves as the final ground validating that intention.

Just so ingrained in the present intellectual landscape is the Rortian revolution and Hegel's historical place in it, that the very suggestion of the plausibility of his rationalist strategy immediately strike the contemporary reader as suspect. Nonetheless, Hegel's position, however problematic, is defensible to an extent not usually recognized. It is not susceptible to the types of attacks found in Rorty and Albert. Like many, these evaluations are based largely on the questionable interpretations of Hegel's greatest 19th century critics Kierkegaard and Marx. Thus the standard picture portrayed of Hegel as the philosophical Christian, uncritically tracing the temporally developing Absolute Spirit or World-Soul coming to complete actualization with the advent of modernity. There is little doubt that Hegel can be read and dismissed this way -- for who today could genuinely entertain beliefs such as these: "the History of the World with all the changing scenes which its annals present, is this process of development and realization of Spirit -- this is the true Theodicea, the justification of God in History", "Philosophy concerns itself only with the glory of the Idea mirroring itself in the History of the World"; where the legitimacy of the modern state finds its "authority" in the "consciousness of the Spiritual", "the essential basis of the political fabric" (PH, pp. 457, 446). Little promise here, it seems, to find a serious solution to the

perennial problem of normative justification; rather found is the disappointment of fantastic speculative metaphysics, full of abstract sound and fury.

And the problem is Hegel's metaphysics. For it is only there that Reason's sovereignty over the world is no mere "conviction", "intuition", or presupposition, but "demonstrated". As Hegel explains:

In that of Philosophy it is no hypothesis. It is there proved by speculative cognition, that Reason ... is Substance, as well as Infinite Power; its own Infinite Material underlying all the natural and spiritual life which it originates, as also the Infinite Form -- that which sets this Material in motion. On the one hand, Reason is the substance of the Universe; viz., that by which and in which all reality has its being and subsistence. On the other hand, it is the Infinite Energy of the Universe.... It is the infinite complex of things, their entire Essence and Truth. It is its own material which it commits to its own Active Energy to work up; not needing, as finite action does, the conditions of an external material of given means from which it may obtain its support, and the objects of its activity. It supplies its own nourishment, and is the object of its own operations. While it is exclusively its own basis of existence and the absolute final aim, it is also the energizing power realizing this aim; developing it not only in the phenomena of the Natural, but also of the Spiritual Universe -- the History of the World. That this "Idea" or "Reason" is the True, the Eternal, the absolutely powerful essence; that it reveals itself in the World, and that in that World nothing else is revealed but this and its honor and glory -- is the thesis which, as we have said, has been proved in Philosophy. (PH, pp. 9-10)

According to Hegel, the Idea or Reason is alone what is truly real or present, the "absolute foundation and ultimate truth" (SL, p. 826) of anything whatsoever such that what is, only is, through "the determinations of thought and the Notion" (SL, p. 833). The Notion is the Idea abstracted from its embodiment in the world in

the form of pure thought, and the Idea is fully revealed in the world, the telos of Absolute Spirit, when speculative philosophy fulfils its abstracting, Notion-specifying task. In other words, the world is nothing but the medium through which the Notion comes to comprehend itself. And where, via Spirit, what it truly comes to know itself as is the Notion self-actualized, or the absolute Idea. Thus "the true is the whole", both the ideal eternal Notion and its manifestation in the world. For only through the latter does the Notion posit, recollect, and comprehend itself; only through the latter does it become actual. The whole is literally the truth of truth, "the true shape in which truth exists", for it is both the knowledge of the Notion and the process that produces this knowledge.

Hegel's metaphysics, however, is not merely a theory of the Notion's ideal essence, or about the Notion's actualization in the real, the Idea, but it undertakes as well to prescribe to the natural and social sciences what forms they must take, the rules by which their objects of study can be legitimately interpreted. Speculative logic serves as the methodological queen of the sciences by providing a non-revisionist, a priori conceptual scheme, that grounds absolutely both the way in which determinancy appears and the types of valid concepts, judgments, and inferences that apply to, or are true of, such determinancy. When the empirical sciences are made "philosophical" in this sense, the knowledge they produce becomes "actual" insofar as the arbitrary, relative character of their methods and subject matter is overcome.

Thus their content assumes "an a priori character" -- "These contents are now warranted necessary, and no longer depend on the evidence of facts merely, that they were so found and so experienced. The fact as experienced thus becomes an illustration and a copy of the original and completely self-supporting activity of thought" (L, #12). Overcoming, in other words, the kind of relativity thinkers like Quine and Kuhn document in the positive sciences, where most debates, whether of fact or theory, rest on little more than the common assumptions of a particular paradigm; opposed simply by the adoption of a different set of grounding terms<sup>4</sup>. The Hegelian resolution to this dilemma, then, is to demonstrate necessarily that all phenomena mirror the order of pure thought, "arranged... according to the essential sequence of the Notion", so that the sciences will no longer have to "stumble upon descriptions of existence, upon kinds and distinctions, which are not determined by reason, but by sport and adventitious incidents" (L, #16).

With respect to normative social theorizing, the application of philosophical science demands that the Good or freedom be actual and that the fullest potential realization for objective Spirit occurs in the self-determining activity of the modern democratic state. This is a demand made by reason, which alone determines both that freedom be the end of justice and the system of right which is derived from it. Speculative reason, in other words, is the self-legitimizing ground of the Good and of the social order that most manifests it. And because of the unconditional necessity

of reason's process -- in fact reason is an unconditional necessary process of universals -- democracy as the normative notion of right acquires unconditional prescriptive validity, universally true for any thinking subject and represents the standard by which all cultures can be judged.

Besides speculative logic providing a justification for defining freedom as the Good, what makes Hegel's theory of right unique, is both the social or interactive character of freedom, that serves as its ground and guiding theme, and the dialectical method by which the democratic state is shown to realize it. Beginning with the most elementary form of social freedom, abstract right, Hegel demonstrates how this basic conception of interaction contains immanently a conception of democracy, a socially-ordered system of institutions of freedom. In this sense, Hegel's theory of right is distinctively anti-Rousseauian. In Hegel's view, man is born in chains and yet everywhere (at least in modernity) he is free. There is no compromise involved in relating naturally free individuals, whose freedom essentially belongs to their very unrelatedness, because the premise is wrong. Social interaction is a necessary constitutive element of self-determination. The move, that is, from a natural to a social state, is a move from being thrown into a field of givenness -- a world where the individual at best has the arbitrary power of alteration -- to being thrown into a field of social self-determination -- a cultural world where the individual can play an active role in constructing and producing that field. Crudely stated, the Philosophy of Right can be said to

do nothing but articulate the social conditions necessary to maximise this active role.

The transition from evaluating matters of fact to those of value poses no difficulty for philosophical science, for there simply is no transition -- i.e. the criteria of truth is the same as that of value. The True is that which is radically self-subsistent and self-determined; the Good is self-determining activity per se; and the Beautiful, to complete the Hegelian response to the Platonic muse, is the appearance of freedom or, what is the same, the appearance of the True or the Good. Hegel's notorious claims about the identities of "isness" and "oughtness", rationality and actuality, must be understood in this context. Only crass misinterpretation suggests this reasoning functions to legitimate the status quo. In truth, the case is just the reverse, for as the True is the whole which becomes actual, so too does the Good develop: "this harmony between the "is" and the "ought to be" is not torpid and rigidly stationary. Good, the final end of the world, has been only while it constantly produces itself" (L #234). And this is necessarily so because for the True, the logical Notion, to become actual or known requires that the Notion externalize itself so as to give rise to the type of self-opposition and mediation in which self-comprehension consists. This externalization involves a finite variety of self-manifestations that exhibit increasing degrees of truthfulness or reality. These manifestations or forms of actuality, due to their imperfection, are the source of contingency and evil in the world

-- but again the possibility of such imperfection is necessary by virtue of their indispensable role in the actualization of the truly perfect. In consequence, Hegel does not explain away human suffering as though it didn't exist, but rather attempts to account for the full nature of its presence. "Reason", Hegel states, is the "rose in the cross of the present" (PR, p. 12) for there is no present without a cross that man must bear; a cross composed partly of man's own avoidable wickedness, which is itself made possible by the necessity of the conditions of possibility for the realization of the Good itself.

From our perspective, the key to making sense of all these issues lies in Hegel's attempt to make philosophy scientific, a "goal", he claims, "where it can lay aside the title love of knowing and be actual knowing" (Phg, #5). Philosophy becomes scientific with a presumptionless, systematic account of pure thought's self-originating and self-actualizing logical Notion; a process that accounts for the determination of all that can be. It is in the self-supporting activity of thought's self-determination, in its resultant sovereignty over being, and in Hegel's ability to defend and articulate this dialectical movement that the intelligibility of our question revolves. This is the "chief difference" between the Philosophy of Right and other normative theories, "the method which constitutes their guiding principles" (PR, p. 1). For Hegel, this method is the one and only way truth can be grasped with uncompromising certainty:

The method is ... the absolutely infinite force, to which no object, presenting itself as something external,

remote from and independent of reason, could offer resistance or could not be penetrated by it. It is therefore soul and substance, and anything whatsoever is comprehended and known in its truth only when it is completely subjugated to the method; it is the method proper to every subject matter. (SL, p. 826)

Whether passages such as this represent the last great audacious falsity or final sublime truth of Hegel's project, depends entirely on the validity of the demonstration that the method is the True or Reality. The dialectic is the immanent movement of the Notion, the process through which pure thought determines itself. And it is the truth of the Notion, the absolute Idea of what the Notion ultimately comprehends itself to be -- the self-determining act of self-comprehension per se. The dialectic, that is, is both the ground and result of pure thought's self-examination; that which allows it to define itself in the first place (ex-nihilio), and in the way it does, and what it immanently and presumptionlessly comes to truly define itself as.

This demonstration is identical to Hegel's argument for conceiving substance as subject. For it is only by conceiving the True as a type of activity that determines itself exclusively through itself -- literally a "power" or "energy" (SL, p. 605) over self to produce difference within self -- that the thought of any real, self-subsistent entity be coherently thought at all. Thus the Logic can be read indirectly as an exhaustive finite series of illicit pure thoughts, definitive of the True, but culminating in the single coherent thought of reality, the subjective Notion. The cogency of the argument here, is predicated on the exhaustiveness of the series, the truth of the failures, and the coherence of the

Notion. And a cogency guaranteed by a dialectic that reveals immanently both that completeness and those inadequacies by interrelating and grounding the thought-forms in the Notion itself. This consummates Hegel's axial claim about the identity of thought and being, that all determinancy is grounded in the activity of pure thought's self-reflection.

This, however, is but half Hegel's conception of substance as subject. The other part consists in the demonstration that the thought of such a self-subsistent reality of pure thinking contains immanently within itself the thought of its becoming comprehended. The Notion, the self-energizing activity of pure thinking, is, in truth, literally the thought of a thinking subject, thinking pure thought truly and completely; in truth, the thought of the method of its own self-instantiated self-knowing. And it is in this movement, from the objective Notion through to the absolute Idea, that the ideal rational architectonic of the universe is specified; where the universe is reduced, as it were, to three fundamental forms of actuality -- mechanical, chemical, organic/teleological.

The ingenuity of this strategy for overcoming the difficulties traditionally associated with foundationalism should not be overlooked. Again just to restate Hegel's position, reality is the atemporal activity of pure thought where it becomes or suffers externalization in and through the world, a process in which all aspects of its self-determined nature, that would otherwise remain wholly sublated and unknown, are distinguished. This theory of the True is defended in the twofold manner in which Hegel conceives

substance as subject. First, by showing, a priori through a presumptionless logic that assumes none of its terms, nor even the act of thinking them, that pure thought is alone what can be taken as real. Second, by revealing that this reality contains within itself the possibility of its being comprehended or, what is the same, the possibility of the world and its telos, absolute Spirit.

Philosophical science avoids the "Munchausen Trilemma" because the dialectic is not endlessly regressive, tautologically presupposing, or dogmatic. The reality of the Notion is not established by comparing it with any of its instances, relying on the world as its mirror (this is a consequence of its being, not its proof). No privileged self-evident given, a law of thought or universal fact, precedes the Notion's self-constituted form and content. Rather, somewhat like Anselm's Ontological Argument for the existence of God, the Notion's reality is established logically exclusively through its relation to itself in a process Hegel metaphorically refer to as "a circle returning upon itself" (SL, p. 842). The circularity of its justification, however, is not self-defeating like many coherence theories of truth where a critical proposition appears both as a premise and as a conclusion, thereby begging the question. In contrast, Hegel begins with the utterly "arbitrary" "resolve" to think purely (SL, p. 70) and as a result of the Phenomenology, begins without any determinate content or method. This arbitrary resolve gives rise to a self-determining succession of pure thoughts that results in the Notion and finally the absolute Idea: a thought-form so structured as to relate all the

preceding forms together as its constitutive elements which is both their conclusion and origin. As such, the Notion is both the whole or totality of the act of pure thinking and the principle of its differentiation, the entire content of the self-determination of thought and the very method by which this determination proceeds. Insofar as Hegel makes good on revealing, presumptionlessly, the identity of method and content in the act of pure thinking, revealing its determinate character as unconditionally self-instantiated and so real, the trilemma is alluded, and philosophical science acquires a self-explanatory, self-sufficient absolute foundation.

Buttressed by a self-grounded system of pure reason, Hegel's strategy for grounding a prescriptive theory of right through applied logic likewise presents a unique approach that surmounts the foundationalist trilemma. Given the viability of speculative logic, freedom can serve as the normative substance of right without presupposing itself as the just end of practice. Valid practice is unconditionally self-determined because this is the criterion that distinguishes valid logic.

The reasoning for applying the dialectical method of pure thought to practice roughly runs as follows: speculative logic validates itself by recollecting its character as a result of an activity of self-differentiation that rests on no antecedently given terms. As immediately unconditioned or presumptionless and generating its own form and content, speculative logic has all of its determinations grounded through itself and upon what it

ultimately recollects itself to be, the absolute Idea or the dialectic. Although the absolute Idea gives itself a concrete content, this content is not determined by any given condition or relative to anything other than itself. The absolute Idea, that is, is a particularization of a concrete independent universal. Its content possesses unconditioned universality and is necessary. Conceiving logic in this manner as the self-determination of valid reason enables Hegel to demonstrate how presumptionlessness, unconditioned universality, and self-legitimation can be achieved by a self-determining dialectic. This is Hegel's answer to Albert's quest for a foundationalist discourse that takes radical theoretical self-responsibility for all of its terms.

Applied to practice, the demand for normative justification can be met when conduct manifests itself as a likewise self-determined unconditioned activity. A self-determined society is rationally prescribeable because with its activity radically self-originated, its self-ordered content is unconditionally necessary and universal. The key to Hegel's strategy for grounding right lies in the dialectically revealed identity between objective validity and self-determination. This identity allows for the development of a prescriptive theory of right that confers legitimacy upon social modes of activity that imitate the self-legitimizing/self-determining activity of pure thought.

Consequently to be unconditionally free and so valid, practice (like theory) must be wholly determined by, and reducible to, the very activity that its own exercise comprises. Only through

discrete forms of social interaction, modes of right, can individuals achieve in practice this type of radical autonomy. Specifically, Hegel's argument is that only a self-ordered system of rights and institutions that constitutes an unconditioned organic whole in itself fully imitates the absolute Idea as the actuality (as opposed to pure thought) of freedom. A democracy that takes as its aim the realization of its own political freedom which entails the realization of all possible forms of non-political free interaction is the Hegelian normative ideal.

This study analyses the distinctive character of normative argumentation in Hegel's practical philosophy briefly outlined here. The foundationalist intention of the Philosophy of Right is interpreted as normative rather than descriptive or explanatory. A reading of the basic development and structure of this work is forerun by a consideration of the self-justifying methodology of the Science of Logic and its relation to nature and spirit. Since speculative logic presupposes an independence from metaphysical and epistemological preoccupations, the question of dialectical method will in turn be preceded by an examination of Hegel's introductory phenomenological critique. Only after a consideration of Hegel's phenomenological and logical theories will it be reasonable to turn to the Philosophy of Right so as to appraise its distinctive mode of normative justification as applied philosophical science. The aim of this study throughout is to resolve whether and how normative justification so conceived can be achieved in a theory of right, securing a trilemma-free foundationalist status.

### Phenomenology as Introduction to Logic

The justification of logic presents a peculiarly difficult problem. Any attempt to show that a given logic is justifiable inevitably is circular since justification is itself a logical process. Hence the validation of a logical system or theory has little option but to employ itself. A traditional alternative to circular justification involves simply abandoning the attempt, admitting that logic is relative discourse grounded on assumed arbitrary logical postulates. A disturbing consequence of this position is that arbitrary logic implies arbitrary knowledge in the sense that inference patterns are related to the form in which all knowledge statements can be framed. Another less sceptical alternative is to maintain that we have adequate logical intuitions and that these need merely be clarified and formalized. Of course this raises an epistemological question about intuitions and logical intuitions in particular. Yet another pragmatic alternative is to take a discourse which is perceived to be successful and rationally ordered and then distill the logic from it. Russell and Whitehead, for instance, adopt this strategy in Principia Mathematica where the inferences used in arithmetic are taken as a special case of the inference patterns of logic. Like the reliance on logical intuitions, justifying a logic pragmatically suffers by the positing of its assumedly well-ordered subject matter in the first place. And like intuitional dependence, the existence of any other seemingly rational discourse that employs an incommensurate

logic threatens the objective validity of any pragmatically derived logic<sup>1</sup>.

Hegel claims that speculative logic can justify itself and still avoid the difficulties and presuppositions of these alternatives. As we shall see, speculative logic develops its inference rules and arguments together with its subject matter. When the form and content of pure thought are related in such a manner that neither presupposes the other but both are generated from the same self-determining activity no bad or tautological circularity results. This conception of a self-validation implies that logic forms an unconditioned system of interdependent parts. To know the system is to know its moments in their essential relatedness to the whole system -- literally as self-differentiations of thoughts unified activity. Further, a self-determined logic is at the same time a metaphysic because as independent and objectively necessary its theoretical determinations are real. Logic as a system, in other words, has the True for its definitive subject matter.

Hegel's scheme for a self-grounded logic rests upon a couple of fundamental assumptions, both negative and positive. First, there is the negative assumption that self-grounding is necessary: an assumption that with and only with the transformation of logic into a self-ordered system will scientific or objective truth be possible. Second, speculative logic itself must be assumed to be possible or rather real: a positive assumption that thought can conceivably think itself in a presumptionless and systematic

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manner. Since its objectivity is demonstrated through its conceivability, there is no difference between the possibility and actuality of speculative logic.

The rationale for these assumptions is to be found in Hegel's phenomenological and logical theories. It is left for logic to exhibit both the character of pure thought as systematic and the identity of the form of thought with the form of truth. Phenomenological theory, on the other hand, is designed to show, first of all that every other possible strategy is in principle incapable of providing an adequate orientation for philosophy. This is done by way of an immanent critique of a logically exhaustive variety of forms of consciousness. Each consciousness, with its distinctive truth and certainty, is immanently disqualified as a viable candidate of actual knowledge. In this way a sceptical conclusion is drawn about the possibility of certain phenomenal knowledge that rests on a representational relation to a pre-given objectivity.

More specifically, phenomenology is designed to furnish an introduction to and deduction of speculative logic. Providing a mediation between the contrasted forms of consciousness and logic, it both displays the reason for the need of a self-grounded logic and exhibits, in the transitions and completed series, the true content of consciousness as this very logic. Thus phenomenology prepares the ground for the central task of logic, demonstrating the identity of pure thought and the True in a self-determined system.

If the circularity in the justification of logic isn't paradoxical enough, the hermeneutic difficulties raised by Hegel's method in phenomenology and logic appear just as perplexing. With respect to logic, the identity of form and content in the dialectic means that there is no way of defending its plausibility without defending the legitimacy of the entire system. The "account of scientific method", Hegel claims, "belongs to its content"; "cannot be stated beforehand" but results "as the final outcome and consummation of the whole exposition" (SL,p.43). This identity of form and content, coupled with the fact that the reality of the system is demonstrated by its conceivability, makes a tenable evaluation of speculative logic an enigmatic proposition. To be judged true (or false), the dialectic and any of its intrinsically interrelated moments must be judged as a whole to be unconditioned and self-subsistent (or relative and dependent). For this is all the system is -- the whole of pure thought and the principle of its differentiation. And this is all any particular thought-form is -- an abstracted element of this larger process whose relativity or momentality by itself is only located and overcome from the perspective of the whole recollectively. This does not mean that particular transitions in the dialectic cannot be shown to be problematic, but that the significance of these difficulties, whether irrelevant, correctable, or fatal to the proof of the system's reality is hard to evaluate. A task beyond any neophyte Hegelian.

Threatening to make an already difficult hermeneutic situation impossibly so, phenomenology give rise to its own peculiar interpretive puzzle. The problem is endemic to any text of truth like Hegel's Phenomenology that purports not only to unearth the nature of reason's presence but also with such a discovery accounts for the concrete possibility of its absence. Given whatever degree of analytic fallibility, relative to the perfected proficiency demanded by Hegel's project, how work one's way out of such limitations? Standing somewhere in that absence, that is, how proceed? How determine the measure of one's want of reason? "With what" as Derrida says, "is one to authorize oneself, in the last analysis, if not once more with philosophy, in order to disqualify naiveté, incompetence, or misconstrual...?"<sup>2</sup>

To dare to use one's own reason without extra-rational external guidance, as Kant's prescription for emancipation would have it,<sup>3</sup> is problematic, for the question is precisely whether reason be a self-legitimated guide in the first place. Contemporaries like Rorty and Gadamer<sup>4</sup> who assert that truth, or what is taken as truth, is derived from pragmatic decisions, conversations, or traditions, that ground the rules definitive of rationality are likewise of little help. Besides being in the difficult position of holding, on the one hand, that all matters of justification are matters of agreement, and then, on the other, that this is a

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predicament universally true of all discourse and so the pragmatist principle itself appears to be no matter of agreement -- i.e. besides foundationalist dilemmas afflicting their own anti-foundationalism -- the pragmatization of rationality cannot help put the question of reason into question.

Gadamer, for example, attempts to rethink rationality as a type of Aristotelian phronesis; as a type of practical ethical wisdom for which there are no fixed rules by which it is defined, but rather as the virtue of having the acuity to succeed in applying tried and shared standards and principles to new, problematic situations.<sup>5</sup> The question here, however, is not of having the skill to apply but of knowing what to apply. Specifying the truth value, whether objective or relative, of the standards presupposed for any application is impossible unless rationality be more than merely a skill. In other words, it may be conceivable that rationality is, in truth, just as Gadamer attests, but it remains inconceivable that if this is so we could ever come, in truth, to know it, for this theory excludes that possibility of an objective, ahistorical comprehension. This study, of course, proposes to examine Hegel's claim that there be such an ultimate, final comprehension of reason; literally non-sense in Gadamerian terms.

Hegel's own solution to this problem is to provide the Phenomenology as the propaedeutic to logic; an education meant to indicate just how to be emancipated from one's culturally situated

analytic horizon, thereby making possible the assessment of a radically objective rationality. Of course what such a rationality consists in is only established in the Science of Logic and not prior to it, and so is immanent throughout this introduction, serving alone to vindicate its legitimacy. "The way to Science," as Hegel says, "is itself already Science" (Phg, #88). Yet the Phenomenology functions to introduce philosophical science by deduction. Hence Hegel makes the apparently contradictory claim that the Phenomenology is the presumption to the presumptionless Science of Logic (SL, p. 68). The deduction, however, is indirect; an interrelated series of false strategies concerning truth and certainty which lead dialectically to the alternative of a science of pure thinking.

This may look, Hegel writes, "like an attempt to avoid the main problem," but because Science is an "appearance of knowing" like any other, it is not sufficient simply to proceed to its legitimation without showing the others to be merely "empty appearance" (Phg, #76). Nor is this all. Science itself appears falsely until one appreciates the nature and difficulties of legitimation involved in the whole spectrum of knowing's appearance -- until one appreciates, that is, the radically unique process of legitimation intrinsic to Science that distinguishes it from that spectrum. Hegel explains:

In any case Science must liberate itself from this semblance, and it can do so only by turning against it (appearance). ...Science (cannot) appeal to whatever intimations of something better it may detect in the cognition that is without truth, to the signs which point in the direction of Science. For one thing, it would

only be appealing again to what merely is; and for another, it would only be appealing to itself, and to itself in the mode in which it exists in the cognition that is without truth. In other words, it would be appealing to an inferior form of its being, to the way it appears, rather than to what it is in and for itself. It is for this reason that an exposition of how knowledge makes its appearance will here be undertaken. (Phg, #76).

Phenomenology, as "an exposition of how knowledge makes its appearance," prevents the misreading of the Science of Logic that may occur when the reader employs whatever given standards and principles on which his reasoning, as a matter of fact, relies as a "sign" or reference which one may find in the text, and from which one can appeal to then begin to measure and overcome any want of reason, viz. true speculative reason. This prevention is guaranteed by the "thoroughgoing scepticism" with which this phenomenological exposition results, "the conscious insight into the untruth of phenomenal knowledge" (Phg, #78). And here, in a radical nominalism that "assume(s) nothing and assert(s) nothing dogmatically" (L, #1), Science begins, knowing unconditionally that would were pure thinking be successful at thinking truth coherently, it would not be just one among many potentially coherent strategies, but the only such strategy. Further, a success that must provide the justification for the criteria of falsity found in the Phenomenology, immanent critique. Jumping ahead, Science makes good on vindicating phenomenology insofar as its beginning issues out of absolute knowing, the immanent result of phenomenal experience, and insofar as Science reveals all knowing to be dialectical or, what is the same recollected. The dialectic, that is, always takes the form of a retreat into the truth, where as it

progresses it really traces a path backward from some false given, a derivative of the truth from which it, the derivative, was derived. So phenomenology like logic is such a "pathway of doubt" or "despair", the negative movement of negated phenomenal forms of experience from which it is always stepping back, locating the true ground that they imply, where what they ultimately imply is only itself -- absolute knowing, or what Science reveals to be the self-determining activity of self-comprehension.

There is much here that needs to be explained. Prima facia the first problem this solution presents lies in making an already difficult situation worse -- successfully navigating Hegel's "voyage of discovery" is as arduous and intimidating a task as reading the Science of Logic. More importantly, it is now apparent that both must be mastered to address the viability of philosophical science. Without phenomenology, logic cannot begin without dogmatic assumption, for in the absence of the former one would either have to assume the relative validity of one's given faculty of reason, or the very possibility of bracketed, thoroughgoing scepticism. Both are suspect. In particular, the latter, in the aftermath of the Rortian revolution, has become problematic -- "radical doubt," as Habermas claims, "that needs to be neither justified nor learned through practise is no longer conceded."<sup>6</sup> Indeed in Habermas's narrative, no longer ever-since the Introduction to the Phenomenology with its "conclusive" argument that

"knowledge does not possess the spontaneity of an origin"<sup>7</sup>; the spontaneity of disinterested contemplation and the ahistorical horizon of the transcendental imagination.<sup>8</sup>

For Hegel, like Habermas, consciousness is dependent on the cultural field that it confronts and from which it originates. Consequently reflection can doubt only that which is already given, its particular past, present and future, the horizon from which it is itself a result. "Consciousness," Hegel writes, "is something that goes beyond limits and since these limits are its own, it is something that goes beyond itself" (Phg, #80). Hegel continues:

Consciousness simultaneously distinguishes itself from something, and at the same time relates itself to it, or, as it is said, this something exists for consciousness; and the determinate aspect of this relating, or of the being of something for a consciousness, is knowing. But we distinguish this being-for-another from being-in-itself; whatever is related to knowledge or knowing is also distinguished from it, and posited as existing outside this relationship; this being-in-itself is called truth. (Phg, #82)

Culturally situated consciousness posits both a moment of truth or in-itselfness and a moment of knowing or for-itselfness and distinguishes one from the other. For-itselfness is determined as the relation of what is known to knowing; in-itselfness, what is known determined independently of its relation to knowing. An immanent critique of any type of consciousness, then, is possible insofar as consciousness designates what for it is the truth and so designates the criteria or standard by which judgments about its

knowing can be made -- i.e. knowing is evaluated not according to some standard that the phenomenologist might refer but that natural consciousness posits as legitimate. When knowing fails to correspond to the truth within consciousness, consciousness "goes beyond itself" or is transformed and becomes experienced in the Hegelian sense. With this immanent method of critique, the phenomenologist has only to be a "spectator" who comprehends the logical significance and interrelationship of the finite variety of possible phenomenal forms of experience.

How it is that consciousness is able to relate and distinguish anything at all in the first place is, of course, only explained in logic, where the rules of determinancy, all of its conditions of possibility with regard to its appearance and mediation, are defined -- again the way to science is science. Also left unaccounted is Hegel's own introduction to philosophical science -- phenomenology only accounts for how, given the wise Hegelian guide, such an introduction is possible. Whether this poses a serious problem will be examined shortly. First, however, it is important to elaborate on how this immanent movement will lead/deduce the possibility of a science of pure thinking, and the resultant emancipation of reason from any limiting cultural perspective.

Already even in the Introduction it is not difficult to see why Hegel's conception of 'experience' implies either scepticism or philosophical science. The key lies in the event of the comparison of for-itselfness and in-itselfness and its implication for the

possibility of any knowing whatsoever. Hegel describes this act of comparison as follows -- it is worth quoting at length.

Consciousness knows something; this is the essence or the in-itself; but it is also for consciousness the in-itself. This is where the ambiguity of this truth enters. We see that consciousness now has two objects: one is the first in-itself, the second is the being-for-consciousness of this in-itself. The latter appears at first sight to be merely the reflection of consciousness into itself, i.e. what consciousness has in mind is not an object, but only its knowledge of that first object. But as was shown previously, the first object, in being known is altered for consciousness; it ceases to be the in-itself and becomes something that is the in-itself only for consciousness. And this then is the True: the being-for-consciousness of this in-itself. Or, in other words, this is the essence, or the object of consciousness. This new object contains the nothingness of the first, it is what experience has made of it. (Phg #86).

Consciousness has an intuition or preunderstanding of its object which it takes to be the in-itself and to which its knowledge putatively corresponds. In order to test the certainty of its knowing consciousness makes this intuition of its object into an object of knowing -- i.e. its intuition is represented, a second object reflected in the mind. Initially this knowing appears as merely a reflection of the in-itself and so initially as no real object at all. In truth, however, when the comparison shows the second object, the representation, to inadequately correspond to the first, the in-itself, it is the in-itself and not the representation that is revealed as mere appearance. Consciousness, that is, suffers an "experience", a "reversal" (Phg, #87), in which its knowing of the in-itself becomes the new true object or essence, and in which its previous essential object is sublated. Hegel's claim is that consciousness's knowing cannot be separated from what

for it is the in-itself -- "as the knowledge changes, so too does the object, for it essentially belonged to this knowledge" (Phg, #85). When its knowing is revealed to be problematic, so too is its object, which can now no longer maintain its in-itselfness but becomes in-itself only for consciousness. Hence consciousness reveals the truth implicit in its object -- "the being-for-consciousness of this in-itself."

This does indeed throw, as Hegel asserts, "new light ... on the exposition which follows." Given this account of experience as a dynamic, immanent type of opposition/identity between for-itselfness and in-itselfness, it follows that true knowing can only occur with the correspondence of these moments, knowledge of essence corresponding with essence in-itself. To know truly, that is, consciousness must come to posit its own knowing of the object as the object in-itself. Would were this be so, consciousness would know only its own knowing; would have only itself as its object thereby becoming both in and for-itself.

Absolute Knowing in this sense is impossible unless substance or in-itselfness be conceived as subject, for-itselfness understood as the self-supporting, non-representational act of pure thought thinking itself in the manner logic illustrates. It is in the negative element of this argument alone that phenomenology's deduction of philosophical science consists.<sup>9</sup> Two claims here need to be explained: firstly, why consciousness can never "experience" truth; secondly, why thinking purely avoids the dilemma of Hegelian

experience or, what is the same, how such thinking can transcend any limitation of a culturally situated analytic horizon.

The telos of Hegelian experience is absolute knowing, the certainty for consciousness that the reality of its knowing is the knowing of reality. Again where for this to occur consciousness must be the knowing of itself, for-itselfness, as the very instantiation of correspondence which it recognizes as in-itselfness. For-itselfness must be constitutive of in-itselfness and vice versa -- i.e. there is nothing in objectivity that is not determined by subjectivity and subjectivity is nothing other than this determination of objectivity.

Truth understood as subjectivity that is both in and for-itself is the dialectical result of the failed strategies in the sections of "Consciousness" and "Self-Consciousness" which consider truth as in-itselfness and then as for-itselfness respectively. Taken as in-itselfness, truth for consciousness is always a reflection of "something other than itself" (Phg, #166) and objectivity whether sensible or supersensible always a transcendent independent given. In brief, the problem arising immanently, from the various transcendental realist positions of the first movement, revolves around the inability of consciousness to ground the differences apprehended, or with respect to non-sensible essence, comprehended in objectivity outside of consciousness. The inability, that is, to make good on the "idea of fixing the differences in a different sustaining element" (Phg, #162) without contradiction.

Hence the move to consider truth as for-itselfness where objectivity is now taken as the subject's "consciousness of itself in its otherness" (Phg, #164) and determinancy now "represented and understood purely as inner difference, a repulsion of the self-same, as self-same, from itself" (Phg, #160). Conceiving difference as inner difference means that the differentiation and manifestation of objectivity is a derivative or repulsion of for-itselfness; "the sensuous world is for it (self-consciousness) an enduring existence which, however, is only appearance, or a difference which, in-itself, is no difference." (Phg, #167). Again in short, the crisis of Self-Consciousness, its truth, is the "negative relation to otherness" (Phg, #232) or in-itselfness that truth exclusively considered as for-itselfness entails. The movement of Consciousness eliminated the possibility of grounding the determination of the manifold in anything outside of for-itselfness. Self-Consciousness, however, mistakenly takes this differentiation as a purely dependent ephemeral derivative; as though for-itselfness were indifferent to these putatively arbitrary differences which it itself is responsible for. Confident of their "nothingness" if simply in virtue of their alterability (here spelt out in terms of consumption, labor, and sceptical thought) it remains "concerned only with its independence and freedom, concerned to save and maintain itself for itself at the expense of the world" (Phg, #232). However, speculative logic, literally the a priori logic of self-determination, excludes as conceivable the possibility of any self-determined, self-subsistent

entity producing/differentiating from itself anything in which it is not fully immanent. In this context, for-itselfness, if it is to become certain of its independence, must be fully present to itself in what it repels from itself and cannot be viably considered as a purely negative essence of appearing illusory in-itselfness. In other words, knowing, in order to take responsibility for what is known in-itself, as its source, must come to recognize itself in the known in terms both of other subjects and the non-sentient manifold equally. Self-Consciousness, of course, learns early in its experience the necessity of seeing itself in the former but fails to go any further. A failure that becomes explicit with the advent of the "Unhappy Consciousness" where the essential character of in-itselfness relative to for-itselfness is made thematic. Positing for-itselfness as "the negativity of all singularity and all difference" (Phg, #205), yet finding itself as an actual empirical existence always thrown in the midst of this unreality of difference of its own making, the Unhappy Consciousness is that "dual-natured being" -- pure negative energy and determinate actuality -- that employs a variety of strategies to account for this as yet opaque relation. However all that we are finally given as a resolution (if it can be called that) is a mediator or priest who mysteriously witnesses the particularization of a negative independent beyond and then gives divinely inspired advice concerning the Good and the True to the contrite subject; a subject now assured, at least in faith, of the universal essential significance both of the world and his actions therein. Clearly it

is only for the mediator and Reason to truly begin to map out this relation. Nonetheless, in typical dialectical fashion, the real import of this movement lies in what it tells us about what this relation cannot consist -- namely, that for-itselfness, whatever its nature, must also have to be in-itself, otherwise it would not be essential and independent.

Accordingly then the move to consider the final, and only other possibility: Reason, the view that "what is or the in-itself, only is in so far as it is for consciousness and what is for consciousness is also in-itself or has intrinsic being" (Phg, #233). Self-Consciousness posited in-itselfness as grounded in the activity of for-itselfness. Reason adds to this the claim that objectivity, produced by for-itselfness, represents a necessary intrinsic determination of itself; represents all that for-itselfness is in-itself. Put another way, the former means that for-itselfness grounds the possibility of actuality, while the latter asserts that for-itselfness is identical to this actuality -- "How it (consciousness) immediately finds and determines itself and its object at any time, or the way in which it is for-itself depends on what it ... already is in-itself" (Phg, #234). While the course of the Phenomenology is not yet half complete, all the remaining forms of consciousness assume this understanding of truth and knowing as a point of orientation -- each of them an "abstraction of its actual presence" (Phg, #234) in some one sense or another, with the exception of Absolute Knowing, Reason fully revealed. Each of the successive forms, that is, all claim to know

knowing as it is in-itself, and are distinguished by their differing interpretations of the nature of true knowing, and their respective differing attempts to conform their knowing to it, and also by their relations to each other (the latter forms benefiting from the wisdom cumulated from past failures).

Any kind of meaningful commentary on the dense labyrinth of possibilities that this conception of truth gives rise for phenomenology -- everything from scientific observation to the Enlightenment, from morality to Revealed Religion -- would involve the present discussion in an enterprise well beyond its limited scope. For the purposes here, however, it will suffice to merely examine the result of this phenomenological process, Absolute Knowing. Again the question which concerns us is whether and how phenomenology be a deduction and/or introduction to philosophical science, objective reason, or the "truth unveiled." Specifically why such truth cannot be "experienced" and yet is immanent therein as both its result and ground. And a question being answered in what is at best a provisional manner, for it basically issues out of an examination of the introduction and conclusion.

Absolute Knowing, Hegel claims, "is the point where knowledge no longer needs to go beyond itself, where knowledge finds itself, where Notion corresponds to object and object to Notion" (Phg, #80). Here "consciousness has related itself to objectivity in accordance with the totality of the latter's determinations grasping it from every standpoint ... as a determination of self" (Phg, #788). Objectivity is said to be the "externalization" of

for-itselfness and presents fully to it all that it is in-itself such that "self-consciousness is in communion with itself in its otherness as such" (Phg, #788); "appearance (in-itselfness) becomes identical with essence, for-itselfness" (Phg, #80).

And what specifically does consciousness know of objectivity or, what is the same, of itself at this point? That "the content which is Spirit -- is in-itself substance and therefore an object of consciousness. But this substance which is Spirit is the process in which Spirit becomes what it is in-itself; and it is only as this process of reflecting itself into itself that it is in-itself truly Spirit" (Phg, #802). The content of Absolute Knowing, what the knowing and the known are, is the subject's "process of reflecting itself into itself." In other words, it is not simply that consciousness finally stumbles onto some final correct understanding of truth and certainty, some fixed determinate conception of for-itselfness mirroring itself as substance in objectivity as though it mattered not how this came to be, but that "this knowing is only indicated in its process of coming into being" (Phg, #789). All that objectivity is, is subjectivity's process of self-reflection, a process through which it comes to know itself as such -- i.e., knows itself to be precisely this self-reflecting process. Accordingly the content of Absolute Knowing is not only identical to the entire movement of phenomenological experience recollectively held within itself -- the entirety of multitudinous ways in which objectivity revealed itself without "alien" residue as grounded in for-itselfness -- but

is also comprised of the very awareness that the truth of knowing, is this process whereby substance progressively reveals itself as subject; an awareness, as it were, of the necessity of its history of experience as the necessity of the mediation and self-opposition intrinsic to this activity of self-reflection; the necessity both of its "kenosis" or renunciation and recollection.

Absolute Knowing so construed, however, is not for conscious experience but only for the atemporal act of pure thinking. Hegel makes this argument both in the final chapter of the Phenomenology, and in an introductory essay to the Science of Logic, "With What Must The Science Begin?", although it can also be inferred from the definitions of consciousness and experience already discussed. The reasoning is as follows. With the advent of Absolute or Pure Knowing "truth is not only in-itself completely identical with certainty, but it also has the shape of self-certainty, or it is in its existence in the form of self-knowledge" (Phg, #798). Knowing or for-itselfness has become an immediate "form of objectivity for consciousness" because there is no difference between its knowing and its truth. Its knowing of the truth is literally and immediately truth itself; its knowing of objectivity, objectivity itself. The problem for consciousness is that true knowing cannot be immediately true and certain of itself at the same time.<sup>9</sup> For consciousness to experience certainty requires a comparison of its knowing and its truth; a mediation which in turn presupposes both their identity and difference. Again consciousness is defined as the comparison of knowing and truth such that "the distinction

between the in-itself and knowledge is already present in the very fact that consciousness knows an object at all" (Phg, #85). Absolute Knowing cannot appear to itself as a represented knowing otherwise a difference would be required to hold knowing and truth apart and this is precisely what Absolute Knowing excludes, that there be any such difference. Consequently, knowing for consciousness, in the telos of its experience, at the "extreme point of its union with the object," "collapses" and "vanishes" (SL, p. 73) into an "immediate unity" and so "ceases itself to be knowledge" (SL, p. 69) for conscious experience.

Absolute Knowing, then, is a unique shape of consciousness resulting both from its status as the telos of the preceding shapes of experience, and being distinguished from this genesis as the very negation of the opposition of knowing and truth that generated the movement in the first place. Moreover, insofar as the dialectic of experience is genuinely immanent and comprehensive; insofar, that is, as the preceding stages truly issue into Absolute Knowing, the relation of the past shapes to their result is an immanent characteristic of the result itself. Pure knowing, that is, as the truth of experience, has the genesis of itself as a sublated moment of itself, where the genesis refers to all of the logically possible determinate ways in which its concrete presence can be partially or abstractly presented.

Hegel claims that the difference between Absolute Knowing and its genesis is the difference between the logical Notion and time. Time is the dialectic of experience generated by the opposition of

knowing and truth where with the negation of that opposition time is "annulled": "each moment is the difference of knowing and truth and (time) is the movement in which that difference is cancelled" (Phg, #805). And since all experience is an abstraction of Absolute Knowing; involves the differentiation of true knowing from itself and so has the latter immanent within it, experience amounts to the temporalization of Pure knowing and "nothing is known that is not in experience, or, as it is also expressed, that is not felt to be true, not given as an inwardly revealed eternal verity" (Phg, #802). This uncomprehended temporal feeling of the True "is the Notion itself that is there and which presents itself to consciousness as empty intuition." Hegel explains:

It is the outer, intuited pure Self which is not grasped by the Self, the merely intuited Notion; when this latter grasps itself it sets aside its Time-form, comprehends this intuiting, and is a comprehended and comprehending intuiting. Time, therefore, appears as the destiny and necessity of Spirit that is not yet complete within itself, the necessity to enrich the share which self-consciousness has in consciousness, to set in motion the immediacy of the in-itself, which is the form in which substance is present in consciousness; or conversely, to realize and reveal what is at first only inward, i.e. to vindicate for it Spirit's certainty of itself. (Phg, #801).

What alone and always is present to consciousness is the Notion -- everything from non-sentient corporeality thru to Spiritual community -- but the manner of its presence for consciousness is dependent on its degree of comprehension, or what is the same, its degree of self-certainty; because what is being comprehended is the "share" of Self in objectivity and the Notion, as self-subsisting

subjectivity per se, has its fullest share in the self-conscious person.

More specifically, this degree of comprehension is relative to the mode in which this presence is grasped by consciousness; relative, that is, to either intuition, representation, or thinking. It is crucial to understand these modes of comprehension, for the failure of phenomenology to know knowing with certainty is a question of the failure of representation, and the atemporal "aether" of philosophical science to which phenomenology leads, a question of the alternative of pure thought.

Empty or sensuous intuition is the immediate or simple cognitive act of felt indeterminate objectivity, the "here and now" of sense-certainty with which phenomenology begins. Comprehended or supersensuous intellectual intuition, at the other end of the spectrum, refers to the immediate apprehension of the fully determinate Notion with which logic ends. Representation and pure thinking are the intermediary stages between these poles. Hegel writes:

Intuition is, therefore, only the beginning of cognition and it is to this its status that Aristotle's saying refers, that all knowledge starts from wonder. For since subjective Reason, as intuition, has the certainty, though only the indeterminate certainty, of finding itself again in the object, which to begin with is burdened with an irrational form, the object inspires it with wonder and awe. But philosophical thinking must rise above the standpoint of wonder. It is quite erroneous to imagine that one truly knows the object when one has an immediate intuition of it. Perfect cognition belongs only to the pure thinking of Reason which comprehends its object, and only he who has risen to this thinking possesses a perfectly determinate, true intuition. With him intuition forms only the substantial

form into which his completely developed cognition concentrates itself again. (PM, #449, p. 200)

Immediate intuition freed from external reference and "inwardized" is mental representation: "intelligence that withdraws into itself from the relationship in which it is related to the singleness of the object and relates the object to a universal" (PM, #445, p. 192). The immediately intuited content is generalized or universalized through the mechanisms of recollection, imagination, and memory; where in brief, these mechanisms give rise to differences between the subjectively represented content or the image and the intuitively perceived object -- i.e. recollection, imagination, and memory allow for the comparison of different, as it were, single intuitings, and so generate the manifestation of what is common and unique among them; "thus creating general representations or ideas" (PM, #451, p. 202). Distilled from intuition, these universals or signs remain within the context of representation, "still conditioned by the contrast to immediacy" and so "cannot as it (the sign) stands be said to be" (PM, #451) Representations are not self-subsistent but derivatives of the inexplicable (at least as yet) immediacy of intuition and are always, however sophisticated this distillation process may become (witness phenomenology), ultimately grounded in the contingency or sheer givenness of immediate intuition.

In representation the image or sign is determined in part by the inexplicable contingency of external intuition. However, when the words that signify these representations are isolated and reflected upon as the subject's only content, the subject thinks

and can articulate the necessary inter-relations between ideas thereby freeing itself from the contingency of representation. Again the sign is a product of the unity of perceived image and universal. It stands for both the singular intuition and the universal under which it is subsumed; both the immediate sensuous content and intellectual mediating activity. A representation devoid of its sensuous imagery is a thought -- e.g. "Given the name lion, we need neither the actual vision of the animal, nor even its image: the name alone, if we understand it, is the unimaged simple representation. We think in names" (PM, #465, p. 224). Further, a pure thought is an unimaged universal that is real or objectively necessary for the occurrence of any determinate representation whatsoever. In pure thinking, "what is thought, is, and what is, only is in so far as it is a thought" (PM, #465, p. 224). Unlike a sensuous, or as Hegel puts it elsewhere, "mixed" universal -- say "lioness" -- a pure universal -- say "oneness" -- can never fail of exemplification and so constitutes a condition of possibility for determinate representation and intuition.

Of course, that this ideational realm of pure thoughts is the True or reality, is the meaning of Objective Idealism. Speculative logic is the disinterested science that pursues "the scientific investigation of the world in terms of thoughts alone" (SL, p. 63); An investigation that reveals the complete logical inter-relatedness of all pure thoughts grounded in the self-subsistent, self-explanatory reality of thought thinking itself. In this eternal realm, the very act of defining or explaining the 'reconstructed'

or 'translated' content of representation (its purely intellectual content) determines the content -- i.e. the intellectual content shows itself to be unconditionally self-determined. And because Hegel claims to deduce the idea of thinking from representation, which was in turn likewise deduced from immediate intuition, intuition is, in truth, a derivative of pure thinking; an abstracted constitutive element of it, and hence again "Thought is Being" (PM, #465 p. 224).

With respect, then, to the relation between phenomenology and logic, and the respective roles of representation and thinking at work therein, Hegel states "pure science presupposes liberation from the opposition of consciousness"; "the liberation from the opposition of consciousness which the science of logic must be able to presuppose lifts the determinations of thought above this trivial, incomplete standpoint and demands that they be considered not with any such limitation and reference but as they are in their proper character, as logic, as pure reason" (SL, pp. 49, 51). Phenomenology provides this liberation from experience and justifies this presupposition for logic by demonstrating immanently the failure of consciousness to representationally know truth with certainty; "this path (of experience) is the conscious insight into the untruth of phenomenal knowledge" (Phg, #78).

The key lies in the different strategies employed to grasp the truth. In phenomenology the content of knowing is taken to represent the truth or the in-itselfness of the object of this knowledge, and the claim to certainty requires comparison to affect

an evaluation of correspondence. However, not only does speculative logic rule out the possibility of any number of determinate entities being related as identical that are not simultaneously different -- rules out, in this context, the certain conscious experience of correspondence without difference -- but what is taken as truth by consciousness, the standard of comparison, itself always remains at bottom opaquely and inexplicably given. "The intuited whole" as Hegel explains, always "appears over and against its simple self-consciousness" (Phg, #802). Regardless of the numerous reversals or experiences consciousness suffers, however many times the truth of in-itselfness is shown to lie in the "being-for-consciousness of this in-itself" (in the representation), this progressively, representationally, mediated standard, by virtue of the immanent character of that mediation, contains sublated within itself the contingency, or opaque "over and against," of immediate intuition.

In Science or pure thinking this is otherwise:

In the Notion that knows itself as Notion (logic), the moments thus appear earlier than the fulfilled whole whose coming to be is the movement of those moments. In Consciousness, on the other hand, the whole though uncomprehended, is prior to the moments. (Phg, #801)

Speculative logic does not conceive pure thoughts as representations in opposition to or distinguished from truth, the uncomprehended whole, but rather presents each thought-form or logical moment as a proposed specification of the fulfilled whole itself. Here, the truthfulness of any moment resides in its "capability to hold truth" (L, #24); where the holding refers not

to anything represented or intuited, as outside or prior to itself, but only to its ability to maintain its determinate character and identity as self-referentially subsistent. The question of correspondence now becomes a question of "the agreement of a thought-content with itself" (L, #24), a question of logical stability. In phenomenology it is the discrepancy between knowing and in-itselfness that energizes and moves the dialectic of experience. Such a discrepancy results from the consciousness constituting act of comparing some given conception of truth with its knowing of that truth -- here in-itselfness always remains at root merely given, whether explicitly in terms of the intuited immediacy of sense-certainty, or implicitly in the subsequently representationally mediated immediacy of intuition. In the dialectic of pure thinking, on the other hand, evaluating and defining a thought-form, is a matter of resolving whether and how its determinancy is implied either directly by the initial consideration of the immediate, indeterminate character of thought as Absolute Knowing, or by some other form implied by that beginning, and antecedent to the form in question. What moves the dialectic is the absence of logical stability on the part of any form, an inability to maintain itself exclusively through itself; literally the absence of any thought's reality, for that which is unconditionally self-subsistent necessarily has independent objectivity.

Crudely stated, the difference between phenomenology and logic is that in the former, consciousness immanently searches and

discovers what truth is -- the self-knowing discovery of what Spirit is -- while science articulates why Spirit necessarily is, as it was so discovered to be; where the resolution to the first question is a necessary, though not sufficient, condition for the possibility of addressing the second. In other words, it is one thing to ask after the whatness of the True, with critical epistemological eye, and quite another to pursue the whether of its whyness; the inner ground of Absolute Spirit. This pursuit of the inner essence of Spirit (the self-explanatory reason, as it were, of truth itself) Hegel refers to as "the pure inwardization of knowledge," and is said to mark the "last turning point" of conscious experience; marks the point where consciousness becomes "inward to itself and attain(s) to a knowledge of its inwardness" (Phg, #787).

Hence the last and truest form of experience prior to this a priori inward turn of the rationalist eye, Revealed Religion. This is where consciousness know its knowing to be fully identical with the content (given this interpretation, whatness) of in-itselfness; yet because it is representationally informed -- a type of devotional picture-thinking -- its knowing of its knowing remains a question of faith, not certainty. A difference, that is, remains between its knowing as in-itselfness, and as the "profane" pictorial knowing whose certainty stands in question. In Revealed Religion, Hegel writes, "Spirit is self-knowing Spirit; it knows itself; that which is object for it, is, or its picture-thought is the true, absolute content." Here the True is "intuitively

apprehended by religious consciousness ... which overcomes the difference between its self and what it intuitively apprehends" (Phg, #786). "But," Hegel continues, "the community is not yet perfected in this its Self-Consciousness; in general, its content exists for it in the form of picture-thinking" (Phg, #787). So "burdened" by knowing truly with respect to content, yet knowing not with respect to form, the Christian puts off, "into the distant future," this as yet mysterious "reconciliation" of the what and the why of the True, and so, by that fact, of knowing and truth itself. Of course, the coming to be of this reconciliation is the promise of philosophical science, and so Christianity, in this sense signifies the very differentiation of Absolute Knowing from its genesis in representational experience -- insofar, that is, as religion is the experience most proximate to Absolute Knowing or logic.

Finally then, the resolution to the question at hand: phenomenology serves as an introduction to Science by presenting the immanent failure of consciousness to experience certain knowing within the framework of its representational opposition. The ground and justification of this immanent movement -- the implicit scientific rules of coherence that allow "we" phenomenologists to objectively see the logical relations between the forms of experiences -- lies in Absolute Knowing and the promise of Science. Absolute Knowing, in turn, cannot be considered within the bounds of phenomenology, because phenomenology can only present its genesis. This genesis, however, as a self-negating or self-

eliminating movement with respect to its own possibility of success, deduces Science by mediating representational consciousness with its other, Absolute Knowing; by showing the possibility of Science to be immanent therein as its dialectical truth. What phenomenology shows, that is, in its exposition of how knowing appears, is that all these appearances are, in truth, derivatives of Absolute Knowing, which itself here merely appears. Why it does so is left for Science.

This introduction and deduction of Science is equivalent to showing the possibility of the radical autonomy of critical reflection and the liberation of a culturally situated analytic horizon<sup>10</sup>. Again the reasoning is indirect. The project of phenomenological experience is for consciousness to find with certainty that what is for-itself is also what is determined in-itself. To achieve certainty in this sense would be to establish that reason is conditioned or relative to whatever is given as determined in-itself. For example, if in-itselfness was truly experienced to be determined independently of for-itselfness, as the Consciousness section entertains, then reason is relative to sensible or supersensible givenness, which would then legislate to it as the extra-rational background from which it emerges. Or say, as the Self-Consciousness section suggests, that for-itselfness determines in-itselfness (where this relation is what is determined in-itself), still reason is no less restricted. Here, instead of being determined from without, reason is so from within; determined

by the equally extra-rational self-relation to self that subsists through the negation of all positive determinacy. Even the stoic who takes formal thinking as its essence lacks content, a "self-identity ... in which nothing is determined" (Phg, #200), and so must work (if it is to actually think) with the "abstractions of differences" (Phg, #202) derived from the manifold, which is itself a product of the negative activity of for-itselfness. Of course, the point is that phenomenology shows all these strategies to be immanently self-defeating. Hence the alternative of Science, where thought is considered to constitute a presumptionless self-grounded discourse. Here, while all thinking still remains to be performed by a culturally situated subject, if the act of thinking purely is non-representational and so proceeds without appeal to any givenness, cultural or otherwise, and further, if what the subject is conscious of, in so thinking, exhibits its determinacy in terms both of form and content as unconditionally self-determined, then an ahistorical objective rationality is not simply a possibility but a reality.

The distinction between the possibility and reality of Science is, however, only for the neophyte Hegelian being introduced to logic and not Hegel himself; for this phenomenologically deduced possibility can only be warranted by its reality. If this were otherwise, then the way to science would not already be science and the implicit scientific rules of coherence that ground the possibility of immanent movement would remain dogmatically given; leaving the deduction as itself a mere possibility. In other

words, the validity of the deduction of Science is predicated on logic's actual success, and the question of its possibility is only for those being introduced to Science in need of a "ladder to this standpoint" (Phg, #25). Indeed, as it happens, a hanging ladder is what we are supplied, hung from the perspective of science itself. It might appear that Hegel is falling prey to the second horn in Albert's trilemma -- the bad logical circle that results from presupposing that which stands in need of justification. This is incorrect. The justification of Science, Hegel continually asserts, occurs only in logic (specifically the Subjective Notion is where the Munchausen trick is performed); the deduction of Science only concerns its relation to other appearing forms of knowing and so is legitimate if logic is successful. And again, a necessary deduction, otherwise Science might stand as just one among many coherent theories of truth.

While the present consideration of phenomenology shows it to furnish a viable strategy for deducing Science viz.-a-viz. other appearances of knowing, it remains problematic whether it is, in any helpful sense to the reader, a true introduction. Or what is the same, it remains to be seen how phenomenology solves the Derridian paradox with which this chapter began -- namely, prior to the acquisition of speculative reason, how proceed without it; without, that is, what it alone can provide, the ability to disqualify naivete, incompetence, or misconstrual. This difficulty is exacerbated if one considers not only the reader's introduction, but Hegel's as well. We at least have the advantage of the text,

the testimony of one who has apparently travelled such a course. This is a real difficulty. Philosophical science must provide an explanation otherwise it will show itself to be just another in a long history of foundationalist projects, that speak of a ground of truth that cannot truly be spoken of. Marxism, as example, asserts the True to be material productive forces or human laboring activity, and thought to be conditioned and determined by it; consequently if this is in fact the case (no contradiction is implied), then it is also the case that we could never know it (otherwise a contradiction is implied) and to speak of it could only mean to speak dogmatically.

Hegel's position is not susceptible to this kind of foundationalist dilemma. It is, however, only with Science and not phenomenology that the explanation to this puzzle lies. What Science claims to reveal as the True is the absolute Idea, both the atemporal activity of pure thought and the process through which it comes to comprehend itself as such. Accordingly the conditions of possibility regarding the comprehension of the True are intrinsic to the very nature of truth itself. Given the possession of genuine speculative reason, that is, means also to be given the knowledge of the circumstances that made possible its acquisition. Further it is not until one knows fully, that one knows truly. "It is", Hegel claims, "the science of logic in its whole compass which first constitutes the completed knowledge of it with its developed content and first truly grounds that knowledge." (SL,p.72) Hegel explains:

The absolute Idea may in this respect be compared to the old man who utters the same creed as the child, but for whom it is pregnant with the significance of a lifetime ....The interest lies in the whole movement. When a man traces up the steps of his life, the end may appear to him to be very restricted: but in it the whole decursus vitae is comprehended. So, too, the content of the absolute Idea is the whole breadth of ground which has passed under our view up to this point. Last of all comes the discovery that the whole evolution is what constitutes the content and the interest....Thus it is that we have had the content already, and what we have now is the knowledge that the content is the living development of the Idea. This simple retrospect is contained in the form of the Idea ... the evolution of which is what we termed Method. (L, #237).

The last discovery of Science is the dialectical method wherein pure thought reveals itself to be a self-instantiating, self-determining, activity of self-comprehension. Yet its last is also its first truly grounded claim, for only here is the whole decursus vitae in fact comprehended; only here is there any certain assurance of the validity of the breadth of ground Science has covered.

Why all knowing is a recollection, and why the Notion's activity of self-determination is necessarily an act of self-comprehension, are questions that cut right to the heart of speculative logic and will be addressed in the subsequent discussion on dialectical method. Nonetheless, the solution to the question at hand is already apparent. In Science, there is no true knowing before True knowing, only Derridian misconstrual, as it were; legitimacy can only be conferred retrospectively, and ultimately only in the last analysis. That this is so, in no way undermines the possibility of coming to know Science; rather, it is simply irrelevant. The point is that once mastered, not only is

the truth revealed, but so too are the conditions of possibility concerning its actualization as well. Hence there is no contradiction, for Hegel's theory of the True, in terms of its actual comprehension, accounts for both the possibility of its presence and absence.

Finally then, what does it mean to stand somewhere in this absence and attempt to speak truthfully to speculative truth? Phenomenology deduces Science indirectly in terms of its appearance and acts as a ladder to Science only by throwing knowing into the question of its appearance; by throwing, that is, we phenomenologists into a peculiar scepticism parasitic on the success of Science. Science, in turn, finds its validation only through its complete retrospective disclosure. Antecedent to this disclosure or completed presence, when Science lies ahead and not behind, no interpretation is safe, for the question of its authority can genuinely be neither granted nor undermined. In this hermeneutic fix, speaking truthfully can only mean to be faithful to this difficulty; to endure without pretence the difficulty of finding one's way into Science. Accordingly, the narrative here presented, which takes as its aim the possible transparent analysis of Science, should not be judged so much in terms of any final resolutions which it may suggest, but rather by the narrative opening it creates or recovers from the text out of the opaque horizon of absence.

### **Dialectical Method: Conceiving Substance as Subject**

Hegel's dialectical method is the foundation upon which philosophical science, as a project seeking actual knowledge, stands. The dialectic underpins Hegel's system both by being the first and last principle from which all of Hegel's more specific doctrines follow and lead, and by being itself neither grounded in a ground, nor groundless, but grounded in itself -- i.e., subsisting through itself by possessing "its own basis of existence" (PH,p.9). Drawn from this theoretical core, Hegel's theory of right cannot be divorced from his method. In fact, as applied logic, the Philosophy of Right is only freed to pursue its subject matter, conceiving the notion and actualization (idea) of right, given the prior resolution of what the Good and the True consist, and the "scientific procedure"(PR#2) whereby legitimate knowledge claims can be secured. Hegel's dialectic furnishes this foundation and manner by which applied science has its warrant conferred. The first task, then, concerns the definition and explication of the dialectic.

The dialectic considered by itself is the absolute Idea, the process through which the self-determination of the Notion occurs whereby thought thinks and recollects itself. In the section on the absolute Idea, in the Science of Logic, Hegel describes this process at length<sup>1</sup>. To begin with, Hegel states that the dialectic is at once simultaneously "analytic" and "synthetic".

It is analytic insofar as what originates from the Notion does so immanently, containing nothing other than itself in its process of self-determination, and can in this sense be regarded as a movement from the implicit to the explicit. "But", Hegel writes, "the method is no less synthetic, since its subject matter, determined immediately as a simple universal, by virtue of the determinateness which it possesses in its very immediacy and universality, exhibits itself as an other"(SL,p.830). In other words, what the Notion becomes is at the same time fundamentally other than what it was to begin with; i.e. the Notion is a real movement of becoming and origination such that it "of its own accord determines itself as the other of itself"(SL,p.831). The synthetic aspect of this process allows Hegel to speak of this being a movement from the abstract to the concrete where the concrete represents a new development and addition to what preceded it.

According to Hegel, all thought-determinations or universals upon reflection reveal themselves to be self-opposing or other to themselves; with the sole exception being the absolute Idea which itself has no other. And further, for Hegel, both ancient and modern philosophy show this to be the case. Thus, for example, the world with respect to space and time "can with equal necessity" be regarded as infinite or finite. The "fundamental prejudice" of all past philosophy was to see "only a negative result" of the dialectical character of thinking -- "the contradiction and nullity of the assertions made" (SL,p.832), attributing this

result to either the defective character of cognition or the contradictory nature of reality. In truth, however, the dialectical character of thought-determinations is "the product of their Notion's own reflection" (SL,p.833) and must be understood as such if their transitions into one another are to be grasped as the process of the Notion's self-determination. Just so does thought think itself; defining, reconciling, and systematizing contradictions through its own self-determining movement.

Examining this process in more detail Hegel considers what happens when a thought-determination or universal "shows itself to be the other of itself":

taken quite generally, this determination can be taken to mean that what is at first immediate now appears as mediated, related to another, or that the universal appears as particular. Hence, the second term that has thereby come into being is the negative of the first and if we anticipate the subsequent progress, the first negative (SL,p.834).

It might appear as though all that has been gained by negating the initial thought-determination is the creation of another abstract, immediate determination -- here termed the negation of the immediate. This is not so:

the other is essentially not the empty negative, the nothing, that is taken to be the usual result of the dialectic; rather it is the other of the first, the negative of the immediate; it is therefore determined as the mediated -- contains in general the determination of the first within itself. Consequently, the first is essentially preserved and retained even in the other. To hold fast to the positive in its negative, in the content of presupposition, in the result, is the most important feature in rational cognition (SL,p.834).

In been negated, the immediate universal now has an other which represents the negation of itself and which contains this

opposition within itself. This thought-determination can no longer be considered immediate for the result of the negation is that an immediate universal becomes other to itself, and in being the other of itself, it is related to itself. An other, to be an other, must be related to that which it is other; i.e. to oppose is to relate and so involves mediation.

The second determination, the negative or mediated, is at the same time also the mediating determination. It may be taken in the first instance as a simple determination, but in its truth it is a relation or relationship; for it is the negative, but the negative of the positive, and includes the positive within itself. It is therefore the other, but not the other of something to which it is indifferent -- in that case it would no longer be an other, nor a relation or relationship -- rather it is the other in its own self (SL,p.834-35).

Hegel defines this as a "contradiction" because the negative other contains within itself the initial positive universal; i.e. as a contradictory unity that holds the positive in the negative. The truth of this process of self-origination is revealed only when the negative which relates to or is "bound up" with the positive is "forced" to overcome the contradiction. And this occurs when the negative of the positive is itself likewise negated, or is itself shown to imply an other. This "other of the other, the negative of the negative" (SL,p.836) represents the "self-sublation" of the contradiction and restoration of immediate universality. The key here is Hegel's claim that this double negative, immediate result is self-determined and self-knowing.

As that which we began was the universal, so the result is the individual, the concrete, the subject, what the form is in-itself, the latter is now equally for-itself, the universal is posited in the subject. The first two

moments of the triplicity are abstract, untrue moments which for that very reason are dialectical and through this their negativity make themselves into the subject. (SL,p.837).

The dialectic can be said to be a process whereby the immediate universal particularizes and subjectivizes itself, because it is a truly immanent and circular movement. As immanent, whatever determinateness that results from the positing, opposing, and overcoming of contradiction through negation is a determinateness implicit in the initial immediate universal. And as infinite or circular, what the explicitly determinate universal comes to truly determine itself as, is nothing but the very "simplicity which is the first immediacy and universality", but which "no less embraces and holds everything within itself" (SL,p.841). Hegel explains;

the determinateness which the method creates for itself in its result is the moment by means of which the method is self-mediation and converts the immediate beginning into something mediated. But conversely, it is through the determinateness that this mediation of the method runs its course; it returns through a content as through an apparent other of itself to its beginning in such a manner that not only does it restore that beginning--as a determinate beginning however--but the result is no less the sublated determinateness, and so too the restoration of the first immediacy in which it began. This it accomplishes as a system of totality.(SL,p.840).

The absolute Idea, the system of totality, is necessarily immediate because as radically self-determined it is grounded through itself alone, and so must arise immediately without any basis for doing so -- otherwise that which preceded it (say either a temporal cause or an atemporal reason) would stand in a mediated relation to it, and it would lose its unconditioned self-determined

status. In "simple universality", as Hegel puts it, the absolute Idea "has its complete condition" (SL,p.841). With nothing determinate standing behind it, there is no answer to the question, why there is the absolute Idea in the first place -- rather all that can be provided is a recollected account of how it is so determined, and how as self-determined it is necessarily real. The dialectic is this recollected account:

each step of the advance in the process of further determination, while getting further away from the indeterminate beginning is also getting back nearer to it, and that therefore, what at first sight may appear to be different, the retrogressive grounding of the beginning, and the progressive further determining of it, coincide and are the same. The method ... thus winds itself into a circle (SL,p.841).

Again, just to recapitulate this somewhat abstract characterization. The absolute Idea is both the whole of pure thought and the process through which it comes to comprehend itself. Thought thinks and differentiates itself through its own negative activity and comprehends itself as a self-determined and originated totality. Specifically with respect to the dialectic, the initial negation is represented by the positing of an immediate universal or thought-determination, which as immediate and self-identical stands implicitly as the negation of both the comprehending whole and the other thought-determinations constituted by it. Making this explicit in the first negation occurs through the reflection that reveals  $A=A$  implies  $A \text{ not-equal not-}A^2$  -- i.e. Hegel in the moment of difference employs Spinoza's maxim that determination is negation, or that identity implies difference<sup>3</sup>. The second negation, the negation of negation, posits the identity of identity

and difference, where thinking reveals that  $A=A$  only is insofar as  $A$  not-equal not- $A$ , and where neither  $A$  nor not- $A$  can be determinately conceived without the other. In other words, in the negation of the initial immediate thought-determination, that determination must be preserved and its preservation represents its unity through negativity with the whole -- now recollected as a determination of the subject or self of the self-determined whole.

This, of course, is a logical process and cannot be understood temporally for only in an atemporal sense can the absolute Idea determine itself and have whatever it is remain immediately and eternally present, without past or future. All the moments of the Notion, all pure thought-determinations, that is, are eternally present where what becomes is there actual recollection signified by philosophical science making explicit the relationships between more concrete thought-determinations and the determinations which they specify.

Time and history are, like all moments of the absolute Idea, necessary determinations of this process, and, like all of its constitutive moments, display the whole immanent within themselves by subsisting through negation, and finally, like all the other parts, have their truth become explicit through their transcendence in the negation of negation. The absolute Idea is neither in time nor in history, but rather negates, mediates, and recollected itself through them; rather, that is, the absolute idea has time and history within itself.

The presumptionless character of philosophical science is fundamentally established with the identity of form and content in the dialectic<sup>4</sup>. Hegel begins the Encyclopedia by asserting that philosophical science cannot have any ungrounded presuppositions; "We can assume nothing and assert nothing dogmatically" (L#1). And this means that science "has to demonstrate each of its objects and the explication of them in their absolute necessity", where this is accomplished by "deriving each particular Notion from the self-originating and self-actualizing universal Notion, or logical Idea" (PM,#379). This, of course, is precisely Hegel's method, the absolute Idea, which as thought's simultaneously analytic, synthetic, and a priori process of self-determination functions to specify the necessity of any and all thought-determinations. Absolute necessity here entails not only presumptionlessness, but also the universal and unconditional character of such determinations; insofar as they are universally applicable to any experience, and have their determinacy grounded in nothing other than thought's self-reflection.

For example, in logic, "the science of thinking in general" (SL,p43), the unity of form and content means that the method or form by which logic determines valid reasoning must be shown to coincide with the content of valid reason, otherwise the thinking of valid reasoning (form) could only be assumed to be valid thought (content)<sup>5</sup>. "Logic", Hegel states, "cannot presuppose any laws of thinking, for these constitute part of its own content and have first to be established within the science", and "similarly, the

subject matter of logic, namely, thinking or more specifically comprehensive thinking ... cannot therefore be premised"(SL,p.43). Rather there must be an identity where "what is first for thought ought also to be the first in the process of thinking" (SL,p.68)<sup>6</sup>.

Hegel, in the Introduction to the Science of Logic, explains the meaning and significance of this identity for the method of philosophical science by way of a contrast with the inadequacies of traditional formal logic and Kant's transcendental logic. Formal logic, Hegel claims, dogmatically assumes the separation of the rules of forms of thought from both the content of thought, typically taken to be derived from experience, and the process of thinking the rules or forms themselves. Here, that is, the correctness of a judgement is held to be independent of its truth value -- e.g. "the rose is red" is equally as correct as the positive judgement "the rose is brown", despite the fact that only the former judgement may be true. Both these judgements are correct insofar as they do not violate any law of logic, and both would be true if the required correspondence or agreement of the judgements with their empirical referents were satisfied. The use of both these terms is grounded in the notion of truth as correspondence, according to which a thought is true if it conforms to the thing of which it is thought. Hegel, however, argues that with this conception of truth, formal logic "forgets in its discourse the very point on which it has based its argument and of which it is speaking" (SL,p.593). It now becomes literally meaningless to ask for either "the criterion of the truth of such a content" or

the truth of the thought forms in and for themselves, because truth as agreement necessarily involves both terms. The question, for example, that needs to be asked about the judgement "the rose is red" is whether this judgement is:

in its own self a form of truth; whether the proposition it enunciates, the individual is a universal, is not inherently dialectical, is a question that no one thinks of investigating. It is straightaway assumed that this judgement is, on its own account, capable of containing truth and that the proposition enunciated by any positive judgement is true, although it is directly evident that it lacks what is required by the definition of truth, namely, the agreement of the Notion and its object; if the predicate, which is here the universal, is taken as the Notion, and the subject, which is the individual, is taken as the object, then the one does not agree with the other. But if the abstract universal which is the predicate falls short of constituting a Notion, for a Notion certainly implies something more, and if, too, a subject of this kind is not much more than a grammatical one, how should the judgement possibly contain truth seeing that either its Notion and object do not agree or it lacks both Notion and object? On the contrary, then, what is absurd and impossible is to attempt to grasp the truth in such forms as the positive judgement and the judgement generally. (SL,p.594-95).

Further, formal logic, by ignoring the problem of truth with respect to the thought-forms in themselves, reduces the already inexplicable process of thinking or determining the elements and rules of logic to a merely descriptive account dependent on the contingent stipulations of the logician. A logician, Hegel writes, who often proceeds by,

grouping together what is similar and making what is simple precede what is complex, and other external considerations. But as regards any inner, necessary connectedness there is nothing more than a list of headings of the various parts and the transitions is effected simply by saying 'Chapter II', or, 'We now come to judgements', and the like. (SL,p.55).

Kant's transcendental logic succeeds only partially in reconciling the separation of form and content, or correctness and truth and, like formal logic, is just as inadequate in accounting for the spontaneous process or thought's self-reflection'. By demonstrating the constitutive, a priori synthetic character of certain thought-forms, both in terms of the forms of sensibility -- time and space which make an object accessible -- and the conceptual forms -- the table of judgements which integrate the object into the unity of self-consciousness -- Kant refuted the idea that the content of thought is entirely independent of certain synthetic forms of thought. In other words, these thought-forms or categories represent the universal and necessary conditions for the possibility of experience, and are neither abstracted from experience, nor applied to it, but rather have a constitutive function because independent of these forms there simply can be no objects of experience. Kant attempted to resolve the problem of identifying these forms, and the question of their objective validity, by showing; firstly, that, as a matter of fact, these forms are present in the forms identified as early as Aristotle, by formal logic itself, and so have been the ones we use and have used; and secondly, that it is inconceivable to have any experience of objects without them or, what is the same, by revealing the universality and necessity of a priori synthetic judgements.

For Kant, then, knowledge of experience occurs through a process whereby the ego imposes on pure intuitions its own forms of sensibility and cognition, determined by its a priori synthetic

structure; where what exists in-itself, reality, is known only through this transcendental structure<sup>8</sup>. In Hegel's words, transcendental logic:

(a)... treats of the notions which refer a priori to objects and consequently does not abstract from the whole content of objective cognition, or, in other words, it contains the rules of the pure thinking of an object and (b)... at the same time it treats of the origin of our cognition so far as this cognition cannot be ascribed to the objects....His chief thought is to vindicate the categories for self-consciousness as the subjective ego. (SL,p.62).

Kant's a priori forms are entirely a product of thought's own activity and while empty of empirical content nevertheless find their only legitimate function in synthesizing this content, such that "without intuitions notions are empty and are valid solely as relations of the manifold given by intuition" (SL,p.585). The viability of a science of metaphysics or supersensible entities is thus undermined, both on the basis of Kant's demonstration of the functioning of these forms with respect to the sensible, and by the resultant antinomies, paralogisms, and impossibilities, occurring with the application of these forms to the supersensible. The intellect is composed of two faculties -- the understanding which co-operates with sense and reason which proceeds by itself. Knowledge produced by reason is purely analytic and the understanding purely of appearance. Metaphysics, Kant reasons, is the result of a 'natural' but mistaken tendency to apply the forms of the understanding to supersensible entities. In this sense Kant's project is a critique, defining the limits of pure thought and

thinking, where the only knowledge that such thinking legitimately makes possible is restricted to phenomena or appearance.

Hegel, like the subsequent German Idealists, presents the common criticism that the conception of an unknowable thing-in-itself is contradictory, for on Kant's own terms it is illicit to apply any category to it. For example, it cannot be said to be a substance, cause, totality, plurality, to exist, to be possible or impossible, etc... -- such that no universal and necessary predicate is applicable, and yet at the same time Kant maintains not only that such a putatively unknowable reality exists, but moreover serves a specifiable function with respect to the phenomenon to which these categories do apply<sup>9</sup>. In truth what Kant is doing, Hegel claims, is thinking the thing-in-itself in abstraction from any determination whatsoever, and so it becomes a completely empty thought:

The thing-in-itself (and under "thing" is embraced even Mind and God) expresses the object when we leave out of sight all that consciousness makes of it, all its emotional aspects, and all specific thoughts of it. It is easy to see what is left -- utter abstraction, total emptiness, only described still as an "other-world" --the negative of every image, feeling, and definite thought. Nor does it require much penetration to see that this caput mortuum is still only a product of thought, such as accrues when thought is carried on to abstraction unallowed. (L,#44,p.72).

Further and more importantly, Hegel sees as contradictory the fundamental distinction between pure intuition and thought, in which the former is taken to act as a determinate source of content for the latter. The idea, that is, of a synthesis by thought of an intuitively given manifold is nonsensical because synthesis

presupposes determinate items to be synthesized, yet again according to Kant himself, determinate items are themselves possible only as syntheses<sup>10</sup>. It is beyond the scope of the present discussion and, for that matter, my ability to discuss in much detail the meaning and validity of these charges. The purpose here, however, is only to address the problem of the unity of form and content in a philosophical science of logic, and how Hegel understood this to overcome the deficiencies with respect to presumptionlessness in both formal and transcendental logic. In this context then, suffice it to say that Hegel denies the possibility of thought passively receiving contingent, determinate content from a pure manifold on intuition; being active solely in constituting the universal and necessary structure of phenomena. And this principally on the grounds that there can be no purely given, determinate manifold about which thought then thinks. Rather thought has a constitutive role in thinking anything determinate whatsoever. The content, that is, receives its determinative form entirely through pure thought, such that the "Notion is the ground and source of all finite determinateness and manifoldness" (SL,p.589). Thus for Hegel, even the simplest sensory qualities are not immediately given: e.g. there can be no awareness of redness independent of other colours that red is not, and which stand in relation to it -- that is, even simple colours are implicitly thought-determined. As Hegel writes in the Preface to the Phenomenology:

When I say "quality", I am saying simple determinateness;  
it is by quality that one existence is distinguished from

another, or is an existence; it is for-itself, or it subsists through this simple oneness with itself. But it is thereby essentially a thought. Comprehended in this is the fact that Thought is Being; and this is the source of that insight which usually eludes the usual superficial talk about the identity of Thought and Being... Because this is the nature of what is, and in so far as what is has this nature of knowing, this knowing is not an activity that deals with a content as something alien, is not a reflection into itself away from the content. Science is not that idealism which replaces the dogmaticism of assertion with a dogmaticism of self-certainty. On the contrary, since knowing sees the content return into its own inwardness, its activity is totally absorbed in the content, for it is the immanent self of the content. (Phg, #54, p.33)

The identity of thought and being means that thinking is the substance of any determinate content whatsoever. Consequently, the Notions necessary to thought's self-determination are valid for any and all such content, and the philosophical science of logic is at the same time a science of metaphysics<sup>11</sup>. In other words, the Notion is the "absolute foundation" of all reality, so that logic as a theory of the Notion is just as much a science of the grounding principles of reality. "Accordingly", Hegel states:

Logic is to be understood as the system of pure reason, as the realm of pure thought. This realm is the truth as it is without veil and in its own absolute nature. It can therefore be said that this content is the exposition of God as he is in his eternal essence before the creation of nature and finite mind...What we are dealing with in logic is not a thinking about something which exists independently as a base for our thinking and apart from it, nor forms which are supposed to provide mere signs or distinguishing marks of truth; on the contrary, the necessary forms and self-determinations of thought are the content and the ultimate truth itself. (SL, p.50).

For Hegel then, logic understood as the process of thought's self-determination establishes the unity of form and content with respect to correctness and truth. But this is also equally the

case with the identity between thinking the thought-forms and the forms themselves. Again this issue is well defined in contrast to Kant's project; which as a "critique of reason" posits as inexplicably given the spontaneous activity of thought's self-reflection.

As Hegel argues in the Logic, Kant in demanding a "criticism of cognition as preliminary to its exercise" is like trying to learn how to swim without going into the water (L,#44,p.66). In other words, Kant, in claiming to examine the principles of thought before preceding to actual thinking, presupposes a distinction between the thinking of the thought-forms, and the forms themselves, such that thought as analysing and criticizing can be applied from without, as it were, to thought as analyzed and criticized<sup>12</sup>. The problem is that this dogmatically given vantage point of analysing thought is itself in need of analysis, otherwise the critique of valid reason might itself fail to be valid thinking. In order for valid thought and thinking to coincide, thinking and its forms must be at once both the object and activity which examines itself. Thought's self-reflection must be a self-developing dialectical process that contains the principles of critical analysing reason immanently within itself. Hegel writes:

True indeed, the forms of thought should be subjected to a scrutiny before they are used: yet what is this scrutiny but ipso facto a cognition? So what we want is to combine in our process of inquiry the action of the forms of thought with a criticism of them. The forms of thought must be studied in their essential nature and complete development: they are at once the object of research and the action of that object. Hence they examine themselves: in their own action they must determine their limits, and point out their defects. This is that action of thought, which will hereafter be specially considered under the name Dialectic, and

regarding which we need only observe that, instead of being brought to bear upon the categories from without, it is immanent in their own action. (L,#41,p.66).

The possibility of pure thought's self-critical self-determination is not considered by Kant because of what he took to be the merely formal or empty and inconveniently circular character of such self-thinking -- i.e. the subject, from the shore so to speak, that thinks the thought-forms is itself "the ultimate and unanalyzable point of consciousness", the "vacuum or receptacle" of the thought-forms, and is not itself a thought (L,#24,p.38); and where one cannot think this thinking subject as thinking or observing, but only as thought and observed, as an empty abstract self-relation; and where even when taking itself for its object, the subject remains as a subject to which the object is given; attempting anew to make this subject into an object results again in the circle repeating itself<sup>13</sup>. Kant's claim, of course, is that such a subject necessarily accompanies every representation, and is the ultimate condition of any experience, and is termed the transcendental unity of apperception. This transcendental thinking subject, for Kant, had necessarily to be identical through time, spontaneously active in unifying its representations via the synthetic forms, and finally, at least in principle, self-conscious of itself in its activity. The transcendental unity of apperception is, as Hegel describes it, the purely formal, "general idea of self-consciousness", the "I=I", or the subject "devoid of any content of its own, of which we cannot even say that it is a

notion, but merely the consciousness that accompanies every notion" (SL,p.776).

It remains inadequate, however, merely to point, as Kant does, to the presence of the transcendental subject, with its apperceptive characteristics logically preceding experience, without accounting for how this condition is itself possible. How it is possible, for instance, that we can only become aware of the transcendental subject through our synthesized experience, yet the forms necessary and universally constitutive of this experience are purely the result of the spontaneous, self-determining activity of the subject? How, that is, can the subject be genuinely spontaneous if it requires the stimulus of an externally given manifold against which to react in order to become aware of itself?<sup>14</sup> And so Hegel argues; "it was only formally that the Kantian system established the principle that thought is spontaneous and self-determining" for only through a "reaction does it first become conscious of itself....and the `ego' weighted with something else always confronting it, is weighted with a condition" (L,#60,p.94)

In contrast to Kant, necessary for Hegel's account of thought's self-reflection is to conceive of thought's self-determination as an infinite self-relation that contains within itself a negative relation to itself or that is simultaneously self-differentiating. In other words, it is necessary to conceive of the circular character of thought thinking itself. Disputing Kant's understanding of the issue, Hegel states:

But surely it is ridiculous to call this nature of self-consciousness, namely, that when the `I' thinks itself,

that the 'I' cannot be thought without its being the 'I' that thinks, an inconvenience and, as though there were a fallacy in it, a circle. It is this relationship through which, in immediate self-consciousness, the absolute, eternal nature of self-consciousness and the Notion itself manifest itself, and manifests itself for this reason, that self-consciousness is just the existent pure Notion, and therefore empirically perceptible, the absolute relation-to-itself that, as a separating judgement, makes itself its own object and is solely this process whereby it makes itself a circle. (SL,p.777-78).

The circular nature of thought thinking itself means that thought's self-determination occurs through the negative activity of thinking that identifies or relates itself and, at the same time, negates itself in the determination of any thought-form. The unity of form and content is fundamentally established with this conception of thinking or form as an activity of self-relation and self-negation. What thinking is, the self of the self-determination of thought, is inseparable from the thought-forms such that the content is only comprehended when the form is with itself in the content, and where the form is nothing but the activity whereby it comes to comprehend itself in the content, its determinations. Any determinate content, then, receives its determination and identity through the negative diremption of the form, yet every determinate content is an instance of the form in its activity of self-comprehension -- i.e. the form relates and negates, reveals and conceals itself simultaneously, so that each determination, as posited by the form, presents itself as determiner to itself as determined. Hegel's claim, of course, is that the self-determination of thought originates new determinations in such a manner that they increasingly manifest the form of thought to itself. In other

words, progressively more adequate definitions of the Notion are presented, where eventually this revealing will culminate in the explicit identification of the Notion as thought thinking itself. Thus, the Notion's activity of self-determination is necessarily an activity of self-comprehension, and the form is itself both the final determinate content and the whole which contains and holds within itself all of its prior determinations or content; "the content", so Hegel claims, "is simply and solely the determination of the absolute form and nothing else -- a content posited by the absolute form itself and consequently also adequate to it" (SL,p.592).

It is now conceivable how Hegel can claim to establish a philosophical science of logic that would neither presuppose the laws of thinking, nor the thinking of the laws. Unlike in formal and Kantian logic, the dialectical logician can jump in the water, can recognize that his increasingly more adequate knowledge of the thought forms is simultaneously a more adequate knowledge of thinking the thought forms; where thinking ultimately makes itself into an object in order to account for itself. The dogmatism of previous logic lies in thought's opaque and inexplicable relationship to the subject, which never makes adequately explicit the thinking activity whereby it articulates and validates thought. The thinking activity must become objective to itself so as to meet a basic requirement of presumptionlessness, otherwise this activity could not be known itself to be valid thought, and the truth value of the thought-forms could not be addressed.

Furthermore, it is also now apparent why Hegel claims that "to ask if a category is true or not...is the very question on which everything turns". Why "the problem of logic" is reduced to the problem of examining "the forms of thought touching on their capability to hold truth" (L,#24,pp.40-41). Truth, with the unification of form and content, logic and metaphysics, can now be coherently defined "as the agreement of a thought-content with itself" (L,#24,p.41). To say that a thought-form fully corresponds to itself or is true means that its determinate character and self-identity is defined by itself, or is contained exclusively within itself. Again, as it has already been shown, the process whereby thought determines itself is fuelled by the discrepancy between identity and difference -- i.e  $A=A$  implies  $A$  not equal  $\text{not-}A$ , or that  $A$  is partially defined by what it excludes, and that what originates with the resolution or sublation of this discrepancy, the identity of identity and difference, is a fresh Notion, that contains or rather is that agreement of  $A$  to itself, for it holds within itself both  $A$ 's defining opposition and dependence on  $\text{not-}A$ . This new thought-determination can be said to be truer, or in more fuller agreement with itself, despite the fact that it might not be in complete agreement, in several ways: firstly, its self-identity and determination is at the same time the concrete foundation or identity of all the preceding Notions; secondly, it is more truly what  $A$  and all that preceded it claimed to be, namely, self-identical; and finally, it presents more fully what in its

predecessors was only partially and inadequately expressed, true or perfect self-identicalness, the absolute Idea.

For example then, reflection or thinking (the absolute Idea revealing/concealing) makes explicit that A only is A insofar as it is defined in specific relation to not-A; where the comprehension of this relation is precisely the identity of the fresh Notion -- say 'B' -- the identity and difference of A; and where A, like B, is also such an identity with respect to what preceded it. Again, thought tells us  $A=A$  implies B, or that B is implicit within A. Consequently, not only is B the explicit self-identity of A and, by that fact, the self-identity of all that preceded A in a likewise manner, but B is presupposed by, or logically prior to A and so A's determinative foundation. In other words, because A has shown itself in truth to be merely an abstracted constitutive element of B, B is both the result and original ground of A. "The advance", so Hegel states, "is a retreat into the ground, to what is primary and true, on which depends and in fact from which originates that with which the beginning is made" (SL,p.71)<sup>15</sup>.

Again, this is why Hegel argues that all knowing is a recollection and that the Notion, while logically preceding its actualization (because eternally present), is nevertheless temporally posterior with respect to its self-comprehension. And why Hegel claims that the "essential nature" of the absolute Idea "is to return to itself through its self-determination" (SL,p.824). The absolute Idea, the eternal immediate reality and the temporal process of its recollection, progressively affords insight into

itself as that eternity or "absolute foundation", where it can be such a radically determinate foundation "only insofar as it has made itself the foundation" (SL,p.577). The self-comprehension of the absolute Idea, the making of itself into subject, is necessarily a "retreat" into itself, self-actualized through its own self-negating activity, determining all of its inadequately self-identical manifestations. Each thought-form is a determination of the absolute Idea and so a representation of it -- each a provisional definition of the absolute. And each lacks agreement with itself to the extent that it is self-opposing and in need of further determination or concretion.

The absolute Idea alone is fully determinate or concrete and self-identical. And this means that it "contains all determinateness within itself" (SL,p.824) by comprehending the constitutive interrelationships of all pure thought-forms including itself: as Hegel puts it, it "contemplates its own content as its own self" where "this content is the system of Logic" (L,#237). That the absolute Idea is Hegel's method -- thought thinking itself -- and what that method consists in has already been discussed, however, it is now apparent why this is so. As self-originated and self-determined, the absolute Idea is both the self-ordered whole of pure thought and the process or activity that comprehends this reality. The method is only revealed as the last result of thought's self-reflection because prior to its completed comprehension neither the form nor the content of pure thought is fully present, and so cannot be taken as identical. And further, the

method can only reveal itself recollectively for what becomes is its comprehension, and what it comprehends is eternally and immediately present; or rather it comprehends itself as eternally present. The method, then, is represented by the unity of form and content, and emerges only as a result of pure thought's own self-reflection. Neither the method of thinking nor the subject matter is presupposed because it is a result of itself, thought thinking itself, that employs no external criterion to justify its order or content -- i.e. the development of the system of pure thought involves no reference to anything other than itself, and so is truly self-identical and unconditioned.

Accordingly, Hegel defines the absolute Idea as "personality", "impenetrable atomic subjectivity" (SL,p.824), because it is by definition perfectly individual and real, excluding only "error, confusion, opinion, endeavor, caprice and transitoriness; the absolute Idea alone is being, imperishable life, self-knowing truth and is all truth" (SL,p.824). Individuality is for Hegel the unity of the universal and particular, and is applicable to the absolute Idea because its particularity, the totality of its determinate content, subsists in and through its universality, the unifying method or subject. It is impenetrable or has no other because it is all reality -- outside of which lies only the nonexistent inconceivable (even nothing is contained inside). Making reference to Spinoza, one perceptive critic writes, "the absolute Idea is that through which everything is and is conceived, and without which

nothing can be or be conceived"<sup>16</sup> -- to be and to be conceived are identical for the same reason thought and being are identical.

The absolute Idea, then, is thought thinking itself and is all reality. While it has been shown how Hegel intends to ground a philosophical science of logic through this conception of thought's self-determination, it has only been crudely indicated how the absolute Idea is to be taken to constitute the absolute foundation of existence. To this end, Hegel's argument for the identity of thought and being in the Notion, as well as his discussion of the specific manner of its manifestation in Nature and Spirit need to be addressed. This is important because these arguments underlie Hegel's claim that "Realphilosophy", or the philosophical sciences of Nature and Spirit, must form a system of applied logic, and, of course, by that fact the basic intention of the Philosophy of Right.

### Logical Notion as Determinate Foundation

Pure thought is alone that which is real and fully concrete; both unconditionally self-determined and self-originated, and radically determinate. Speculative logic, however, not only presents an account of pure thought's self-determination, but also, with such an account, presents comprehensively the possibility of any existent actuality. The absolute Idea functions as the determinate foundation of that which exists insofar as it contains within itself the articulation of all the universal and necessary conditions for the possibility of determinate events and entities in Nature and Spirit. Part of the content, that is, of the absolute Idea consists in the system of thought-forms or categories through which the determination of anything existent is achieved. This element of the absolute Idea is the logical Notion, and is logically presupposed by existence because its constitutive thought forms, definitive of determinacy per se, are defined exclusively through themselves, through their own ideal interrelations independent of facticity. It is, however, logically and not temporally that the Notion precedes existence. The Notion itself exists only as Nature and Spirit, and is itself literally an abstraction that can be isolated and distinguished only in thought, in speculative logic. The Notion, in other words, is the self-explanatory, self-sufficient reason which stands, as it were, abstractly and recollectively behind Nature and Spirit. The manner of the Notion's manifestation or actualization in existence concerns what Hegel terms the Idea, and constitutes the other

fundamental element of the absolute Idea. The question concerning the Idea and the Notion's actualization, however, will be dealt with shortly -- what follows first is a brief synopsis of Hegel's argument for holding the logical Notion as the a priori ground of determinancy.

If speculative logic is to be taken seriously as a self-supporting discourse, logic must develop its theory of determinancy without taking any determinancy for granted. As we have seen in the previous discussion on dialectical method, Hegel claims to resolve this difficulty by conceiving thought as a dialectical activity where the form and content of thought are related in such a manner that neither are presupposed, but rather both are generated through the same circular self-negating, self-relating activity. What remains to be seen, is what the basic outline of such a dialectic of determinancy looks like, and how it can be said to be initiated presumptionlessly.

Logic begins with the thinking of the indeterminateness that has resulted from the Absolute knowing of phenomenology. One starts with an "arbitrary" "resolve", and "ridding oneself of all other reflections and opinions whatever", one "simply" "consider(s)" or "take(s) up" "what is there before us"(SL,pp.69,70). Hegel writes;

the beginning must be an absolute, or what is synonymous here, an abstract beginning; and so it may not presuppose anything, must not be mediated by anything nor have a ground; rather it is to be itself the ground of the entire science. Consequently, it must be purely and simply an immediacy, or rather immediacy itself. Just as it cannot possess any determination relatively to anything else, so too it cannot contain within itself any

determination, any content; for any such would be a distinguishing and an interrelationship of distinct moments, and consequently a mediation. The beginning therefore is pure being. (SL,p.70).

To begin to think presumptionlessly, is to begin to think abstract absolute, indeterminate immediacy, or pure Being. Analyzing these terms, the reasoning is as follows. Phenomenology, Hegel claims, "yields only this negative determination, that the beginning is to be abstract" (SL,p.73). The negative result of phenomenology refers to the content of Absolute knowing, the "unity into which knowing has collapsed at the extreme point of its union with the object". When certainty is achieved, or better lost, in the knowing of objectivity by consciousness, the very distinction between the knowing of truth and truth in-itself dissolves. Pure Being is what is abstracted from Absolute knowing as its content (radical indeterminacy per se), where the thinking subject must "stand back" from "its content, allowing it to have free play and not determining it further" (SL,p.73). This content is abstracted and given free play insofar as it is defined by the absence of any reference to either thinking or existence. It cannot, for instance, possess any determinacy simply in virtue of its being thought. Nor is it stipulated as given to a conscious subject -- this, of course, is the strategy that initiates phenomenology, and results in consciousness being burdened throughout its experience by reference to the intuited immediacy of sense certainty which it posits and then comes to mediate as its given standard of truth. Hence, the immediacy of pure being is not "an immediacy" standing

over and against a thinking or experiencing subject, but absolute "immediacy itself".

Phenomenology, however, only furnishes this negative, indirect characterization of pure being as the promised ground and result of Spirit's experience of itself. The direct "ground" and "reason", Hegel claims, "why the beginning is made with pure being in the pure science of logic is directly given in the science itself." Specifically "it lies in the very nature of the beginning that it must be (pure) being and nothing else" (SL,p.72). Pure Being must lack any mediation or determinate content because the absolute Idea, if it is to be derived immanently from it, must do so unconditionally to avoid presupposing that mediation. Hegel can develop something, as it were, from nothing, because in this case the something or absolute Idea to be developed will show itself as self-developed and self-created. Again this is the reason why the absolute Idea, to be self-grounded, must arise immediately without any reason for doing so whatsoever.

Finally, logic begins with pure Being because "what is first for thought ought also to be first in the process of thinking". In a presumptionless science of thought thinking itself, the form or rationality of thinking must develop together with its subject matter. Neither can be given, but rather both must emerge dialectically in the same self-determining activity. Pure Being avoids prefiguring either term because it precedes the form-content dichotomy. It is, for example, without mediation and so empty of "any determination or content which could be distinguished in it or

by which it could be distinguished from an other". And as undifferentiated its nature eludes expression in any propositional or judgmental form, "it is equally only this empty thinking" (SL,p.82). Yet because pure Being lies at the root of everything, excluding only "Nothing", it is what all thought and thinking must share. Pure Being, as Hegel puts it, "is equal only to itself. It is also not unequal relatively to an other " (SL,p.82). It is at once both similar and dissimilar to everything other than itself. Everything, that is, stands in the same relation to pure Being, logically presupposing it (thus it cannot distinguish anything), and everything is excluded by it (by reason of its featurelessness or nothingness apart from all determinateness which exhibits it).

Pure Being, then, is the most general or universal thought-form thinkable, and the one required for a presumptionless starting point. For if thought-forms function to determine the absolute Idea by distinguishing some aspect while excluding others, then the most universal pure thought is that which locates it in its entire compass yet excludes anything more particular. Again pure thoughts are interrelated such that each serves to mark out some aspect of determinancy by referring, at least implicitly, to all the other aspects or categories; where that reference becomes increasingly explicit and the forms more concrete as the dialectic progresses and the full nature of determinancy unveils. And so Hegel never tires of asserting, "all that is necessary to achieve scientific progress -- and it is essential to gain this quite simple insight -- is the recognition of the logical principle that the negative is

just as much the positive". Negation or exclusion is itself always "specific negation" of the whole and so is always at the same time a positive affirmation of a specific element of it. "It is in this way that the system of Notions as such has to be formed -- and has to complete itself in a purely continuous course in which nothing extraneous is introduced" (SL,p.54).

Of course, pure Being is such a specific affirmation and negation of the whole insofar as it functions to distinguish all the forms considered as members of the whole and excludes everything considered more discreetly. As we have seen, as a proposed specification of the whole its articulation will involve the speculative argument:  $A=A$  implies  $A$  not-equal not- $A$ , where the comprehension of  $A$ 's relation to not- $A$  introduces and defines the next thought-form. In this case, pure Being is both complete and self-contained in one sense (a necessary form presupposed by all the others; that which allows the forms to be identified, related, and thought in the first place) and incomplete and unstable in another (itself requiring further specification to function as it does). Hegel's line of reasoning then runs as follows: as featureless, pure Being does not contain "any determination or content which could be distinguished in it or by which it could be distinguished from an other" (SL,p.82). But without internal or external limitation, it is indistinguishable from what putatively lies outside it -- "Nothing". Like pure Being, however, there can be nothing outside of "Nothing", otherwise through distinction it would find determination. And moreover insofar as it is made an

object of thought it has being -- "Nothing is (exists) in our intuiting or thinking" (SL,p.82). The contradiction, as Harris puts it, is that "Being excludes Nothing and Nothing precludes Being"<sup>1</sup>. Yet the difference, Hegel states, is "mere intention or meaning" (L,#87), for difference implies determination and the identity of Being and Nothing is precisely this lack of determination. Each has negated the other and each "has passed over" (SL,p.83) into its opposite.

What is required, if Speculative logic is to get started, is that it should be possible to show that what Being excludes is, in fact, excludable. The conceptual vanishing between Being and Nothing means that by itself Being fails to have the required limit, and appears to slip meaninglessly into Nothing -- or rather becomes a meaningless concept by doing so. However, simply by focusing on this "movement of immediate vanishing of the one into the other", the truth of Being and Nothing, Hegel has defined the next new thought-form, "Becoming", and sublated the contradiction. For in "Becoming" with its dual reference to what is and what is not, Being and Nothing are distinguished from each other and yet intrinsically related: "becoming, a movement in which both are distinguished, but by a difference which has equally resolved itself" (SL,p.83). The function of the category Being, then, as the contrast between that which is true of all thought-forms and that which is not (Nothing), is sustained in the notion of Becoming where both their identity and intended contrast is located.

The next transition, from "Becoming" to "Being Determinate", is somewhat difficult and obscure. In the Logic (#89), Hegel states that Being and Nothing are vanishing moments of Becoming, and as they vanish so Becoming vanishes, but now into "a Being which includes Nothing", or a "unity in which the two elements are absorbed". It appears that Determinate Being is the result of the contrasting and interrelating character of the two composite elements of Becoming, "coming-to-be" and "ceasing-to-be" ("each of which is itself a unity of being and nothing"), which "interpenetrate and paralyse each other" so as to settle "into a stable unity" or "equilibrium" (SL,p.106). These two moments of Becoming imply Determinate Being: "a being" that is somehow limited by "a nothing" out of which it is either emerging or returning<sup>2</sup>. Otherwise the absence of such "a being" would render the category of Becoming contradictory, for it would lack any characteristic to distinguish and relate its defining elements. Determinate Being, then, supplies the category required for the possibility of the thought of Becoming.

These initial moves in Speculative logic show how Hegel's a priori theory of determinancy begins to materialise from its radically indeterminate, immediate starting point. Here, since each new thought-form simply articulates the preceding act of relating immanent in the previous form, there is not as yet any distinction between the form and content of pure thought. Rather the transitions are immediate, any new content discernable simply

is the new thinking. The problem Hegel proceeds to uncover is whether this kind of immediate account of determinancy can be resolved without contradiction. In brief, the central argument rejecting such an account runs as follows.

In the Doctrine of Being, the major categories through which determinancy can manifest itself immediately are quality, quantity, and measure. Thinking through the implication of determining being by referring to such immediate predicates, however, makes apparent their relational/contrastive character, necessary for them to distinguish or determine any being. Thinking a determinate being by reference to its qualities, for instance, reveals how any quality can function to determine being only by simultaneously positing what it is, and what it is not. One of the problems with such an immediate explanation of determinancy is that what any being determinately is remains elusive because its relation to what it is not remains indeterminately posited. To say, for example, that this paper is determinate in virtue of the qualities it immediately possesses -- say so many lines, shape, color, etc..., -- asserts not only so many affirmative characteristics which determine it, but also with each of its identifying qualities, asserts a relation to what it is not -- say the paper is not this color but that; where that it be this color only functions to distinguish its determinancy insofar as there are other colors that it is not. Again, Hegel is trying to account for the determinancy of any being with immediate attributes that function in this contrastive, relational, way. With this reasoning, then, this

paper is determinate in virtue of all the ways it immediately stands in relation to a plurality of other beings which it is not. But such a thing being infinitely other than all that it is not does not help distinguish it, because this "negative infinity" of otherness which might serve to locate this paper as an individual or determinate being is endless, always nothing more than an "endless iteration" of relational contrasts "ad infinitum" (L,#93). If the paper's color, then, contains "sublated" within itself its relation to other colors, that negative or othering relation<sup>3</sup> must not be conceived as an indifferent 'not this other color' ad infinitum -- it must somehow be specified what is involved in such a relation to otherness.

In this respect, both quantity and measure are considered as ways of seeing this othering relation more concretely and yet still within the confines of determining being immediately. In Quantity, for instance, a qualitative determination is specified not simply negatively, but also by degree, by how much a quality differs from the degrees of its now more specific others -- where, of course, this too is shown not to be enough to think being determinately.

Needless to say, there is much more to the Doctrine of Being than this cursory report suggests -- e.g. the stability of qualitative determinations, their immediately self-cancelling character. My intention here however, is only to indicate the kind of strategy Hegel employs to account for determinacy immediately; showing but one basic aspect of why any manifold of related and

distinct beings are not differentiated from each other in an exclusively immediate fashion; that determinancy cannot be thought solely in terms of how individual beings simply present themselves. Making explicit the reasons why this is so, is the move to Essence, for it is to make explicit both the differentiating and indeterminate character of this negative othering relation. Hegel describes this conceptual move as the "becoming inward of being", and it refers to the positing of an essential underlying substrate as the indeterminate source of immediate determinancy. This essential ground is what all beings must share -- for it is their determining interrelation -- and it is hidden or indeterminate -- for it is itself not an immediate being, but the unique othering ground of the whole of all immediate beings, free of the characteristics that immediately differentiate the manifold.

The Doctrine of Essence, however, will show that nothing indeterminate behind appearances can be thought coherently to be responsible for the determinate nature of appearance. Rather, essence must be thought as radically and fully determinate, and, moreover, such a concrete essence is nothing but the thought of the self-determined and differentiated whole of pure formal thinking per se. And because of what will be its revealed objective independence, its reality, pure thinking or the subjective Notion is the self-reflection of what is other than thought -- the determinate appearances of existence. The Notion, that is, as pure thought reflecting upon itself, is both the ground of all determinancy and necessarily real.

Again without exploring in much detail how this is spelt out through the Doctrines of Essence and Subjective Notion, the heart of the matter can be stated roughly as follows. There are three fundamental modes that Essence assumes in relation to the determinancy of being: firstly, as indeterminate or essence where being's determinancy becomes wholly a show or false illusion; secondly, as posited determinate reflection or ground where determinancy is the outward appearance proceeding from this ground; and finally, as concretely determined or actuality where determinancy is taken as a manifestation or revelation of a specific aspect of its nature concretely embodied.

Initially essence is considered as an indeterminate "simple self-relation" (L#112) which mediates the illusory determinancy of immediate being -- equivalent in religious terms to seeing God as the Lord, "to see that all the power and glory of the world sink into nothing in God's presence and subsist only as the reflection of his glory" (L#115). Determinancy although here still only present at the level of immediate being is not separate from this essence. Rather essence is both what it really is, indeterminate self-relatedness, and what it appears to be, transitory immediate determinateness and manifoldness (L#114). And of course the question is -- how can essence be at once both beyond any real determination and yet produce differences without reality in its own show? Hegel's dialectical answer is to examine the categories of identity and difference, likeness and unlikeness, positive and negative, to demonstrate that the thought of essence as simple

self-identity implies difference and determination, and so essence in-itself must be taken as a determinate self-identity or what Hegel defines as ground.

Essence, for example, cannot be indeterminately self-identical because identity implies difference and vice versa (this argument holds both in terms of beings that stand in relation to other beings, and for real essential being which stands only in relation to itself). To say that something is self-identical,  $A=A$  (Law of Identity), or to say "negatively, A cannot at the same time be A and not-A" (L#115), is according to Hegel, to speak of an identity devoid of difference, a self-relation with only one term. And this is contradictory, for "the propositional form itself contradicts it: for a proposition always promises a distinction between subject and predicate; while the present one ( $A=A$ ) does not fulfil what the form requires" (L#115). Like the Buddhist's attempt to imagine the sound of one hand clapping, there is literally nothing to imagine, or no relation within A that might allow "a distinction" to be drawn "between it and itself" (L#116). In other words, a relation, to be a relation, requires at least two terms and that implies difference. Difference, of course, also implies identity, for beings are different only insofar as they are compared or related, only insofar as they differ in terms of some common identity they share. If this were otherwise, and they were wholly independent of each other or real, they would be unrelatable, unidentifiable, and indistinguishable even as different from each other. Therefore, with respect to real essential being, self-identity must take the

shape of an identity-in-difference within itself, must be a distinction of self in one respect, from self in another, an identity of different contents within or of a self.

This conceptual truth, "the unity of Identity and Difference, the truth of what Difference and Identity turned out to be" (L#121) comes to be defined as ground or essence as determined. Again ground refers equally to itself as determinate and to that which is determined through it, the grounded. As Hegel describes the new relationship, "the ground is negatively self-related identity which thereby makes itself into positedness" (SL,p.456). Initially the conception of determinate ground is merely "formal" or "sufficient", where posited determinancy is accounted for simply by redescribing phenomenon in tautological terms -- e.g.:

When a crystalline form is explained by saying that it has its ground in the particular arrangement which the molecules form with one another, the fact is that the existent crystalline form is this very arrangement that is adduced as ground. In ordinary life, these aetiologies, which are the prerogative of the sciences, count for what they are, tautological empty talk. (SL,p.458).

The demand then arises for a "real" ground in which both terms have a "distinctive content of its own" such that "when we ask for a ground, we really demand that the content of the ground be a different determination from that of the phenomenon whose ground we are seeking" (SL,p.462). The problem now, however, manifests itself in a proliferation of potential real grounds, all of which "may be alleged for the same sum of fact", culminating in an irresolvable "opposition of grounds pro and contra" (L,#121). Alcoholism, for instance, is often accounted for as a type of

genetic predisposition, or as a product of dysfunctional socialization, or in the context of cultural beliefs and values, etc.... In truth, regardless of any amount of empirical support, none of these potential explanations is truly a potential explanation; for their "posited" and "immediate" character renders opaque how as grounds they "make" themselves "into positedness" in the first place. Why, for instance, there should be any connection between any belief and activity, alcoholic or otherwise, other than an illicit appeal to what as a matter of fact is given. This reasoning must be understood in the context of the prior rejection, in the Doctrine of Being, of the possibility of any immediately determined given fully presenting itself immediately; the determinate is given, but it is mediated by that which is not, and positing grounds that are parasitic, depend upon, or "presuppose" the very inexplicable immediate determinacy of the grounded they are supposed to supplant is not a viable strategy<sup>4</sup>.

Accordingly then, a true ground must have "a content objectively and intrinsically determined" so as to be "self-positing, self-acting and productive" (L,#121). And ultimately such a concrete ground is identified as "actuality", "a unity of the inward with the outward"; where the making of positedness or determinacy is actuality's "energizing", or its own "reflection into itself" so that "its existence is only the manifestation of itself, not of an other" (L,#142). In actuality, essence is the substantial or real inward ground, "the absolute correlation of

elements" (L#150), identical to the totality of its outward manifestations or accidents.

Hegel compares this conception of an originary substance with Spinoza's conception because of its radically independent and objective character. Only substance is real, all else subsists through it. Unlike Spinoza's conception of substance, however, which as "merely inner possibility", "Universal negative power", a "dark shapeless abyss" (L#151) renders its differentiation into accidents mysterious and opaque, Hegel's conception of substance as actuality claims to make the substance/accident relation transparent. The problem with Spinozian substance is the lack of any true sense of identity between accident and substance -- such substance "produces from itself nothing that has a positive subsistence of its own ... the defect of the content is that the form is not known as immanent in it, and therefore only approaches it as an outer and subjective form" (L,#151). Without any accident possessing self-subsistent being, or having a true self-identity, the posited determinancy of outward existence again becomes wholly illusory; "finite things and the world are denied all truth" (L,#151); and again we are in the dilemma of trying to explain how it is that what is real could come to posit that which is so antithetical to it.

To conceive substance as actuality means that there is a necessary reciprocal relation between any accident and substance, and where there is no difference between the totality of accidents and substance. And this means, firstly, that substance is immanent

in each of its differing accidents, its differing self-manifestations and whose immanence in each is their self-defining interrelation to each other. It is, that is, only in this "absolute correlation of elements" that things of any kind can be identified, and their identity involves this concrete system or totality that relates them intrinsically to each other. Secondly, the making of positedness by actuality is its self-actualization or self-instantiation, for the system of accidents are dialectically differentiated in such a manner that reveals progressively its concrete character, resulting in its own comprehension of itself as this absolutely real whole of interconnected parts.

It is, of course, left for the Doctrine of the Notion to work out fully what is involved in this conception of substance as subject. The subjective Notion articulating the meaning first, the meaning of such a self-differentiated real whole, while the movement from the objective Notion through to the absolute Idea concerns the second, the question of the Idea and self-actualization. At the end of the Doctrine of Essence, Hegel only claims that actuality is a type of self-determining activity, for the identity between substance and accident is claimed to imply the necessary causal relation between accidents. The relation of cause and effect, that is, is taken as the relation of a prior self-manifestation of substance upon its successor. Hence substance causes only itself or is self-determined, rising "in this operation only to independent existence as a cause" (L,#155). "This truth of (causal) necessity, therefore, is freedom: and the truth of

substance is the Notion -- an independence which, though self-repulsive into distinct independent elements, yet in that repulsion is self-identical, and in the movement of reciprocity still at home and conversant only with itself" (L,#158).

### Doctrine of Notion: Substance as Subject and Idea

"The pure Notion", as Hegel describes it, "is the absolutely infinite, unconditioned and free" (SL,p.601); "in its self-identity it has original and complete determinateness ... includes but at the same time releases from itself the fullness of all content" (L,#160); "a reality produced from its own resources" (SL,p.591); an "infinite form or the creative activity which can realize itself without the help of a matter that exists outside it" (L,#163); the Notion "is the very heart of things and makes them what they are" (L,#165). And with respect to its genesis that we have here been attempting to trace, Hegel writes:

Essence is the outcome of Being, and the Notion the outcome of essence, therefore also of being. But this becoming has the significance of a self-repulsion, so that it is rather the outcome which is unconditioned and original. Being, in its transition into essence, has become illusory being or a positedness, and becoming or transition into other has become a positing; and conversely, the positing, or reflection of essence has sublated itself and has restored itself as a being that is not posited, that is original. The Notion is the interfusion of these moments, namely qualitative and original being is such only as a positing, only as a return-into-self, and this pure reflection-into-self is a sheer becoming other or determinateness which, consequently, is no less an infinite, self-relating determinateness. (SL,p.601).

The Notion is the self-reflecting original ground of determinateness. It is productive of determinateness neither simply as immediate, nor merely as any type of posited positing of positedness, as it were, but rather, as a radically self-creative, self-originating energy, it is both. It accounts not only for the possibility and necessity that determinancy be immediate and reflective in the way that Being and Essence show (these determina-

tions are dialectically as much true as false) but also accounts for itself or is self-explanatory, leaving no aspect of its nature in need of further concretion, as was hitherto never the case. Specifically, the Notion is the activity of pure thought thinking itself, simultaneously differentiating itself via the judgement and relating itself via the syllogism, constituting a "totality and principle of its diversity" (SL,p.606). Grasping the self-explanatory manner in which this activity occurs, as a transparent discourse of its own structure, is to grasp the interrelatedness and distinctiveness of all pure thoughts -- i.e. how thoughts can be related and distinguished. And to understand this self-contained activity is all that accounting for determinancy entails<sup>1</sup>.

Needless to say there is much here that needs to be explained: firstly, in what sense is the Notion the "interfusion" and truth of Being and Essence; secondly, how is the creative/productive character of the Notion to be made intelligible; and finally, how does the Notion supply the type of real concrete essence shown to be needed in the category actuality, ultimately required for the coherent thought of any differentiated manifold.

The Doctrines of Being and Essence constitute "objective logic" and take the place of "metaphysics" or "ontology" as the "scientific construction of the world in terms of thoughts alone"; investigating "the nature of ens in general; ens comprises both being and essence" (SL,P.63). These movements articulate, a

priori, what is involved in the thought of any determinate object whatsoever; providing a logic of the pure thought of objects. The Notion is the truth of Being and Essence, or ontology, insofar as it establishes the ground from which this discourse arose in the first place. And this is accomplished by explaining how thinking about objectivity is itself possible. How, that is, it was possible to think purely of determinancy, resulting in the specification of the variety of universal and necessary thought-forms thus far spelt out. The Doctrine of the Notion must reveal both the rules or conditions of possibility that explain the dialectical character of pure thought (literally how it is that one is led from one thought-determination to another, whether transitionally as in Being, or relationally as in Essence, or developmentally as in the Notion), and how it is that pure thought could ever come to know itself in this complete and exhaustive manner<sup>2</sup>. Again, the former problem is resolved in the subjective Notion, while the latter is dealt with in the discussion of the Idea. Moreover Being and Essence having the Notion as both their result and ground, "the outcome which is unconditioned and original", are in truth derivatives of the Notion, abstractions of its concrete presence, and so are said to represent "the Notion in the form of being ... only in-itself" or "not yet posited as such for-itself", while the "Notion as Notion" or subjective Notion is both in and for-itself (SL,p.61).

The creativity of the Notion, Hegel admits, "does not seem capable of any explanation" (SL,p.601), and when creativity is said to be the particularization of the one true concrete universal -- the "infinite unity of negativity with itself" which only is "as the negation of negation"; where "when it does determine itself it still possesses the power of unalterable, undying preservation" such that determinateness "is now a manifestation of the identical ... free love" -- it appears that Hegel, in lieu of any true explanation, is only speaking metaphorically. The key, however, lies in the logic of unconditional self-determination that defines the Notion's "innermost core" (SL,p.605). The Notion is a wholly self-determined activity, having no element of givenness prior to itself; creating itself as a self-subsistent whole and the principle of its differentiation entirely through itself. It is the infinite teleological act (end and mean are identical) of thought thinking itself, opposing and relating itself to itself thereby instantiating itself recurrently as a self-determined whole.

Hegel defines the Notion as the particularization of a concrete universal where universal, particular, and individual, are related such that: the universal "distinguishes itself from itself as particular" -- i.e. the universal is an act of negativity othering its self-relatedness into difference -- where "there is no difference between universal and particulars" because "the diversity of particulars is a totality or universal" (SL,p.605) Further, the universal is equally the individualizing of its

particularization as a movement reuniting its differentiation by making explicit the interrelating ground of diversity. In other words, the universal negates its first negation thereby revealing the particulars not to be independently and externally related, but permeated by the concrete universal that identifies them as a manifestation of self-identicalness. The creative power of the Notion, then, refers to its ability to differentiate itself and then recollect this diversification. And determinateness is produced through the Notion's double act of negativity as "illusory reference outward" via the universal's particularization in the judgement, and as "illusory reference inwards" via its individualization in the syllogism (SL,p.605). It is the ideal character of the Notion's activity that renders the determinancy created "illusory", for it is not actual but hypothetical, a determinancy of "real possibility". As Burbidge puts it, speculative logic only considers "what it (the Notion) would be like if it were to show itself". The logical Notion which logically precedes Nature and Spirit, that is, is fully "enclosed within pure thought" (SL,p.830) with its determinations "not separate or distinct in time"(L,#214). The different aspects of its ideal character are distinguished by the logician according to what is first for thought, without factual reference. Hence the determinateness created through judgements is specified only to be immediately negated in the syllogism, and again the Notion only is as "the infinite unity of negativity with itself", only as an immediately

eternal concrete whole, or what Hegel terms "supersensuous inner intuition" (SL,p.827).

This is not merely a description of Notional creativity, but a dialectical explanation. Hegel defines the Subjective Notion as constituted by:

the three following "moments" or functional parts. The first is Universality -- meaning that it is in free equality with itself in its specific character. The second is Particularity -- that is, the specific character, in which the universal continues serenely equal to itself. The third is Individuality -- meaning the reflection-into-self of the specific characters of universality and particularity; which negative self-unity has complete and original determinateness, without loss to its self-identity or universality....every function and moment is itself the whole Notion. (L,#163).

The universal, particular, and individual are the three identical moments of the Subjective Notion. Each is itself the whole Notion because each is identical with the other -- because, in other words, the Notion is this double negative activity of diversification and recollection. Thus for example, the "Universal Subjective Notion" is identical to the Particular and Individual Notion insofar as concrete universals imply, immanently, a specific negative relation to other concrete universals, and so imply particularity (the universal is now only one of ... , hence is now particular). And grasping the immanent relation between these particulars with a more concrete universal is to grasp the identity of the universal and particular in an individual. Of course, each category in Speculative logic is either individual or particular with respect to what logically precedes it, and universal or particular, depending on the context, with respect to what follows.

"The Judgement", Hegel states, "is the Notion in its particularity" (L,#166). The key to making sense of this section of the text is to see that Hegel is attempting to demonstrate how the Notion, substance taken as pure thought thinking itself, is a self-differentiated and determined activity<sup>3</sup>. And this by showing how the Notion as initially self-identical universality comes to determine or particularize itself through the judgement, and then return to itself as a self-differentiated individual totality in the syllogism.

"The various kinds of Judgements", Hegel writes, "are no empirical aggregate" (L,#171). Again the key to Hegel's discussion of the judgement lies in this conception of a self-differentiated whole where the Notion is immanent in every part and the parts are related to each other in accordance with the principle of order that differentiates and is the Notion. This principle of interconnection is shown in its partitioning or dividing character in the Judgement as "the original division of what is originally one" (SL,p.625). Determinacy is manifested in the judgement or in this principle as illusory reference outwards as the difference between the parts of the whole. Accordingly the fundamental types of judgements Hegel distinguishes/deduces (qualitative, reflective, modal) explain exhaustively all the ways the Notion differentiates or particularizes itself, which corresponds to all of the ways it can manifest determinacy between individual parts (again there is

no difference between the particulars and the whole). These parts refer both to the ideal thought-forms of logic, and of the objective world of nature and spirit. In other words, anything which can be said to be determinate standing in relation to other determinate entities, whether of thought or being, can only be differentiated from each other in the finite number of ways that Hegel's dialectical discussion of judgement will reveal.

For example then, in the Qualitative judgement the subject is given determinate content by the predicate, and for Hegel this represents the intrinsic differentiation of the subject. When a positive judgement affirms that the individual is universal -- say "this rose is red" -- "it is the predicate which first gives the subject ... its specific character and content" (L,#169), independent of which the subject is an entirely "empty" self-relation. While the subject and predicate are related in this way, it is also the case that they are opposed. For the predicate does not apply to this subject alone, and the subject has other predicates that are likewise applicable. Accordingly here the content of the Notion is specified in qualitative judgements through their predicates, as abstractly diverse, and through their subjects, as immediately unified. Both subject and predicate contain the Notion, one as unified the other as diverse. The individual subject when identified with a universal predicate is thereby related to a system of interrelated particulars constituting that universal. And by the same reasoning, the individual in particularizing this universal predicate implies the concrete system that

is specified in it. It is this unconventional way of understanding the judgement that enables Hegel to dialectically relate and order the traditional forms of judgement -- i.e. on the basis of the extent to which they express truth, the concrete Notion.

As the true is the whole and the principle of its differentiation, Qualitative judgements are as much false as true, specifying the Notion only fragmentarily. In Hegel's view only Notional judgements can express truth properly. Notional judgements state what the subject is in its true character as it realizes itself in the system of objectivity -- "this rose" may correctly and contingently be "red", but more truly and necessarily, "is alive, is a flower". In the Notional judgement "the predicate is, as it were, the soul of the subject, by which the subject as the body of this soul is characterized through and through" (L,#172); here the universals that are identified with the individual constitutes its essence through which it is determined. The example that Hegel gives is: "This (the immediate individuality) house (the genus), being so and so constructed (particularity), is good or bad" (L,#179). With this judgement, the subject is taken as individual through its relationship to the whole, the universal predicate and its defining system of particulars, and where "the judgement states the agreement or disagreement of these two aspects".

The Notion is the whole whose differentiation through judgements distinguishes interrelated moments, the unity of which is asserted in the copula. In the syllogism this unity is explicitly posited as the middle term, and is the ground from which

any judgement arises. In other words, the syllogism is the process of unifying differences posited through judgements in a concrete whole; a whole presupposed for there to be judgements in the first place. For example, "this rose is red" presupposes that it is an object, objects can have qualities, etc..., presupposes, that is, a system of interrelated judgements. That the judgement implies or dialectically develops into the syllogism is not hard to see, for with the Notional judgement "we have an individual which by means of its qualities connects itself with its universal or notion. Here we see the particular becoming the mediating mean between the individual and universal" (L,#181). And this give rise to the Qualitative Syllogism, represented in logical form by:

I-P-U	or	I is P	or	This house so constructed
				<u>P is U</u> Houses so constructed are good (or bad);
		I is U		Therefore this house is good (or bad).

Hegel, of course, discusses the different syllogistic figures dialectically, according to the extent to which they manifest truth, the extent to which the middle term reveals the concrete whole. For instance, the syllogism above is defective insofar as the identity of the extremes, I and U, is grounded in a middle that is merely asserted, so that it may only be an appearance. There is no guarantee with this type of reasoning that the extremes won't be unrelated and indifferent to one another, depending on the contingency or necessity of the middle term. The problem is that this syllogism cannot help determine which particulars are "necessary and important" (L,#184).

The syllogism only finds its consummation in its "Disjunctive" form, and only in this form is the subjective and formal character of pure thinking overcome and posited as objective reality. Here the middle term is the self-differentiated system, the universal particularized as individual, the Notion as whole. As concrete universality, the middle explicitly identifies itself with the totality of its particulars -- "A that is B and C and D", where these particulars are held in a "negative unity" of "reciprocal exclusion" so that the universal subject "is just as much the either-or of B, C, and D", "A is either B or C or D" (SL,p.701). And further, because the particulars are given in this way as both self-related and mutually exclusive, they are at the same time the totality of individuals. "A" is a concrete universal encompassing a manifold of individuals through particulars, a true identity of self-relation and self-negation. Each part is determined by all the rest, and as such, manifests the universal subject -- so that if A is B, it is not C or D; if A is not B it is either C or D. "A" is the universal subject that is identified with the totality of its mutually exclusive particulars, and in being identified with any particular, is identified as individual. Here "A" is the universal present throughout, determining itself in alternative individual possibilities, thereby making the system determinate.

Made concrete in this way the Notion "determines itself into objectivity" (SL,p.705). The subjective Notion is the activity of pure thought thinking itself which, through the judgement and the syllogism, differentiates itself and unites its determinations into

a concrete whole. This, according to Hegel, is objective reality, the world of the thinking subject's experience<sup>4</sup>. Prima facia this might seem quite fantastic, for it appears that Hegel has at best only succeeded in dialectically relating the merely formal elements of traditional logic, determining, in a untraditional way, their ability to hold truth, independent of the external content required to supply their empirical filling. The development, however, is readily comprehensible if a couple of points are kept in mind: firstly, the subjective Notion contains sublated within itself all of the prior determinations of Being and Essence, and as such is, in truth, the concrete ground from which these categories are derived. And given that what is found to be determinate in reality, any possible object of experience, can be such only if distinguished according to these thought-forms, and where these forms are themselves only possible as a result of the subjective Notion's self-determination -- it follows that determinate reality is itself a result of the Notion's self-subsistent activity.

According to Speculative logic, for example, for there to be any determinate object it must be qualitatively determined or distinguishable -- however, reflection reveals that this is not enough. For if immediate qualitative attributes were all one had to go on, it would remain inexplicable that reality is determinate (i.e. individual objects cannot be distinguished through qualities alone, these are necessary but not sufficient for such a distinguishing). The categories of Quantity and Measure are then shown

dialectically to, as it were, underdetermine the determinate. And then with a change in the process of reflection itself, the relational determinations of essence/appearance, cause/effect, etc... are likewise considered. Again, the method is to move from the abstract to the concrete, with each new determination more fully manifesting concreteness, sublating the determinations of the preceding forms. And again, all of this leads to Hegel's fundamental claim about the identity of thought and being: all determinateness and manifoldness is dependent upon, or grounded in, the self-determination of the logical Notion<sup>5</sup>.

Secondly, the realization of objectivity is based on the unconditional and necessary character of the universality of the middle term<sup>6</sup> -- i.e. "A" that is "B" and "C" and "D", where "A" is either "B", or "C", or "D". This, Hegel claims, is concrete or objective universality"(SL, p. 701) that is not subject to arbitrary or contingent stipulation -- as if "A" were merely an abstracted common element, a product only of a thinking subject externally connecting particulars and individual with no objective significance. Rather this is necessary universality, unconditionally true for any thinking subject because as disjunctively defined it has to be an independent self-maintaining whole<sup>7</sup>. The key to this conception of objectivity is its identity with independence and necessity, not externality, and so consequently

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its apprehension can occur only in thought and not through sensation. In other words, only thought is objective and this means "Reason is in the world" or thought is the constitutive "substance of external things."(L, #24). The universal, Hegel writes:

which cannot be apprehended by the senses counts as the true and essential....In thus characterizing the universal, we become aware of its antithesis to something else. This something else is the merely immediate, outward, and individual, as opposed to the mediate, inward, and universal. The universal does not exist externally to the outward eye as universal. The kind as kind cannot be perceived: the laws of the celestial motions are not written on the sky. The universal is neither seen nor heard, its existence is only for the mind. Religion leads us to a universal, which embraces all else within itself, to an Absolute by which all else is brought into being: and this Absolute is an object not for the senses but of the mind and of thought.(L, #21, p. 34)

Nature, Hegel states, "is posited by mind"(PM, #381, p.14) and while temporally subsequent to nature, is nonetheless logically prior, the objective ground of nature. It is because the thinking subject first becomes aware of objectivity as immediately outward individuals that its inner, supersensible, notional ground can be revealed only recollectively through reflection. "The mind", so Hegel writes, "makes general images of objects, long before it makes notions of them, and that it is only through these mental images, and by recourse to them, that the thinking mind rises to know and comprehend thinkingly"(L, #1). Notions are developed from experience only in a temporal sense and might appear in this way to be derivative of experience insofar as they are abstracted from it. According to Hegel, however, this is only an "illusory appearance"(PM, #381, p. 14) and, in truth, the case is just the

opposite: objective reality, what appearance really is, emerges only in thought or through spirit's thinking activity. An emergent process Hegel terms "ideation" -- "Every activity of mind is nothing but a distinct mode of reducing what is external to the inwardness which mind itself is, and it is only by this reduction, by this idealization or assimilation, of what is external that it becomes and is mind" (PM, #381, p. 11).

Nature too, of course, becomes and is mind or spirit for spirit temporally develops out of nature and nature has its external or objective essence revealed only in its own result, thinking spirit (that essence being the Idea in its self-externality returning to itself, or coming to comprehend itself, out of its otherness as mechanics, organics, life, and ultimately spirit). Again we see the result reveals itself both as temporally developed and logically as the original ground of time.

Through thought's own self-determined activity, then, distinctions and relations are articulated (like quality, quantity, cause/effect, etc...) that are constitutive of the external individuals contained in nature. Thought, that is, through its own ideational activity affects the discrimination of determinate objects within the manifold of the sensible. This is the activity of judgement through which objects are distinguished constituting a determinate external world opposed to the subject. For this differentiated manifold to be taken as objective, and not merely a contingent differentiation dependent for its order and determinacy on the arbitrary stipulations of a particular subject, the thinking

activity through which this differentiation occurs must show itself to be unconditional and necessary, must show itself as objective. And the syllogism, ultimately only in its disjunctive form, is precisely the process whereby thought demonstrates to itself the objective character of its own activity.

Hegel's description of a waking versus a dream state serves well to illustrate his understanding of the difference between an objectively and subjectively determined manifold. "The difference between dreaming and waking", Hegel states is analogous to "the Kantian distinction between the subjectivity and objectivity of mental representations": the objectivity of representations being conferred by the presence of the universal and necessary synthetic forms, the absence of which -- say a chaotic, merely associated series of representations -- signifying our ability to distinguish real possibility from imaginative or subjective possibility. Hegel continues:

The world of intelligent consciousness is something quite different from a picture of mere ideas and images. The latter are in main only externally conjoined, in an unintelligent way, by the laws of the so-called Association of Ideas; though here and there of course logical principles may also be operative. But in the waking state man behaves essentially as a concrete ego, an intelligence: and because of this intelligence his sense-perception stands before him as a concrete totality of features in which each member, each point, takes up its place as at the same time determined through and with all the rest. Thus the facts embodied in his sensation are authenticated, not by his mere subjective representation and distinction of the facts as something external from the person, but by virtue of the concrete interconnection in which each part stands with all parts in this complex. (PM, #398, p.66).

It is only in and by thought, then, that the concrete

interconnection definitive of objective reality is present; and where, of course, the "consciousness" of this presence "need not be explicit" (PM, *ibid*). This objectivity or concrete universality Hegel defines as "God, the absolute object" which as self-differentiated "falls into pieces, indefinite in their multiplicity (making an objective world); and each of these individualized parts is also an object, an intrinsically concrete, complete, and independent existence" (L. #193). Furthermore, according to Hegel, the transition to objective Notion is both the basis for the Ontological Argument for the existence of God and the logical foundation of the Christian doctrine of Creation<sup>8</sup>. Reciting Anselm's proof, Hegel writes:

Certainly that, than which nothing greater can be thought, cannot be in the intellect alone. For even if it is in the intellect alone, it can also be thought to exist in fact: and that is greater. If then that which nothing greater can be thought, is in the alone; then the very thing, which is greater than anything which can be thought, can be exceeded in thought. But certainly this is impossible. (L,#193).

In Hegel's revamped account, what is conceived as fully concrete is necessarily objective, where such a conception of an absolute object is itself only possible as having emerged in spirit from nature. Substance in order to comprehend itself must be conceived as subject, which in turn requires its externalization in, or creation of, nature and self-mediated return in spirit. It is inconceivable that God, taken as concrete universality, be merely a subjective idea, for the Notion through its own immanent process of self-determination has objectified itself or posited

itself as objective -- that God comes to self-knowledge only through finite thinking subjects does not undermine the unconditional validity of that comprehension, insofar as Hegel can demonstrate the presumptionless, self-supporting and legitimating character of pure thinking.

Objectivity is a self-differentiated whole that stands as both opposed and identical to the subject. The dialectic of the objective Notion traces the process whereby objectivity, initially opposed to the subject as an immediate totality of self-related individuals, reveals itself as identical or "shows itself as what is at the same time subjective and thus forms the step onwards to the Idea" (L,#194,p.281). Hegel here sees himself explaining philosophically, "in the medium of thought", what is taught in Christianity only metaphorically:

Such is also the meaning of the Christian doctrine, according to which God has willed that all men should be saved and all attain blessedness. The salvation and the blessedness of men are attained when they come to feel themselves at one with God, so that God, on the other hand, ceases to be for them mere object, and, in that way, an object of fear and terror, as was especially the case with the religious consciousness of the Romans. But God in the Christian religion is also known as Love, because in his son, who is one with him, he has revealed himself to men as a man among men, and thereby redeemed them. All of which is another way of saying that the antithesis of subjective and objective is implicitly overcome, and that it is our affair to participate in this redemption by laying aside our immediate subjectivity (putting off old Adam) and learning to know God as our true and essential self. (L,#194,pp.260-61).

The forms of objectivity Hegel discusses -- Mechanics, Chemism, and Teleology -- are both forms of actuality in nature, comprising the ideal constitutive modes determinative of objects

and their interrelations, and "styles of thinking" (SL,p.711) or forms of theoretical apprehension. While nature may manifest an endless variety of these forms of actuality, all determinate objects of nature must be reducible to, or explicable through these forms alone<sup>9</sup>. Hegel, of course, dialectically develops these forms such that they progressively are shown to realize the Notion. Hence required for the intelligible apprehension of any object of nature is the interpretation of that object as either a mechanical, chemical, or teleological actuality -- so that, for instance, a mechanical explanation of a plant, while helpful in part for accounting for what determines a plant to be as it is, would leave unaccounted chemical and teleological characteristics determinative of plantness; leave inexplicable how we could ever know to distinguish plants from mechanical objects.

Teleology represents the concretist form of objective actuality and makes explicit the immanent subjective ground of objectivity. Hegel discusses both finite and infinite or internal Teleology; a discussion which can be briefly summarized as follows. "In the End", Hegel states, "the Notion has entered on free existence and has a being of its own by means of the negation of immediate objectivity" (L,#204). The end or final cause is the dialectical result of mechanism and chemism, where objects come to be sustained or taken as self-identical individuals only insofar as they unite mechanical and chemical processes in a self-maintaining system which preserves its identity as an end against its

environment through these processes. Here the end is the object which results from its own activity of self-maintenance, and is initially subjective or the immediate negation of objectivity insofar as it is only "abstract", "ideal", or "unrealized". As Hegel describes it:

The End, in short, is a contradiction of its self-identity against the negation stated in it, i.e. its antithesis to objectivity, and being so contains the eliminative or destructive activity which negates the antithesis and renders it identical with itself. This is the realization of the End: in which, while it turns itself into the other of its subjectivity and objectifies itself, thus cancelling the distinction between the two, it only has closed with itself, and retained it. (L,#204-,p.267).

The example of this type of end that Hegel gives is appetite in living creatures. In this case, the end or appetite functions as the impulse, the "felt contradiction", between the subjective desire and objective insufficiency, and whose satisfaction "cancels the antithesis between the objective which would be and stay an objective only, and the subjective which in a like manner would be and stay a subjective only" (L,#204,p.269). This is an example of finite teleology where the end is realized through means that are externally or contingently related to the end. Finite teleology contradicts itself and gives rise to infinite teleology because, as externally linked to the end, the means can never really realize its goal -- e.g. appetite continually recurs and the unity, in fact, only consists in the endless destruction of objectivity, and so is no true reconciliation. With infinite teleology, on the other hand:

The teleological relation is a syllogism in which the subjective end coalesces with the objectivity external to it, through a middle term which is the unity of both. This unity is on the one hand the purposive action, on the other the Means, i.e. objectivity made directly subservient to purpose. (L,#206).

Infinite teleology is a syllogism whose factors -- end, means, and realization -- are related such that the subjective end unites with the objective realization through the middle term, the unity of objective means and subjective purposive activity. Hegel here attempts to demonstrate how the Notion or concrete universality realizes itself in objectivity through infinite teleological activity; a realization that entails the true unity of subjectivity and objectivity and so is the Notion as Idea. Accordingly Hegel identifies the subjective end with "self-identical universality"; the middle with the "particularizing of this universal"; and the realization with the self-determination of the universal (L,#206,p-.271). Initially the process through which realization is effected is the turning "outwards" of the subject where the end is posited in opposition to objectivity in need of reconciliation. Carrying out the end is the combined activity of the middle term, where the objectively given means are subjugated to the "power" of subjective activity. For the objective realization of the end, the activated means must become "the mediated mode of realizing the End" (L#,208) -- i.e. the means must become identical or mediated by the end throughout so that the activity has for its purpose only itself. So conceived, the Notion or subjectivity "is realized in the object" as "the manifestation of the inner nature of the object itself" (L,#212,p.214).

The Notion is realized in the object as its essence insofar as the object has shown, as a necessary requirement for the maintenance of its self-identity, infinite teleological activity that manifest or takes the form of concrete universality. Infinite teleology is the self-maintenance of the individual through its determination of its parts. As self-sustained, the individual is the end which is at once the self-generating result of the activity of its parts. Here purposiveness is expressed in the relation of the parts as both ends and means, which is also the relation of parts to the individual -- for the activity is such that both individual and parts are only sustained through each other.

Of course, only the Idea perfectly realizes infinite teleological activity. And this it does only as a result of a series of finite self-manifestations which exhibit increasing degrees of such self-subsistent activity, and where its own perfection is nothing but this very process through which it generates itself. The Idea, Hegel states, "is essentially a process" having "being due to itself alone" (L,#215), grounding in a mutual relation of ends and means the determinate being of all finite individuals such that the Idea only realizes itself through the finite. For Hegel the truth of the Idea is its eternal self-manifestation in nature and spirit, and its consummation is the removal of the illusion that it is not already completely realized. Hegel writes:

Within the range of the finite we can never see or experience that the End has been really secured. The consummation of the infinite End, therefore, consists merely in the removing the illusion which makes it seem

yet unaccomplished. The Good, the absolutely Good, is eternally accomplishing itself in the world: and the result is that it need not wait upon us, but is already by implication, as well as in full actuality, accomplished. This is the illusion under which we all live. It alone supplies at the same time the actualizing force on which the interest in the world reposes. In the course of its process the Idea creates that illusion, by setting an antithesis to confront it; and its action consists in getting rid of the illusion which it has created. Only out of error does the truth arise. In this fact lies the reconciliation with error and with finitude. Error or other-being, when superseded, is still a necessary dynamic element of truth: for truth can only be where it makes itself its own result. (L,#212).

Philosophical science removes the illusion of the Idea's absence paradoxically by revealing the necessity of absence; by demonstrating its "actualizing force". Again, only through its negative activity of self-negation and self-restoration does the absolute Idea realize or come to comprehend itself -- positing and returning to itself in a manner presently been discussed. The truth is the self-relating whole identical to the totality of its moments; where each of these moments functions to instigate the comprehension of the whole, and so ultimately of its own essence by endeavoring to realize itself as a self-identical, self-subsistent actuality (an endeavour identical to the Absolute's). But which upon failing to sustain itself in this way, gives rise to the illusion, at least from the perspective of conscious subjects, that such an infinite end is absent from the present; revealing its absence, for example, as the contradiction between what ought to be and what is, desire and will, etc... But in truth, however, this very felt absence is its presence, for as Findlay well explains, the Idea "is present in things as an active Tribe or Urge `inspiri-

ng' the drift of things in a certain direction, it is, in so inspiring this drift, manifest and actual in the only sense in which actuality can be predicated of it"<sup>10</sup>. And so Hegel asserts, "the Idea is the eternal vision of itself in the other" (L,#214), for the other, the finite, necessarily mediates that vision or fulfilment.

"The Idea", Hegel states, "is the truth: for the truth is the correspondence of objectivity with the Notion" (L,#213). And this is in terms both of the ideal thought-forms or notions, which "as a series of definitions of the Absolute" (L,#160) lead immanently to the 'absolute' definition of the Absolute and of finite individuals:

everything actual, insofar as it is true is the Idea, and has its truth by and in virtue of the Idea alone. Every individual being is some one aspect of the Idea: for which, therefore, yet other actualities are needed, which in turn appear to have a self-subsistence of their own. It is only in them altogether and in their relation that the Notion is realized. The individual by itself does not correspond to its notion. It is this limitation of its existence which constitutes the finitude and ruin of the individual. (L,#213)

The Idea is the truth of every finite individual because only as comprehended as determined in virtue of that system of objectivity to which it intrinsically belongs as a moment, can it be taken as individual, as determinate; where the defining difference between individuals, "in them altogether and in their relation", posited as a concrete system is their identity. This identity-in-difference is the Idea, "the Notion realized". Consequently the

Idea is at once the immanent standard of judgement for every individual: "The Idea is the infinite judgement of which the terms are severally the related the independent totality; and in which, as each grows to the fullness of its own nature, it has thereby at the same time passed into the other." (L,#214).

In this sense, of course, only the whole corresponds to the truth -- "God alone is the thorough harmony of notion and reality" (L,#24). Nonetheless, finite individuals can be said to be true "if they are as they ought to be, i.e. if their reality corresponds to their notion" (L,#213). For what any finite individual ought to be or what it is in truth, is a necessary moment in the self-determination of the whole -- a whole which is both the result and ground of the finite. In other words, finite individuals can be said to be true and actual insofar as they are taken in this context of self-determination as necessary moments constitutive of the whole, but which again, through their identity with it, necessarily present themselves as self-sustaining individuals in a false or illusory opposition to the truly self-identical whole. And again an opposition which serves as the impetus for the Idea's self-actualization<sup>11</sup>. The truth on the finite, that is, is what they become when what is implicit is made explicit in their ruin and determinate negation.

With the advent of the Idea, then, what we have witnessed is "the round movement, in which the notion in the capacity of universality which is individuality, gives itself the character of

objectivity and the antithesis thereto; and this externality which has the notion for its substance, finds its way back to subjectivity through its immanent dialectic" (L,#215). This movement along with the subsequent development of the absolute Idea is where Hegel's argument for conceiving substance as subject comes to full fruition:

The Absolute is the universal and one Idea, by an act of judgement, particularizes itself to the system of specific ideas: which after all are constrained by their nature to come back to the one Idea where their truth lies. As issued out of this judgement the Idea is in the first only the one universal substance: but its developed and genuine actuality is to be as a subject and in that way as mind. (L,#213).

The Absolute is the whole which through its own act of judgement differentiates itself, determining all of its moments and so is in this sense the "one universal substance". But in this differentiation its truth is immanently revealed as subjectivity. For each moment has the Absolute implicit within, made manifest by their urge toward self-maintaining activity, and an activity that ultimately comes to full realization as self-consciousness, Absolute Spirit, and Philosophical Science. Hence subjectivity, as both the result and ground of substance, is its truth.

At this point in the dialectic, however, Hegel is still in the process of tracing this result -- i.e. the emergence of self-consciousness in objectivity, the actualization of the Absolute. What is present with the realization of teleological actuality is life, the "immediate Idea". In the living organism Hegel identifies its soul, notion, or subjectivity with "immediate self-relating universality" that particularizes itself into a body or

organic system, where "all the members are reciprocally momentary means as well as momentary ends" (L,#216). The mortality of the living creature, the separation of soul and body in death, signifies the "defect of life" is its immediacy. For here "notion and reality do not thoroughly correspond to each other" (L,#216), rather the soul "is at first sentient only and is not yet freely self-conscious".

The key to this argument lies in Hegel's conception of the soul, which is here reduced to sentience or bodily sensation, but whose truth is self-consciousness. Hegel explains the development as follows. To begin with Hegel claims a "living being is a syllogism of which every element are in themselves systems and syllogisms" (L,#217). These unite in the subjective unity of the soul initially as felt being or sentience. The specific processes of the syllogism of life distinguished are "Sensibility, Irritability, and Reproduction" (L,#218). It is through these processes that life maintains and differentiates itself as kind or species. Sentience, as Hegel sees it, is the self-related universal not yet for-itself, and refers implicitly both to an awareness of what is other than the soul, both in terms of the body and its environment, and to its self-awareness as a subject in which this sentience is unified. Through the self-sustaining activity of consumption, the soul advances from sensation to consciousness by becoming aware of these distinctions between subject, body, and environment. This occurs by assimilating and differentiating the soul's relation to and power over itself as body and its environment. The soul, then,

becomes aware of itself in becoming aware of its other, and what it becomes aware of is itself as a self-related universal or kind. For example, man is conscious of himself as an immediate individual, and at the same time and in the same cognitive act, as a species member, and he is equally conscious of others and of the world he shares with them. According to Hegel, consciousness of species is the Notion, ego, or thinking subject realized in the organism.

The emergence of self-consciousness in the living organism marks the transition of the Idea in its immediacy to its second form, "Knowledge, which appears under the double aspect of Theoretical and Practical Idea" (L,#215). Of cognition in general, Hegel writes:

The Idea exists free for itself, insofar as it has universality for the medium of its existence -- as objectivity itself has notional being -- as the Idea is its own object. Its subjectivity, thus universalized, is the pure self-contained distinguishing of the Idea -- intuition which keeps itself in this identical universality. But, as specific distinguishing, it is the further judgement of repelling itself as a totality from itself, and thus, in the first place, presupposing itself as an external universe. These are two judgements, which though implicitly identical are not yet explicitly put as identical. (L,#223).

The first judgement refers to the act of distinguishing the pure subjectivity of the organism; which entails a second judgement consisting in the self-diremption of the Idea into self and not-self or external universe. The initial unity of subject and object can be seen in sensuous intuition in which there is as instinctive or immediate identity between the content of perception and the objective world. And given that this distinction is a "pure

distinguishing within its own limits", or that it itself makes, there arises within the subject "the instinct of reason", the "certitude of the virtual identity between itself and the objective world" (L,#224). The subject then proceeds to actualize or "put as identical" these two judgements in a twofold movement by:

receiving the existing world into itself, into subjective conception and thought; and with this objectivity, which is thus taken to be real and true, for its content it fills up the abstract certitude of itself. On the other hand, it supersedes the one-sidedness of the objective world, which is now, on the contrary, estimated as only a mere semblance, a collection of contingencies and shapes at bottom visionary. It modifies and informs that world by the inward nature of the subjective, which is here taken to be the genuine object. The former is the instinct of science after Truth, Cognition properly so called -- the Theoretical action of the Idea. The latter is the instinct of the Good to fulfil the same -- the Practical activity of the Idea or Volition. (L,#225).

With respect to the quest for truth, the instinct for the subject to overcome objective otherness or its opaquely given character by apprehending it conceptually, Hegel discusses both the analytic and synthetic methods employed to this end by the understanding. The former proceeds from the concrete individual to the abstract universal through analyses, but fails to capture the wholeness of the concrete individual, and so fails to achieve its goal. The latter, faring no better, reverses the process by starting from a "definition" to "theorems", which it demonstrates deductively or by "construction" (L,#229-31). In brief, the problem here is that the definitions and divisions are still grounded in the arbitrarily abstracted qualities, and consequently objectivity remains externally and opaquely given.

The failure to explicate the manifold through cognition leads to the attempt to determine freely through volition. This involves a reversal in the conception of truth. For in cognition the task is for the passive subject to conform its concepts to the object, and not the other way around. The occurrence of this reversal is predicated on the conception of "necessity" that arises in synthetic cognition<sup>12</sup> -- a conception, Hegel argues, that can be due to "subjective intelligence alone", or is a product of its own activity, for it is in no way derived from objectivity. Yet in cognition the subject is supposed to be entirely passive, "a bare tabula rosa". Accordingly subjectivity;

now shows itself as a modifying and determining principle. In this way we pass from the idea of cognition to that of will. The passage, as will be apparent on closer examination, means that the universal to be truly comprehended as subjectivity, is a notion self-moving, active, and form-imposing. (L,#232).

Of volition Hegel states, "the subjective Idea as original and objective determinateness, and as a simple uniform content, is the Good." (L,#233). The Good is the subjective Idea realized in objectivity, where ultimately this realization will entail its own self-comprehension. Initially in the finite will, however, the Good is an ideal end which ought to be, juxtaposed to a devalued objectivity which is. The finite will shows itself to be contradictory insofar as the merely ideal and subjective character of its aim is essential and necessary to it; because "if the world were as it ought to be the action of the Will would be at an end. The Will

itself, therefore, requires that its End should not be realized" (L,#234). Again as we saw earlier, the contradiction only finds its resolution by identifying the realization of the end with the activity of its becoming, where the appearance of unfulfillment is only an illusion:

The reconciliation is achieved when Will in its result returns to the presupposition made by cognition. In other words, it consists in the unity of the theoretical and practical Idea. Will knows the end to be its own and Intelligence apprehends the world as the notion actual. This is the right attitude of rational cognition. Nullity and transitoriness constitute only the superficial feature and not the real essence of the world. That essence is the notion in posse and in esse [thought and being]: and thus the world is itself the Idea. All unsatisfied endeavor ceases, when we recognize that the final purpose of the world is accomplished no less then ever accomplishing itself ... Good, the final end of the world, has being only while it constantly produces itself. (L,#234).

With this reconciliation, the theoretical and practical are shown to be identical, for the realization of the end is at once the attainment of truth and the actualization of the Good. The end realized, that is, entails the very apprehension of the truth as the wills own self-determining activity in objectivity. Further, this realization is simultaneously the Notion's own self-comprehension as the self-determining and actualizing activity of objectivity, for the will is the Notion as thinking subjectivity, and the realized end as a product of subjective activity is the Notion made actual. The key to this reconciliation lies in the conception of the accomplished/ ever accomplishing character of the Idea. The Idea is the subject posited as constantly determining both theoretically and practically the object in such a way that

necessarily involves its continual redetermination; where objectivity is never present to the subject except as already notionally determined. And so Hegel claims that the Idea "in its reality meets only with itself" where such a meeting always "contains within itself the highest degree of opposition" (SL,p.824) -- the opposition, that is, of the Idea as determiner to the Idea as determined.

The essence of objectivity, then, is the Notionally self-determining activity of the subject. This is the "notion of the Idea", "the Idea which thinks itself", or the true identity-in-difference of subject and object. The subject is the fundamental organizing principle which entails within itself the determination of objectivity, and now becomes an object of consideration as the absolute Idea. The absolute Idea is the thought of a notionally determined objectivity which is theoretically grasped and practically redetermined by self-conscious subjects. Hence the content of the absolute Idea is the thought-forms in and through which the determination of anything at all is achieved. And the form of the absolute Idea, as we already saw, is the method whereby this self-determination occurs and need not be again considered.

What is now apparent, however, is why philosophical science must form a system and how its self-comprehension in Absolute Spirit functions as the telos of the whole. In the movement of the Doctrine of the Notion, Hegel demonstrates how pure thought in the Subjective Notion posited itself as objectivity; which itself developed immanently from mechanical through to organic forms,

resulting in the generation of sentient and self-conscious beings. The content of this consciousness is the awareness of themselves and world: a knowledge that is unified in the thinking subject in a manner previously revealed in Being, Essence, and the Subjective Notion (and revealed as identical to objectivity). The world, that is, insofar as it is grasped in any determinate and objective manner whatsoever, is grasped via an interrelated system of thought-forms and as an interrelated determinate system. The Notion, then, comes to consciousness of itself through nature in spirit. Accordingly, the completed form of the self-determination of the Notion is at once a form of objectivity -- finite thinking individuals -- and a form of knowledge -- philosophical science. And the true form of the whole is the outcome of objectivity, which is the knowledge of itself in its own true form; knowledge of the process and self-development through which it instantiates itself. "That the True is actual only as system, or that Substance is essentially Subject", Hegel claims, "is expressed in the representation of the Absolute as Spirit", and where "Spirit that so developed, knows itself as Spirit is Science" (Phg,#25).

### System and Normative Theory: Philosophy of Right as Applied Logic

Whatever the difficulties that might attend this oversimplified account of speculative logic, we are finally in a position to address the intention of the Philosophy of Right with respect both to its relation to the Logic as a philosophical science, and the normative validity of its theoretical determinations. Considering the relation of the Logic to the sciences of nature and spirit, Hegel writes;

we consider Logic to be the system of pure types of thought, we find that the other philosophical sciences, the Philosophy of Nature and the Philosophy of Mind, take the place, as it were, of an Applied Logic, and that Logic is the soul that animates them both. Their problem in that case is only to recognize the logical forms under the shapes they assume in Nature and Mind -- Shapes which are only a particular mode of expression of the forms of pure thought. (L,#24).

Logic is the soul of Hegel's system because it is the absolute foundation of all truth -- literally the very truth of truth, "the true form in which truth exists". And this means that logic, as a completed science of eternal essences, contains within itself the determination of all reality, such that there is nothing determinate in reality that is not determined in virtue of this realm. Thus logic contains the forms of actuality which inform the rest of the system. The ideal architectonic of the Encyclopedia is what has just been considered in the Notion's development from objectivity through to the absolute Idea.

Of course, Hegel distinguishes the "ideal content" of the Notion, "nothing but the Notion in its detailed terms", from its "real content", the "exhibition which the Notion gives itself in

the form of external existence" (L,#213). Unlike the real, the ideal movement of the Notion is "not separate or distinct in time" (L,#214), for this is God in his eternal essence before the creation of nature and spirit, and so prior to time and history. This is why Hegel claims that the "logical Idea" or the Idea in its "pure essence" "exhibits self-movement ... only as the original word" (SL,p.825) -- i.e. the system of the real is ideally present before actualization, or rather is eternally present within God (the 'original word' being identified with the beginning in the Christian doctrine of creation)<sup>1</sup>.

Consequently the application of logic to the sciences of nature and spirit must not be considered as an application of the ideal onto an alien content of the real, or as a move external to logic itself -- there is, after all, nothing to which the absolute Idea might apply, except itself in its own existential "self-externality". This self-application is, in fact, all that Hegel's philosophies of nature and spirit consist in. Hence Hegel claims, the "differences between the several philosophical sciences are only aspects or specializations of the one Idea or system of reason, which and which alone is exhibited in these different media" (L,#18), and further "the entire field of philosophy therefore really forms a single science" (L,#16). The Philosophy of Right, then, can be 'ideally' located within logic in the development from the Idea to the absolute Idea, with the Notion serving to logically order and validate this practical sphere in

which man comes to organize and determine an objective social world (a type of self-determination in otherness).

The application of logic, of course, only makes sense after Hegel has completely and exhaustively articulated the realm of pure thought. This completion is guaranteed in the Logic by both the presumptionless character of thought's self-determination, and by the demonstration that thought is self-determining; resulting in a self-determined whole that manifests itself as the adequate determination of truth or the Absolute, and which, as self-determined, reveals itself as the true subject or absolute form of the thought-forms, what they are in truth, the very essence of essences. Without this completion, or what is the same, without thought's revealed self-determination, the entire project of philosophical science collapses. For the dialectical method, the identity of thought and being, subject and substance, are all predicated on this conception of a self-determined, self-comprehended whole. Say for example, Hegel only worked through to the determination of Essence, then all one would have is a disconnected series of contradictory and unstable forms, lacking any sense of self-movement. Dialectical method always takes the shape of a recollection, a retreat into the ground, where what alone is recollected, the absolute foundation of any and all truth, is this self-determined whole. The absence of the whole, therefore, is the absence of truth -- at least so says the objective idealist.

The history of Western philosophy is, according to Hegel, the history through which the realm of pure thought has been articu-

lated. Again, pure thoughts are derived from experience and so their comprehension is temporally posterior to experience, but nonetheless they remain logically prior, constitutive of experience. In making this eternal realm transparent, or in comprehending the entirety of God's presence within experience, Hegel completes philosophy<sup>2</sup>. And this means that all pure thought-forms have been presented and accounted for, and that an infinite variety of new experiences in the future will not undermine this account. Hegel can make good on ending philosophy only insofar as he successfully demonstrates the presumptionlessness of thought's self-determination.

So too with history, and with respect to the Philosophy of Right this means that with the actualization of the rational state, the Good or freedom has been completely realized. History will continue only in the sense of a continuous flow of variations on the essential and eternal potentialities of right. But because, with the advent of the modern state or the "germanic realm", these potentialities have become fully explicit and "the state as an image and actuality of reason" been disclosed, world history as a "court of judgement" (PR,p.222) can pass no substantially new judgements<sup>3</sup>.

The failure to grasp this basic principle in Hegel's project has led to many an obtuse critique. Charles Taylor, for instance, might be quite correct in showing how the increasingly bureaucratic, technological, and industrial rationalization of Western culture after Hegel more resembles the outlook of the Enlightenment

than the romantic synthesis Hegel sought between human freedom and community<sup>4</sup>. But this does not address the cogency or viability of an eternal science of essences, nor for that matter, the validity of the theoretical determinations of right. Rather what it does address is merely the general attitude taken towards it by many contemporary thinkers. History can be used to challenge Hegel's project only insofar as it can reveal new thought determinations irreducible to Hegel's system. With respect to the Philosophy of Right this might amount to employing anthropology or perhaps contemporary studies in post-modern forms of social organization to reveal types of freedom irreducible to any of the forms found in ethical life<sup>5</sup>. Futurology has no place in Hegel's system (PH, vol 1, p.87), and that the Absolute involves itself in a never-ending process of self-actualization does not undermine this account. What alone would, however, would be the demonstration that this self-actualizing process has not been, or at least cannot have known to have been fully comprehended.

Hegel's Logic, as the presentation of the "absolute ground" or "the logos, the reason of that which is, the truth of what we call things" (SL, p.39), is the first or fundamental science upon which the sciences of nature and spirit stand and are "reconstructed". This reconstruction will enable these sciences to realize "actual" knowledge, for they are now to be built on a presumptionless and self-legitimizing discourse which, as the very science of that which is in itself essential and true, grounds them absolutely.

The contents of the sciences of nature and spirit are reconstructed through logic insofar as they apply its method making their content "imitate the action of the original creative thought, and present the aspect of a free evolution determined by the logic on the fact alone". So applied, the content of the sciences will "overcome the form in which their varied contents are presented, and [logic will] elevate these content to the rank of necessary truth" (L,#12). Hegel continues:

Philosophy, then, owes its development to the empirical sciences. In return it gives their content what is so vital to them, the freedom of thought -- gives them in short, an a priori character. These contents are now warranted necessary, and no longer depend upon the evidence of facts merely, that they were so found and experienced. The fact as experienced thus becomes as illustration and a copy of the original and completely self-supporting activity of thought. (L,#12).

The a priori and necessary character of the content is revealed in a twofold procedure whereby initially this content, present in the form of representation, is "translated" or "transformed into the form of thought" (L,#5). Translation is the process in which the temporally original content of the Notion, presented to the subject through experience in terms of feelings, intuitions, and representational images, is distilled or abstracted into its pure notional form. These forms, while won from experience, are presupposed by it, and subsist or have their determinancy grounded entirely through their own ideal interrelations in the absolute Idea. Independent of these forms reality is utterly indeterminate and so unintelligible -- hence the forms constitute the sole "essence of phenomenon" (L,#12) through which alone they

can be taken as determinate, as individual. By freeing the thought content from its representational content, by penetrating to the essential, necessary, or actual from the contingent or existent in experience, Hegel can then determine its truth value, its relation to the absolute Idea. And this because the pure forms are so determined and interrelated as the necessary moments of truth itself, they are, that is, related to one another precisely because of their own relation to truth as a measure of their own truthfulness. In short, the procedure is to ask of any representation whether it corresponds to its notion, and then to ask whether that notion corresponds to itself, the essence of notionalty, the absolute Idea<sup>6</sup>.

It is through logic, then, that any given content receives its definitive status. This translation amounts to locating content in its relation to truth, and so considering it with regard to its validity. The sciences presuppose logic insofar as they do not raise the question of truth, but rather ground, through this process of reconstruction, its content in the already established foundation of truth.

Logic maybe the foundation of Hegel's system, but it is such only as a result of that system. Both nature and spirit presuppose logic or God -- made possible through him -- yet the comprehension of God occurs only recollectively through the system of the real. Reality, therefore, is taken by Hegel as a progressive or dialectical scale of self-manifesting forms of actuality, ranging from the mechanical through to self-consciousness, and ultimately philos-

ophy, which comprehends God via the several dozen thought-determinations in logic. The philosophical scientist comes to knowledge of the Absolute -- both God and the temporal process through which he comprehends himself -- only by first thinking the necessary eternal structure of pure thought, and then subsequently applying or, better, revealing thought's self-differentiated order in the realms of nature and spirit so as to illuminate what of necessity is already present -- the eternal actualized in the finite. And necessarily already present because this comprehension of God is legitimated in an entirely a priori, immanent manner, independent of facticity, and yet a comprehension only made possible through the real<sup>7</sup>. In other words, this result, emerging as it does from nature and spirit, is what is necessarily true and actual in it, and the task of applied philosophical science is precisely to demonstrate what is actual in existence -- to "apprehend in the show of the temporal and the transient the substance which is immanent and the eternal which is present" (PR,p.10).

What philosophical science apprehends as actual in the realm of objective spirit is freedom, such that freedom is the substance of right and a just society is one that most fully realizes it. Further, freedom is actualized only through structures of right, or forms of social organization that embody modes of mutual recognition. Here the key lies in Hegel's conception of human freedom:

the self-determination of the ego ... means at one and the same time the ego posits itself as its own negative, i.e. as restricted and determinate, and yet remains by itself, i.e. in its self-identity and universality. It determines itself and yet at the same time binds itself

together with itself. The ego determines itself insofar as it is the relating of negativity to itself. (PR,#7).

This self-relating negativity, Hegel further states, is the "ultimate spring of all activity, life and consciousness" and the "innermost secret" of speculative logic (PR,#7). The secret to which Hegel is referring, of course, is the essential nature of the absolute Idea, which as a truly self-relating negative activity creates itself as a self-determined and comprehended individual totality. Grasping the identity between these terms is the secret not only to understanding how freedom functions in the Philosophy of Right, but Hegel's entire project as a whole.

For the ego to be self-determining means: firstly, that it is determined by nothing other than itself, and that it contains no predetermined nature or possesses no determinate form or content until it has proceeded to will itself -- self-determination, that is, implies self-origination. In the free will there must be an identity between its form, self-identical universality or pure negativity, and the content, determinate particularity. If this were otherwise, and the content was somehow distinct from the form, then the subject would always remain other than what it determines itself to be in its determinate particularity -- say indefinite negativity or openness to possibility, opposed and irreducible to this definite determination.

Secondly, the ego can only be free recollectively, or as Hegel puts it here, the ego is free only after all of its potentialities have become explicit (PR,#21). In other words, the will's self-determined character can only be as a result of its own activity,

and is nowhere present except in and as a result of that activity; "the will is not something complete and universal prior to its determining itself and prior to its superseding and idealizing this determination" (PR,#7). Ultimately this means that the full realization of freedom is only to be made manifest at the end of the Philosophy of Right, in a self-differentiated system of institutions of freedom comprising a "systematized whole" (PR,#28).

In the free will, then, there is an identity between form and content, determination and origination, comprehension and completion. Just as with the absolute Idea, free human activity is the particularization of a concrete universal engaged in a type of infinite teleological activity. And just as with the absolute Idea, this objective universal is to be disjunctively defined, where the universal, human freedom, is identical to its complete and only instantiation, its particular content or the forms of right; where A is B, and C, and D, and nothing besides, so that A is either B, C, or D.

While it maybe conceivable how the absolute Idea, as a self-differentiated, self-comprehending whole, can be said to be self-determining in this sense, it is difficult to imagine how man's activity, embedded as it is in a seemingly endless variety of physical, biological, and cultural givens, could ever achieve an autonomy so radical. Hegel's claim, however, is that "the system of right" is man's "second nature", "the realm of freedom made actual" (PR,#4), and while temporally emergent out of such a given as his first nature, is nonetheless irreducible to and uncondi-

tioned by it. And this must necessarily be so, for if a science of right is to have any normative implication, these preconditions cannot determine the conditions that prescribe how the institutions of a social order ought to be arranged -- i.e. because the physical, biological, and cultural givens are prerequisites for any social order whatsoever, mere conditions of possibility, they do not provide a ground to distinguish just from unjust social orders. Hegel's speculative logic, of course, provides such a ground; namely freedom.

Without yet examining whether it is even possible that man's activity be unconditionally self-determined, it is important to see how freedom through speculative logic comes to be established as the ground of normativity itself. As we saw, Hegel's presumptionless logic requires that the thinking activity through which the thought-forms are validated must show itself to be likewise valid; and that for this to occur that activity must become objective to itself; and where again, for pure thought to be so objectively self-grounded requires that it reveals itself to wholly self-determined, without any independently given stipulations either with respect to that determination or the comprehension involved in it. Under these circumstances, then, the thought-determinations of logic are unconditionally and universally true for any thinking subject, and have this validity grounded solely through themselves (e.g. any positive criteria employed to access these forms would be illicit unless generated within the process itself; in which case

they would no longer be 'positive' criteria, for their very positivity signifies their given and dogmatic character).

Applying this logic of self-determination, the logic of speculative logic so to speak, to the science of right, amounts to conceiving how its contents can be made to "imitate" this self-determining "action" so as to "elevate" this "content to the rank of necessary truth" (L,#12). Would were this be so, and the system of right, like logic, exhibited a self-determined and self-grounded character, then its theoretical determinations would acquire the same radically unconditional and universal validity that is predicated of the thought-forms in speculative logic, and Hegel will have succeeded in establishing a normative theory of right with unconditional prescriptive authority<sup>8</sup>. Consequently, following as the self-application of the absolute Idea, Hegel takes freedom to be the ground or substance of right.

The question of the whether and how of the application of speculative method to the science of right is addressed in the Introduction of the Philosophy of Right. Here Hegel reconstructs the free will in terms of the absolute Idea in order that it may function as the ground of normativity. Hegel must begin, that is, by showing how it could be that the ego's activity manifest such unconditional self-determination, so as to then be able to employ this reconstruction, as the normative notion of right in conformity with truth itself. Hence the analysis of the will in the Introduction as a type of concretely universal, infinite teleological activity.

Problematic as this initially abstract characterization appears -- an individuality that posits its own particularity and yet somehow remains self-identical despite this self-negation -- it is in truth, Hegel argues, only so to claim that the will could be free if this were otherwise. Construed in the "natural will", for instance, freedom

is grounded in the indeterminacy of the ego and the determinacy of a content. Thus the will, on account of this content, is not free, although it has the infinite aspect in virtue of its form. No single content is adequate to it and in no single content is it really at grips with itself. Arbitrariness implies that the content is made mine not by nature of my will but by chance. Thus I am dependent on this content, and this is the contradiction lying in arbitrariness. (PR, #15, add. p. - 230)

This dilemma only finds its resolution by considering that the "true and proper ground in which freedom is existent" lies in the "relation of will to will" (PR, #71). Accordingly Hegel claims, "an existent of any sort embodying the free will, this is what right is" (PR, #29). Freedom, then, is both the ground of normativity and also, due to the interactive structure by which self-determination takes place, identical to right. The will can overcome its natural state of dependency insofar as it interacts in a community of natural wills in such a manner that each individual individuates himself in an activity of reciprocal particularizing exclusion. Each determines himself in relation to, and in virtue of the simultaneous self-determinations of others<sup>9</sup>. In this case, each will establishes the conditions of its own freedom by contributing to that of others, and the defining limits of each will are self-mediated at the same time as they are mediated by others.

Furthermore, by choosing to perform the necessary acts that constitute such an interaction, each realizes an autonomy made possible only through their actions toward one another.

The intelligibility of Hegel's introductory analysis of the will is now more coherent. For freedom, understood in the context of social interaction, is a type of infinite teleological activity, or as Hegel puts it here, "free will which wills itself". Interactively individuals can realize a freedom whose character is wholly dependent upon or instantiated by the activity in which its exercise consists. Neither the form nor the content of the will need proceed its actualization, but rather are simultaneous with it, for both end and mean, act and agency, stand individuated only in relation and contrast to the acts and agency of others. In an existence of right, each will's particularization is at once self-derived and self-determining, for those particularizations serve to individuate the will from others by being a particularization excluding others, and yet each is aware of his identity or universality only through this exclusion.

Hence an existence of right is a type of "particularity reflected into itself and so brought back to universality". And moreover brought back temporally to what is logically prior, the resultant self-subsistent activity, for the distinct self-determined particularizations of each will are neither given through nature or culture, but merely embodied or objectified there, and are established entirely through their own interrelated willing. Man originally found socially interrelated and determined in a

cultural community comes immanently through and in that cultural field to realize freedom, what he is in actuality and the truth of his first nature.

The interaction of self-determined egos entails a process of mutual recognition whereby individuals are enabled to relate and distinguish their activity to that of others. Only through this identifying/contrastive cognitive process can any will's particularization be taken to manifest individuality. Otherwise these individuals would not be able to differentiate themselves as a particularization of the same kind or species. In order that individuals be recognized there must be some external or objective embodiment, whereby "the will first becomes objective to itself" (PR,#26), and in virtue of which each can manifest himself to others so as to furnish a ground of recognition. Hegel explains the character of the will's particularization, its form (PR,#8), by the type of objective embodiment of right involved -- i.e. by the type of recognizable determinacy involved. This reciprocal particularizing relation assumes a distinct character depending on the nature of that embodiment or particularization. Hegel's strategy is to evaluate these distinctive types of interrelations in terms of whether or how they realize the notion of right. The content of the science of right, then, is nothing but a detailed exposition of the specific forms of interrelations among individuals as fundamental types of reciprocal recognition. And accordingly, every "stage in the development of the Idea of freedom has

its own special right, since it is the embodiment of freedom in one of its proper specific forms" (PR,#30).

Abstract, moral, and ethical freedom are the basic kinds of interrelations amongst individuating free wills, and together comprise "the stages in the development of the Idea of the absolutely free will" (PR,#31). Philosophical science, of course, reveals both abstract and moral freedom to be inadequate specifications of the notion of right, whereas Ethical Life, as "the Idea is its absolutely universal existence" (PR,#33), is its full realization. Taken by themselves both Right and Morality appear as simply insufficient manifestations of truly self-determining activity. In truth, however, they are abstracted constitutive elements of Ethical Life, and so function to articulate the essential logical prerequisites that are unified in it. Again, the result of any immanent process of self-determination is the ground of that which precedes it. Hegel writes:

The right and moral cannot exist independently: they must have the ethical as their support and foundation ... Only the infinite, the Idea, is actual. Right exists only as a branch of the whole or like the ivy which twines itself around a tree firmly rooted on its own account. (PR,#141,add.p.259).

Specifically what this means with respect to the notional reconstruction of right is the following. Firstly, Hegel must begin by conceiving the most minimal structure of right in which the will can be said to be self-determining in an infinitely teleological sense. What qualifies for this starting point will do so by presupposing no other structures of right, and by being presupposed by the subsequent stages. Of course, what is presup-

posed in the beginning is man's first nature -- a self-conscious linguistic subject living in a community in an objective world. Secondly, the further stages of right are to be developed immanently, and so can assume no conditions beyond what the most minimal and subsequently developed modes of self-determination have articulated. Thirdly, since a structure of right is defined simply by being a mode of self-determining activity, Hegel's science of right will be completed only when all the modes have been accounted for. Finally, as the relations between the stages are immanent, they are logically and intrinsically related such that each stage incorporates all the previous ones as a more concrete actualization of freedom. Hence, Ethical Life and ultimately the constitutional state, as the final stage of right, must ground and secure all the modes of freedom within its own activity -- i.e. must provide closure to the system of right through its own unique internal coherence and dialectical stability.

How and to what extent social activity can be taken to exemplify this notion of right, as well as the dialectical ordering of the determinate potentialities of the free will involved in it, is elaborated and fleshed out through the entire course of the Philosophy of Right, and will be addressed in the following chapters. Nonetheless, the discussion here has resolved the method by which Hegel proceeds to make knowledge actual in the realm of objective Spirit. Applying speculative logic to the question of right is to apply a type of a priori conceptual analysis, irreduc-

ible to the history of right, and yet immanently a product of it.

As Hegel explains:

What we acquire in this way, however, is a series of thoughts and another series of shapes of experience; to which I may add that the time order in which the latter actually appear is other than the logical order. Thus, for example, we cannot say that property 'existed' before family, yet, in spite of that, property must be dealt with first.... What is actual, the shape in which the notion is embodied, is for us therefore, the secondary thing and the sequel, even if it were first in the actual world. The development we are studying is that whereby the abstract [eternal] forms reveal themselves not as self-subsistent but as false. (PR,#32,add.p.233).

It is critical to grasp this relation between the logical and the historical if Hegel's strategy for grounding right is to be properly comprehended. Regardless of Hegel's actual success in establishing a true philosophical science of right, that such a science be possible is determined exclusively by the Logic (and to some extent in conjunction with the Phenomenology). For there pure thought demonstrated itself in an ideal, a priori, and presumptionless manner to be both the result and foundation of the real, and as such is necessarily immanent therein. Further Hegel's method itself contains all the requisite tools to test the validity of its own application. A test that amounts to determining whether the notion and Idea of right have been developed in a purely immanent, self-grounded, and legitimated way; owing no aspect of its order or content to any merely given condition or arbitrary stipulation. One must "have faith in the concept", Hegel states in a now famous passage from the Philosophy of Nature, because if logic has succeeded in its task, then the question about the viability of its application is no longer a question -- or rather is reduced to a

problem of how, and not whether such a task can be carried out. And so Hegel writes of some of the difficulties encountered in pursuing this task in the Philosophy of Nature;

One must start from the concept; and even if, perhaps, the concept cannot yet give an adequate account of the 'abundant variety' of nature ... we must nevertheless have faith in the concept though many details are yet unexplained. The demand that everything be explained is altogether vague; that it has not been fulfilled is no reflection on the concept, whereas in the case of the theories of empirical physicists the position is quite the reverse: they must explain everything, for their validity rest on particular cases. The concept, however, is valid in its own right; the particulars will soon find their explanation<sup>10</sup>.

### Abstract Right: Negative Freedom Made Actual

As Hegel's introductory analysis has shown, freedom of the will requires that each individual gives its will a particular objective determination determined exclusively through its own activity. To overcome the dilemma of a natural will, which always finds its content burdened with givenness, the individual must socially interact in such a manner as to establish a non-natural or self-derived determination of his will that is recognized by others as an objective embodiment of his will. It is the principle task of the Philosophy of Right to consider what is involved in conceiving the possible actualization of this grounding notion of right. Of course, Abstract Right, as the first stage in this process, resolves what is minimally required for the realization of this type of freedom<sup>1</sup>. Specifically, Hegel argues that to be free individuals must at least interact as persons and property owners. What is minimally required, that is, is a plurality of choosing persons who embody their wills in property which is reciprocally recognized and respected. But this is only a minimal requirement, necessary but not sufficient for the full actualization of right. The movement of Abstract Right, then, articulates what freedom is in its most abstract character (in the least as it were), the social institutions and mechanisms that allow for such abstract freedom, and its normative failure.

Hegel appropriately begins with man portrayed in his first nature. Every individual endowed with a natural will is in part a

"negative actuality", "contrasted with the real world" (PR,#34). Each has the power to abstract and distinguish himself from whatever given object of his experience or desire as "something infinite, universal, and free" (PR,#35). This negative relation to the given, however, has a positive significance. As distinguished from and unconditioned by facticity, the individual can focus attention upon this formal aspect of the natural will, and so can take an aspect of itself for its sole object. Insofar as the individual conceives itself in this way, it is a "personality". "Personality", Hegel states, "begins not with the subject's mere general consciousness of himself as an ego concretely determined in some way or another, but rather with his consciousness of himself as a completely abstract ego in which every concrete restriction and value is negated and without validity." (PR,#35).

Personality is a form of self-consciousness in which the individual has its capacity as a negative actuality for its object. Since the content of this element of the will is nothing but the "pure thought of oneself", individuals are necessarily identical in their capacity as persons. There can be no difference amongst persons as persons, for as "abstract universalty, the self-conscious but otherwise contentless and simple relation of itself to itself", all are identical, every transcendental 'I' indistinguishable from the next. Further, because Abstract Right objectifies the will only in its universal dimension, "there is no question of particular interests, of my advantage or welfare, any

more than there is of the particular motive behind my volition, of insight and intention" (PR,#37).

Hegel claims personality is the "basis" or ground of abstract right because it gives individuals an essential "capacity for rights" with the imperative "Be a person and respect others as persons" (PR,#36). And further, to have a right in this sense is "only to have a permission or warrant", "only a possibility". Hegel continues;

The unconditional commands of abstract right are restricted, once again because of its abstractness, to the negative: 'Do not infringe personality and what personality entails.' The result is that there are only prohibitions in the sphere of right, and the positive form of any command in this sphere is based in the last resort, if we examine its ultimate content, on prohibition. (PR,#38).

The reasoning here becomes apparent when one considers what it means for an individual to will for itself nothing other than its abstract self-identity; what it means for negative freedom to be positively actualized. Prima facia this seems quite impossible. For how, if the content of the will is always determinate and particular, can the individual will for itself that aspect of itself defined as the very absence of particularity. The difficulty lies in the radically indeterminate simple character of the transcendental subject. Again there cannot be any potentially positive differentiation between persons as persons, for they are identical.

Hegel's solution:

A person by distinguishing himself from himself relates to another person, and it is only as owners that these persons really exist for each other. Their implicit

identity is realized through the transference of property from one another in conformity with a common will and without the detriment to the rights of either. (PR,#40).

Negative freedom is actualized socially through the reciprocal possession and transference of property; where property is recognized as an objectification of the abstract ego; and where this is possible only if other individuals simultaneously engage in similar self-determining acts that do not conflict with each others objectifications. Accordingly, persons are permitted or given warrant, but not obliged, to acquire, use, and exchange property; with the only stipulation or prohibition being not to proceed to the detriment of other objectifying personalities.

Hegel explains what is involved in this argument as follows. Personality in order to objectify its freedom must alter the external world confronting it. And this means nature must be despiritualized and the external world claimed "as its own" (PR,#39). Hegel defines this externality as that which "is immediately different from free mind", "the external pure and simple, a thing, something not free, not personal, without rights" (PR,#42). Unless there is some reality devoid of intrinsic value and will of its own, there can be no sphere in which to translate negative freedom<sup>2</sup>. Similarly, individuals must be able to distinguish themselves and other selves from the natural, respecting personality as an end in itself, and things only as means to this end.

Here Hegel may give the impression that the world is but a disposable resource to be mastered by man. The real Heideggarian

truth of modern subjectivizing thought -- the subject construed as will in a reality only for and of the will. So read passages such as this;

A person has as his substantive end the right of putting his will into any and every thing and thereby making it his, because it has no such end in itself and derives its destiny and soul from his will. This is the absolute right of appropriation which man has over all 'things'.  
(PR,#44)

More correctly however, Hegel's position is that self-subsistent activity is alone that which is of value. All forms of actuality, from the inorganic through to the self-conscious exhibit value, but in differing degrees. Moreover, the higher forms only manifest greater value through the lower ones, and are logically immanent therein, and so dependent upon. Hence Abstract Right as a type of infinite teleological activity emerging, as a logical possibility, from the natural will, which itself likewise emerged from sentient organisms. All forms of actuality are of value because all are of the same substance, pure thought. And all forms accordingly have as it were, a right of appropriation over all forms of lesser value because without that right they could not realize their higher more self-subsistent potential. Of course inorganic objects as the lowest of the forms have no end in themselves in this sense. Rather, they derive their end, their 'destiny and soul', from the others as the ground of possibility from which they arise. In terms of the question of Abstract Right, its realization presupposes being able to make this kind of valuating distinction -- individuals must be able to see themselves and others as persons, as entities of greater subsistence, in a

manifold of lesser self-subsistence. What it doesn't mean, although Hegel fails to make this clear, is that man ought respect all the lesser forms with equal disregard. On the contrary, Hegel's criteria of value itself suggests otherwise; and this because it is not man that resides at the centre of Hegel's universe but God.

In his discussion of property then, Hegel is demonstrating how, with only the resources of the natural will, the individual is able to recognize himself as a person in contrast to other persons and things. The individual can do so by appropriating property in such a way as to make manifest to other similarly engaged persons that his ownership signifies his personality objectively embodied. Accordingly, what counts as property is any external, personless entity that can be acted upon, by either forming, grasping, or marking (PR,#54), so that others are made aware of its significance and where each person responds by limiting his own respective acquisitions to different unclaimed objects.

Hegel discusses a variety of points with respect to property, the most critical of which are as follows: firstly, whatever the given and natural characteristics a thing may possess, it can only be considered property if some aspect of its character can make a person's negative presence apparent: "the form given to a possession and its mark are themselves externalities but for the subjective presence of the will which alone constitutes the meaning and value of externalities" (PR,#64). Secondly, property can function to individuate persons only if the marking and appropriat-

ing activity is mutually recognized and respected by other persons -- embodiment "involves its recognizability by others" (PR,#51). Thirdly, an individual's body is a unique and "inalienable" (PR,#66) type of property insofar as its ownership cannot be fully relinquished without that individual losing the very ability to be a person and, by that fact, the ability to be self-determined in any sense whatsoever. If this were otherwise, and an individual's body was wholly controlled by the will of another, then none of his actions would be recognized as a product of a negatively transcending subject inhabiting that body, and so none of his actions could be said to represent its exercise. Accordingly, slavery is not rejected on the grounds that man is "free by nature", which Hegel holds he is not, but because it prohibits the recognitive basis necessary for realizing freedom and the possibility for "transcending" man's "immediate natural existence" (PR,#48).

The objectification of personality is initiated by the natural will in taking possession of its body and things as property. It may be objected that Hegel can only succeed in the moving from the natural will to the abstractly free will by presupposing the existence of abstract right in the first place. The objection is simple: how can one mark one's body to show it for others as the object of one's will, if the body with which one acts is not already recognized as the embodiment of one's will? Thus the emergence of abstract right seems to presuppose itself.

Two points must be kept in mind; firstly, the natural will can voluntarily act independently of its relation to others -- only

radically self-determining activity requires a specific type of social interaction. Potential persons then, can mark themselves, acquire, use, and alienate property independently of others, prior to recognition. Secondly, property nonetheless only becomes socially recognized, becomes a true objectification of personality in the Hegelian sense, through the social interaction of contract (as we shall see shortly) when persons are recognized by and proceed in recognition of other similarly marked and recognizing individuals. Hegel's strategy at this point is only to demonstrate how individuals endowed with a natural will can in principle come to interact as persons through property; the abstract free will as an immanent logical possibility of the natural will. Hegel's next move, in his discussion of contract, is to show how this kind of interaction actually functions, making possible the objectification of a truly self-derived content of the will.

Despite what Hegel may suggest, that individuals as a matter of fact in the course of human history, actually come to interact as persons is a contingent occurrence. Likewise more generally, that the Idea comes, as a matter of fact, to full realization in absolute Spirit through nature and man is also a contingency. Speculative logic commits Hegel to the claim that pure thought is alone that which is truly real or present, and that absolute Spirit emerging in and through nature represents its complete actualization, the truth of that presence. To argue that God so understood must necessarily come in time to, as it were, actually actualize himself, undermines the argument that God is real or radically

self-subsistent in the first place. For it is to argue that God stands in need of that existent objectification, as though God weren't fully objective and logically stable enough. It may be countered, as some Hegelians and some of Hegel's passages suggest<sup>3</sup>, that it is not the logical Notion by itself that is real, but the entire system (logic-nature-spirit). This however, sabotages Hegel's argument for the identity of thought and being in the logical Notion (that all determinateness is a product of the Notional activity), the defining basis of objective idealism. Moreover, given the definition of reality as self-subsistence and not externality or apprehendability in sense, it remains problematic how any existent actualization in a world of nature and spirit could make the Notion any more real, any more self-determined.

The more tenable position, and one which also can be found in the Science of Logic and the Philosophy of Right, is aptly expressed in Hegel's "owl of Minerva" metaphor which "spreads its wings only with the falling of the dusk." (PR,p.13). The wisdom that philosophical science offers is a recollection. Like the owl that flies only at the end of the day, science only makes its revelation of the actualization of the eternal in the finite at the end of history, where this revelation is only possible upon the occurrence of the eternal's complete actualization. And this is necessarily so because the comprehension of the realm of pure thinking requires the existence of finite self-conscious thinking subjects, which simultaneously is its fullest possible actualization. In other words, as the Doctrine of the Notion demonstrates,

only when thought comes to fully and truly think itself, has the eternal fully actualized itself; for again the Doctrine of the Notion demonstrates the conditions necessary for this occurrence entail the ideal's full actualization -- i.e. for thought to think itself there must be mechanical, chemical, organic, and ultimately self-conscious subjects; there must be all the types and kinds of objects possible and conceivable. And consequently "philosophy paints its grey in grey", "life ... cannot be rejuvenated but only understood" (PR,p.13).

With respect to history and the Philosophy of Right in particular, this means that the only necessity to be found in nature and spirit is a recollected necessity. And correspondingly, the only necessity to be found in the future, a potential necessity. Again the task of the Philosophy of Right is to develop a notion of right that shows logically what is involved in the actualization of self-determining activity in human community. If successful, Hegel is then justified in turning to human history and, in light of this notional reconstruction, interpreting history's various epochs in terms of their contribution to its concrete realization. One can look for historical stages in the development of freedom because one has already found logical stages in the notion of its actualization. Thus one can know necessarily that when a particular epoch exhibits an advanced form of ethical life there must be in the past a point in which abstract and moral rights began to be respected -- precisely because the logical form of ethical life presupposes the abstract and moral. Of course it

is strictly a question of history, a matter of fact, to determine whatever length of duration and type of circumstance involved in this actualization process. And so just as the emergence of the Idea in the world is a notionally determined logical possibility but otherwise contingent occurrence, so too with abstract right from the natural will (dependent on the concomitant arbitrary choice of individuals to enter into property relations), and so too with the subsequent transitions in the development of right, from the abstract to the moral, and the moral to the ethical.

It is in the contract that freedom can first be said to be truly realized in an infinitely teleological sense. For it is the social mechanism whereby negative freedom is first made actual. Hegel defines the contract as the process,

in which there is revealed and mediated the contradiction that I am and remain the independent owner of something from which I exclude the will of another only insofar as in identifying my will with the will of another I cease to be an owner. (PR,#72).

"Each", Hegel continues, "in accordance with the common will of both, ceases to be an owner and yet is and remains one." (PR#,74). In the contract persons cease being property owners when an acquisition is relinquished, and continue as owners insofar as they receive something else of value for it. The key here lies in the alienation of property and the "unity of different wills" that results. In this unity "both surrender their difference and their own special character", and yet this identity "implies also that each will still is and remains not identical with the other but retains from its own point of view a special character of its own."

(PR,#73). The alienation of property in contract differs from the contingent abandonment of "property as an external thing" Hegel discussed earlier in the Property section, and rather refers to the alienation of property as property, a recognized abandonment. This type of alienation allows the will to become "objective" as "determinately existent", where "my will as alienated is at the same time another's will" (PR,#73). So contractually interrelated Hegel argues, individuals are present "to each other as immediate self-subsistent persons" (PR,#75).

Negative freedom only becomes objective when the individual integrates himself through contracts into a community of property owners. It is through the alienation of property as property that an identity with other wills is established. This identity or common will is a product of the individual recognizing both his identity with other individuals as persons, and his immediate difference from them. Again there can be no qualitative difference distinguishing persons, but only the immediate or quantitative distinction made by the individual of being one formally equal person among many in a manifold of personless objects. The contradiction between being and ceasing to be an owner, that Hegel sees the contract as mediating, is resolved or rather mediated insofar as the contract enables individuals to make this kind of distinction between themselves and others as identical though mutually exclusive persons in nature. Hegel's argument is that to exchange things contractually, is to engage in an activity wherein the individual can recognize himself as an abstractly free

personality by identifying, through an objectively existent common will, with the abstracting capacity of another. Otherwise, to acquire and alienate property asocially in a community without contracts is only to act as a person in a subjective sense; and so personality would fail to become objectively embodied, would fail to have itself as its object. Hence, only as a common will is personality actual<sup>4</sup>.

This conception of contract can take a variety of forms -- e.g. Hegel discusses exchanges, gifts, and loans. For our purposes, however, what is important is to see how, by engaging in this kind of activity, man can be said to realize a radically self-determined independence. Again as Hegel's introductory analysis demonstrated, the will is self-determined only if it gives itself a particular content that it derives exclusively from itself in its own universal character. This can occur only interactively and in an infinitely teleological manner, where the freedom of each is instantiated and individuated socially in an act of reciprocal particularizing exclusion. Abstract Right is a type of this activity; for it provides an illustration of the will willing nothing but the objective embodiment of its capacity as a negative actuality or personality. In Abstract Right, the will's particularization, an individual's property, is irreducible to any given content alone. It refers only to the objectification of personality, immediately or quantitatively distinct from other objectified persons. Further as an infinitely teleological act, there is an identity between end and mean, form and content. That is to say,

right establishes a mode of self-determining autonomy that operates only in this relationship that it itself comprises, and whose end is this interrelationship itself. Neither the will's form, recognized personality, nor its content, the property distinguishing persons, proceeds its actualization since reciprocally in relation to others one equally determines to become an owner as what to own.

What marks the deficiency of Abstract Right, as a specification of the notion of right, is that its account of self-determining activity captures only the will's universal dimension; the particularity, not to mention individuality, of the will is not accounted for at all. The objectification of personality in right is nothing more than the objectification of the will's capacity as a negative actuality -- persons in this capacity are indistinguishable; with the recognitive mechanism of the contract in a manifold of personless objects allowing only for the objectification and an immediate distinction among persons as indeterminate transcendental subjects. This is not to say that persons in right are not particular persons but that this particularity is not fully self-derived, rather it is in part the result of the contrast between the personless thing and indeterminate subject objectified in it.

That the absence of self-derived particularity and individuality is in fact a failing is shown both in Hegel's discussion of Wrong, where abstract right is revealed to be "contingent on might" (PR,#103), and in the very idea of self-determination itself. With respect to the latter, speculative logic defines self-determination

as the particularization of a concrete universal. This means that anything, to be radically self-determined, must: (a) possess an identity that is present throughout all of its determinations, or possess universality; (b) possess determinacy or a particular content; (c) have its particularity related to its universality in such a manner that difference subsists only between the particulars and not between any particular and the universal, or in other words it must be an individual. Furthermore, the notion of right articulates what is involved in the possibility of self-determination in existence or in objective spirit. This lesser degree of self-determination stipulates, as a restriction to the criteria above (which in fact could only be manifest in God or some all-encompassing reality standing only in relation to itself), that infinite teleological activity on behalf of self-conscious, socially recognizing subjects in an inorganic manifold is needed. Abstract Right, then, serves to show what is required for the objectification of the will's negative universal capacity, which is itself a condition of possibility for the objectification of whatever self-derived particular and individual characteristics the will may possess. For just as the logical Notion can only particularize itself if it has a universal self in the first place to particularize, so too may the will only have a particular self-derived content if it has a universal self from which particularity may be derived. Hence whatever moral and ethical relations may entail, these modes of right must rest upon the existence of abstract right. For if individuals do not already have possession

of at least their own bodies respected as persons, there is simply no way they can recognizably express their wills to others as their own and so participate in any further self-determined objectifications. It would make no sense, for example, to hold a moral subject responsible for his actions if they could not be said to belong to that subject or rather person.

The normative failure of Abstract Right is demonstrated by its inability to resolve the dilemma of Wrong. Its resolution, Hegel argues, demands the introduction of the will's dimension of self-derived particularity or moral subjectivity. This moral particularity of the will, as it were, is solely a product of the will in its capacity as a person and its absence threatens the collapse of of any system of abstract right into an unjust society governed by force. Hegel explains what the dilemma of wrong is and how it arises as follows:

In the bare relation of immediate persons to one another, their wills while implicitly identical, and in contract posited by them as common, are yet particular. Because they are immediate persons, it is a matter of chance whether or not their particular wills actually correspond with the implicit will, although it is only through the former that the latter has its real existence. If the particular will is explicitly at variance with the universal, it assumes a way of looking at things and a volition which are capricious and fortuitous and comes on the scene in opposition to the principle of rightness. This is wrong. (PR,#81).

The common will that comes into existence in the contract, insofar as it is a product of the particular arbitrary wills of the participants, gives rise to the possibility that the abstract right of personality, the universal it affirms, won't be respected. While a community of individuals endowed with the ability to act

voluntarily is one of the necessary conditions needed to establish and exercise the freedom of abstract right, this very capacity of arbitrariness that enables right to emerge gives individuals the power to violate its prescriptive prohibitions. In other words, as Hegel puts it here, it is only through the particular will that the universal has real existence. Thus only through the arbitrariness of choice do individuals commit wrong. And only through arbitrariness of choice do individuals act in accord with the principles of right. In the former case, persons violate the prohibitions that provide for their own respected rights and capacities as personalities in the first place. Wrong, then, refers to any act that lies "in contravention of the principle of rightness" (PR, Add.#81), 'be a person and respect others as persons', and is an immanent logical possibility of abstract right.

Specifically, Hegel systematically introduces three types of possible infringements -- non-malicious wrong, fraud, and crime or coercion. Because right involves the mutual act of recognizing practices of acquisition, alienation, contractual obligations, etc..., it is possible for individuals to honestly dispute the true meaning and consequences of the proper interpretation of these matters. Right, Hegel says, can then become a "show" with the disputing parties each presenting different, and so particular, conceptions of rightness as the true universal. This is non-malicious wrong. In fraud, the "outsider" exploits this kind of confused showing over the true character of right, concealing his own self-interest by presenting himself as an insider whom "has the

universal will for its aim" (PR,#86). Finally crime is the outright "infringement of right as right" (PR,#97) where individuals openly violate the rights of others, typically by withdrawing recognition of persons, property, and contractual relations in the pursuit of explicitly particular ends.

These types of wrong endemic to abstract right undermine its ability to maintain itself as a mode of self-determining activity, and so ultimately as a normatively warranted form of social activity. Whether in terms of non-malicious wrong, fraud, or crime, abstract right provides no adequate means to adjudicate disputes, punish offenders, or grant victims retribution. For all abstract right entails is persons interacting as property owners on the basis of recognized and negatively prescribed, but otherwise contingent and arbitrary grounds that define the rules of what will count as legitimate rightful activity. Accordingly, cases of non-malicious wrong are unresolvable because there is no universally respected authority to define those contingent and arbitrary specifics. Similarly, criminal acts can't receive any objectively valid punishment. For again without a universal authority functioning to specify a more concrete notion of right (other than negative prescription), anyone that attempts to punish an offender can only do so as a particular will acting without recognition, and risks committing the further criminal wrong of "revenge" if that punishment is not appropriate in a "retributive" sense. To act as a particular will without recognition, is in a sense to act just as a criminal. As Hegel explains:

The annulling of crime in this sphere where right is immediate is principally revenge, which is just in its content insofar as it is retributive. But in its form it is an act of a subjective will which can place its infinity in every act of transgression and whose justification, therefore, is in all cases contingent, while to the other party too it appears as only particular. Hence revenge, because it is a positive action of a particular will, becomes a new transgression; as thus contradictory in character, it falls into an infinite progression and descends from one generation to another ad infinitum. (PR, #102).

It is because the particularity of the will is not recognized in abstract right (only the will's capacity as a transcending negative actuality is objectified), that wrong cannot be annulled in any objective way, but only in a subjective arbitrary form. So defenceless against the possibilities of wrong that it itself gives rise, abstract right decays into a world in which "coercion is annulled by coercion" (PR, #93) and justice equated with revenge, in short a world where right is "contingent on might" (PR, #103).

Fundamentally the dilemma of wrong, Hegel claims, "implies the demand for a will which, though particular and subjective, yet wills the universal as such." (PR, #103). Such a demand is met by considering personality from the "moral standpoint" where the self-derived particularity of the will implicit within personality is made objective. Moreover, "this concept of Morality" or the idea of a person construed as a moral subject is, as it were, dialectically demanded, for "it has emerged in the course of this movement itself." (PR, #103). In Hegel's speculative language, the transition from right to morality runs as follows:

The will's immanent actualization in accordance with its notion is the process whereby it supercedes its implicit

stage and the form of immediacy in which it begins and which is the shape it assumes in abstract right; this means that it first puts itself in the opposition between the implicit universal will and the single explicitly independent will; and then, through the supersession of this opposition (through the negation of the negation), it determines itself in its existence as a will, so that it is a free will not only in itself but for itself also, i.e. it determines itself as self-related negativity. (PR, #104).

This is to say, made explicit in wrong is the particularity of the will, self-consciousness as a universal subjectivity preceding the awareness of particularizing subjectivity -- negating the will's particularity in the coercive act of revenge only reasserts this feature of particularizing agency ad infinitum. Consequently, particularity plays a necessary role in the maintenance of any system of abstract right and through wrong comes to be acknowledge as such. Hence to conceive a more concrete actualization of right entails resolving whether and how particularity can be said to be immanent in personality, self-derived, and objective.

If unthinkable, right will always rest on the contingent exercise of force. For any authority enacted to secure abstract rights, whether through consensus, tradition, or brawn, could only introduce particularity in a positive and dogmatic manner. Rooting the particular norms of right in any given authority would leave unanswered why these particulars deserve any prescriptive role. To argue that only in reference to such cultural arbitraries can abstract rights be respected, still fails to establish why these, as opposed to other, particulars ought to be ethically binding. Even if the rules of appropriation, contract, etc..., were consensually determined, the individual could be given no rational

justification to respect the abstract rights of others in the particular manner the community has determined. Likewise appealing to the considerations of wealth and its equitable distribution would be illicit. In either case, the mechanism through which the particulars of abstract right are determined stand in need of further justification; by itself right only demands respect for "personality and no more". The "independent single will of the individual", Hegel writes, must be "recognized as actual on the score of its necessity" (PR,#104) for only out of the particular will issues the determinate character of any system of right. It is left for Morality to demonstrate how in fact this can be taken as "a step forward in the inner determination of the will by the notion".

**Morality: Subjective Freedom Actual**

Morality is a discrete form of self-determining interaction in which individuals seek to maintain right through their self-derived particular actions toward one another. Given the internal instability of abstract right, individuals or moral subjects recognize that right is dependent upon the individual's particular actions, and so is the initiative and responsibility of moral subjects. So aware, subjects interact with the rights and duties implicated in pursuing the good through particular actions.

In Abstract Right, persons individuated themselves through external things recognized as property. That persons have particular aims motivating the use of property plays no role in differentiating them as persons. Rather the ground of recognition is derived exclusively from the abstract immediate relation between individuals, and between individuals and things. Correlatively, that persons require the particularizing capacity of a natural will to acquire, use, and exchange property has no relevance for the objectification of personality per se. In Morality, on the other hand, subjects are fundamentally characterized in terms of the will's particularizing capacity; the ground of recognition is the content of the subject's self-derived particular actions; and each is individuated reciprocally on the basis of these objectified particular acts.

Mirroring the strategy employed in Abstract Right, Hegel proceeds by showing what is required for the possibility of moral

activity (the kinds of categorical distinctions involved), how morality can be said to constitute a new concrete form of self-determining activity irreducible to Abstract Right, and its own internal limit and normative failure.

Moral subjectivity, like personality, is a type of self-consciousness. Hegel defines subjectivity as the "reflection of the will into itself" where "its explicit awareness of its identity makes the person into the subject" (PR, #105). This identity is the "single individual aware of himself" in contrast to the common or universal will of personality. Morality traces the "process" whereby the individual interactively objectifies this aspect of his identity as a particular subject; resulting in a movement which sees this subjectivity alienated from the universal "sinking deeper and deeper into itself". However, like the Hegelian hand of God that first harms and then heals, this abdication of the particular from the universal is dialectically necessary for the possibility of Ethical Life:

What happens is that subjectivity, which is abstract at the first, i.e. distinct from the notion, becomes likened to it, and thereby the Idea acquires its genuine realization. The result is that the subjective will determines itself as objective too and so as truly concrete. (PR, #106).

From the "moral standpoint", Hegel claims, "the will recognizes something and is something, only insofar as the thing is its own and as the will is present to itself there as something subjective" (PR, #107). The will must be able to translate its particular "aim" or "purpose" into objectivity in such a manner that it "enshrines for me my subjectivity" (PR, #110). To begin

with this means that the determinacy of an action cannot be a matter of its characteristics as an externally given event governed by causal relations; for the action, as a particularization of the subject, must receive its determinacy there from. Hence moral activity entails first of all the distinction between an internal and external dimension of agency, as well as the distinction, consequent upon the first, between an "act" and a "deed".

Acts are distinguished from deeds in terms of the role of purpose and responsibility. In Morality, the subject determines itself in an act that pursues some aim or purpose. What is done, the deed, is the resulting "alteration" in the environment, where "my will has responsibility in general for its deed insofar as the abstract predicate 'mine' belongs to the state of affairs so altered." (PR,#115). Of course individuals must be able to distinguish, out of the "endless number of factors", what aspects of the alteration the subject can be held responsible. Thus the stipulation of the "act" in the deed; only what can be 'reasonably' foreseen in the deed ought be recognized as the objectification of an aim, only the act is to be recognized. "The will's right", Hegel states, "is to recognize as its action, and to accept responsibility for, only those presuppositions of the deed of which it was conscious in its aim and those aspects of the deed which were contained in its purpose." (PR,#117).

According to Hegel, moral freedom involves more than the reciprocal recognition of acts on the basis of aims or purposes determined by subjects who establish their respective particulariz-

ations through them. These acts have a moral dimension in the sense that they have consequences which affect the aims and acts of others. There arises in this way the question of the particular content of the aim, and hence of the specific ends of those acts. Hegel defines "intentions" as those aims and acts whose end is the "welfare of all". What 'ought to be' is expressed by intention and refers to those aims that promote general welfare; "the universal implicit in the purpose" (PR,Add,#121) Further, because intention implies only those actions valid for all (meaning "to do the right, and to strive after welfare, one's own welfare, and welfare in universal terms, the welfare of others" (PR,#134)), it is not as yet specified as having any particular content other than this universal, formal stipulation.

It is critical to grasp this argument introducing general welfare for it involves the transition from a system of right based on negative prescriptions to one which entails the positive as well. That is, moral subjects insofar as they objectively determine themselves in their particularizing capacity are obliged to actually pursue ends that promote the general welfare, and not simply to avoid those acts detrimental to it. Simply stated, this type of positive prescription is a necessary condition of possibility for the objectification of a self-derived particular aim in the first place. Hegel makes this argument principally in two passages, both of which need some clarification:

Since in carrying out my aims I retain my subjectivity, during this process of objectifying them I simultaneously supersede the immediacy of this subjectivity as well as its character as this my individual subjectivity. But

the external subjectivity which is thus identical with me is the will of others. The will's ground of existence is now subjectivity and the will of others is that existence which I give to my aim, therefore, implies this identity of my will with the will of others, it has a positive bearing on the will of others. (PR, #112).

The individual objectifies his subjectivity in the accomplishment of his aims insofar he knows the result of the action as his, signifying a characteristic "mineness". Subjectivity then can be said to "supersede the immediacy of this subjectivity" insofar as the pure inwardness of the subject is now present in an external form. However, Hegel's claim is that this "external subjectivity" is identical with the external subjectivity of others, such that my aim existent implies this identity, and bearing positively on others, ought to promote it (i.e. implying positive, not simply negative prescription).

In another passage Hegel argues;

The subjective element of the will, with its particular content -- welfare, is reflected into itself and infinite and so stands related to the universal element, to the principle of the will. This moment of universality, posited first of all within this particular content itself, is the welfare of others also, or, specified completely, though quite emptily, the welfare of all. The welfare of many other unspecified particulars is thus also an essential end and right of subjectivity. (PR, #12-5).

Whatever the subject's purpose, good or bad, in virtue of its being a product infinite self-reflection (radically self-derived), stands related to a universal purpose. This universal "posited first of all within this particular content .... is the welfare of all." Thus subjects are obligated and can expect of others to actively strive to realize universal welfare in their actions.

The reasoning here can be explained as follows: firstly, it must be kept in mind what the result of the absence of an intersubjective identity would mean for the possibility of a self-derived objectified aim. It would in fact render impossible both any existent subjective objectification and self-derived particularity. Asocially alone, no particular aim could be translated, as a subjective aim, into objectivity for the subject would always lack the socially given ground for distinguishing a mere alteration of the environment from an act enshrining subjectivity. Like the desiring self-consciousness of the Phenomenology, asocial objectification only "produces the object again, and the desire as well." (Phg, #175). Further, without the interactively instantiated, artificial or non-natural persona of moral subjectivity, the individual would also lack the form of agency required to derive a particular aim that was not simply given either through desire or a reaction conditioned by the manifold. Consequently one not only chooses to perform a particular deed that may manifest subjectivity interactively; one must first establish the appropriate form of agency by interacting with others who determine their new form of agency in the same fashion -- i.e. at hand must be a system of abstract right which comes to be socially recognized as dependent upon particular actions which can promote, maintain, or destroy it. Hence, universal welfare is implicit in any subject's aim because only in virtue of it and in relation to it can the aim be truly non-natural and self-derived. To acquire a non-natural particular aim is necessarily to aim, at least in principle, at the

promotion, maintenance, or destruction of the universal. For only out of the individual's capacity as a personality does his capacity as a particularizing subject arise.

In language closer to Hegel's, subjectivity can only become objective if it stands external to itself in its actions. Asocially, any existent alteration of objectivity can never make the object 'mine', in the sense that the altered manifold remains, despite whatever change, fundamentally different from subjectivity. However, as moral subjects interactively aiming to realize right through particular actions, this socially originated objective realm of activity does manifest the requisite 'mineness'. In morality the subject can become truly other to itself insofar as existent subjectivity only is for other subjects, whom likewise exist and act only for other subjects. Subjective freedom is only realized interactively, where each sees his actions only in light of the actions of others; thus the "will of others is that existence which I give to my aim" and my "external subjectivity" is "identical" with "the will of others" (PR, #112). And just as the common will of the contract stands as the ground for the actualization of negative freedom, so too does universal welfare stand in relation to the actualization of subjective or particular freedom.

What makes moral action a mode of self-determination, rather than an exercise of the natural will in its particularizing capacity, are its characteristics as a reciprocally recognizing form of interaction that realizes a concrete category of infinite

teleological activity. Neither the form of the will, moral subjectivity, nor its content, particular acts aimed at each others right and welfare, are given prior to the actualization of subjective freedom. Rather with this mode of right end and mean are identical, and their emergence dependent only on the concomitant arbitrary choice of persons in a system of abstract right to act morally towards each other. Individuals count as moral subjects insofar their particular acts serve to promote universal right. This is something they can do only in reference to other subjects fulfilling the same obligation. Correlatively individuals have the right to be recognized as moral subjects responsible for their acts and can demand similar accountability on the behalf of other subjects. Why in the first place individuals ought act morally, as act as persons, is because it makes possible the greater realization of the good or self-subsistent activity per se.

While this analysis of Morality suggests how it can appropriately follow Abstract Right as a concreter form of self-determination, it is also the case that it suffers from its own internal limits that threaten its collapse. Specifically, it is as a result of the requirements of intention and universal welfare that the difficulties endemic to moral freedom begin to reveal themselves. To be moral subjects, individuals particularize themselves through their intentions and pursuit of universal welfare. In order that this may constitute a mode of freedom, these intentions must imply the recognition of the similar particularizations on the behalf of other subjects. A particular intention must specify what is good

or of value for all to be recognized as valid; that is, as a distinctively moral intention. However, since the subject only is a moral subject insofar as he determines his intentions, it follows that the subject must also provide the appropriately determinate standard of universal welfare so as to be able to judge the validity of the intentions and actions of himself and others. The problem is that in morality individuals can only privately furnish the objective standard required and this results in a crisis of recognition.

Hegel introduces this problem in his discussion of "Good and Conscience" and is developed as follows. "For the subjective will", Hegel writes,

the good and the good alone is the essential, and the subjective will has value and dignity only insofar as its insight and intention accord with the good. Inasmuch as the good is at this point still only this abstract Idea of good, the subjective will has not been caught up into it and established as according to it. Consequently, it stands in a relation to the good, and the relation is that the good ought to be substantive for it, i.e. it ought to make the good its aim and realize it completely, while the good on its side has in the subjective will its only means of stepping into actuality. (PR, #131).

Because the good or "freedom realized" (PR, #129) has no intrinsic determinate content, constitutively an 'ought' requiring action by the subject to determine and bring it into being, it is left for the subject both to determine a particular content for the good and strive to realize it. On the one hand, the subject's "duty" is to act to realize the good determined only as universal welfare, and is "done for duty's sake" because "when I do my duty it is in a true sense my own objectivity which I am bringing to

realization" (PR,Add,#133). Freedom, that is, being solely what is of value and reality, is an end in itself. On the other hand,

Because every action explicitly calls for a particular content and a specific end, while duty as an abstraction entails nothing of the kind, the question arises; what is my duty? As an answer nothing is so far available except: (a) to do the right, and (b) to strive after welfare, one's own welfare, and welfare in universal terms, the welfare of others. (PR,#134).

Even though the abstract rights of property owners have, as we have seen, an objective form that moral subjects must respect -- the negative prescription to respect personality and property -- the entitlements of particular persons remain as problematic as determining when property rights have been violated or what must be done to right those wrongs. Hence moral subjects need to take responsibility for the realization of the good in their particular actions. However, as so abstractly universal and indeterminate, one's duty needs to be more concretely defined so that "specific duties" may be derived from this "higher sphere of the unconditioned" (PR,#135), and so that the good can be striven for in a meaningfully concrete manner. Because the moral subject has as yet no valid external authority to appeal, this particularization of duty "falls within subjectivity" itself and becomes what Hegel terms a matter of "conscience" (PR,#136).

Conscience endows the subject with "both the power to judge, to determine from within itself alone, what is good in respect of any content, and also the power to which the good, at first only an ideal and an ought-to-be, owes it actuality" (PR,#138). Further, with this ability the subject is given the potential to engage in

and recognize explicitly "evil" acts where individuals "elevate" their own particular interests above what conscience dictates as universal (PR,#139). In this respect Hegel also introduces the possibility of "hypocrisy", where the individual in bad faith present his action as motivated by "fine intention", "despite the fact that, owing to his reflective character and his knowledge of the universal aspect of the will, he is aware of the contrast between this aspect and the essentially negative content of his action". (PR,#140). Correlatively, because the actions of others are justified through the subjective arbitrariness of conscience, every act can potentially be viewed as evil and the authenticity of conscience merely a show.

Again just as with abstract right, morality needs a mechanism that can protect the rights of moral subjects from these types of wrong that it itself gives rise. The moral predicament is that conscience fails to provide a solution to the problem of evil and hypocrisy. In morality subjects have a right to be recognized in their roles as conscience, i.e. as each responsible for determining for themselves the particular good that should be respected by all. Yet because each subject individuates his conscience by its exclusively particular determination of duty, it is impossible that there be reciprocal recognition of these particular determinations as equally valid, when each (albeit different) nevertheless claims objective validity for itself. The dilemma for morality, then, is that each conscience can win recognition for itself only if all the other determinations are invalid, immoral, or evil. To view the

others in this way is tantamount to a moral subject withdrawing recognition; and to refuse recognition of persons as subjects is to destroy moral freedom altogether. As Hegel explains in the Philosophy of Mind,

In consequence of the indeterminate determinism of the good, there are always several sorts of good and many kinds of duties, the variety of which is a dialectic of one against the other and brings them into collision. At the same time because good is one, they ought to stand in harmony; and yet each of them, though it is a particular duty, is as good and as duty absolute. It falls upon the agent to be the dialectic which, superseding this absolute claim of each, concludes such a combination on them as excludes the rest. (PM, #508).

Of course it is possible that instead such a destructive conflict of particular determinations of conscience, there could arise a shared or common conception of it. In this case it would just so happen that a community of subjects, each establishing their own standards, would have arrived at similar or at least not incompatible determinations. Public agreement would emerge, given whatever historical and cultural circumstance, from the essentially private decisions of conscience. Nonetheless, morality would remain susceptible to irresolvable disputes and infringements, unless that common standard could be shown to be rationally objective and not simply warranted in virtue of its status as the aggregate result of particular determinations.

In Ethical Life, Hegel claims to conceive just such an objectively rational concrete determination of the good construed as an institutional system of freedom. Here the good is determined as the valid aims and purposes which a plurality of individuals pursue together. In this case, individuals are not moral subjects

each responsible by itself for determining the ultimate standards of morally significant action; nor is their relation one in which the individuals are so separated from one another by the privacy of their particular self-determinations that there is no universal dimension to their willing. Rather individuals recognize one another precisely as those whose individuation is attained through the particular mode in which each acts to realize the universal dimension which they share -- namely their common aims and purposes.

Taken together the limitations of abstract right and morality indicate how freedom cannot be restricted to personality or moral autonomy alone. By themselves, the actions of persons and subjects cannot enforce the very rights of which they are the exercise. Accordingly there are two alternatives: abstract right and morality are sustained either by institutions that are not themselves wholly a product of self-determining activity, leaving the rights of persons and subjects grounded dogmatically on consensus, tradition, or force, or on the other hand by further modes of self-determining interaction. Ethical Life is presented by Hegel as this second option, where the recognized realities of right and morality are objectively at hand in the self-determination of ethically interacting individuals.

### **Ethical Life: Freedom Concrete**

While the difficulties endemic to morality are clear, Hegel's account of the transition to Ethical Life from Morality is somewhat dark and obscure. Hegel writes:

For the good as the substantial universal of freedom, but as something still abstract, there are therefore required determinate characteristics of some sort and the principle for determining them, though a principle identical with good itself. For conscience similarly, as the purely abstract principle of determination, it is required that its decisions shall be universal and objective. If the good and conscience are each kept abstract and thereby elevated to independent totalities, then both become the indeterminate which ought to be determined. -- But the integration of these two relative totalities into an absolute identity has already been implicitly achieved in that this very subjectivity of pure self-certainty, aware in its vacuity of its gradual evaporation, is identical with the abstract universality of the good. The identity of the good with the subjective will, an identity which therefore is concrete and the truth of them both, is Ethical Life. (PR, #141).

In morality, conscience and the good are identical insofar as they are both contentless abstract universals. Not any concrete aim or set of duties, the good has for its definition only the universal welfare and universal appropriateness with respect to any action. Likewise conscience is empty and contentless for it consists only in the universal power to resolve out of the subject's self-consciousness how to act to pursue the good and judge other actions. Hence in this sense they are identical.

However here Hegel suggests not only that Ethical Life will provide an objectively rational standard and correspondingly determinate doctrine of rights and duties, but that somehow this concrete ethical identity is already implicit within the abstract

identity of morality. It may appear that Hegel is illicitly equivocating the abstract identity with the concrete; as though the realization of the truth of morality, its abstractness, is somehow the realization of a new concrete identity. In fact argument is only that morality presupposes ethical life insofar as the freedom that moral subjectivity gives rise can only be normatively secured by reason through ethical life. Ethical life is implicit within morality because it is its logical condition of possibility. Hegel is only being true to his dialectical method in which the movement retreats from the abstract to the concrete by revealing the latter to be both the ground and result of the former. In this case of applied logic, morality temporally precedes or at most is simultaneous with ethical life and yet remains logically posterior; an abstraction of its concrete presence which bares it explicitly in its negation. The transition to ethical life, then, does not rest upon any mysterious grasp of the historical evolution of Spirit, but only on the presupposition that Hegel will in fact make good on conceiving a mode of self-determining interaction that will serve to ground right and morality. It is in light of this logically recollected methodology that Hegel's remarks can be coherently understood;

The details of such a transition of the Notion are made intelligible in logic. Here, however, it need only be said that it is the nature of the restricted and finite (i.e. here the abstract good which only ought to be [but is not], and the equally abstract subjectivity which only ought to be good [but is not]) to have its opposite implicit within it, the good its actuality, and subjectivity (the moment in which ethical life is actual) the good; but since they are one-sided they are not yet posited in accordance with their implicit nature. They

become so posited in their negation. (PR, #141).

Ethical life is the idea of freedom actualized in human community. It is comprised of a rational system of institutions, the family, civil society, and the state, which together embody exhaustively the will's potential for self-determining activity. As institutional, the freedom afforded individuals is achieved against the background of the universal aims and purposes which constitute the common practices of the community as well as furnish its shared norms and values. Individuals individuate themselves by fulfilling the various particular roles which they assume as members of these institutions; realizing the will's self-determining dimensions of universality, particularity, and individuality. Individuals are related to ethical life "as accidents to substance" (PR, #145) because it is the institutions and social roles created through the community's activity that are essential and necessary, not the particular individuals who may occupy them.

What makes ethical life rational or normatively valid practice is the fact that the various modes of non-natural autonomy that it makes possible exhaust the will's potential for freedom in an infinitely teleological sense, and that the modes themselves are determined by the very institutional system that their own exercise comprises -- i.e. ethical life is self-grounded in that it has for its end and mean an activity that contains all of the modes of freedom secured in what is itself a self-determined manner. Ethical life provides a determinate conception of the good

determined, as Hegel puts it, through "a principle identical with the good itself". Imitating the movement of the logical Notion which finds its validity through a recollected path in which its categories show themselves to be grounded in the Notion's own objective activity of self-determination, the Idea of right, by applying this retrospective methodology, finds its validity in system of freedom that incorporates all the modes of right in an activity identical to the objectification of the Idea of right itself. The normative validity of ethical life, then, is founded on speculatively warranted logic resolving an adequate notion of human freedom and then showing ethical life to fulfill the notional requirements as its concrete actualization. The objective rationality of ethical life will be demonstrated only to the extent that it can both be shown to exhaust the will's capacity for self-determining activity and be shown to do this in a self-grounded manner.

Of course the full normative rationality of ethical life is only for the intellectual engaged in philosophical science and not for the common citizen. Hegel claims that the typical individual experiences the normative rationality of ethical life as a kind of "ethical disposition" in which he immediately finds his own desires and particular interests in harmony with the social roles he can assume and the duties and responsibilities they entail. In ethical life, universal and particular, right and duty "coalesce". Its institutions,

are not something alien to the subject. On the contrary, his spirit bears witness to them as to its own essence in

which he has a feeling of his own self-hood, and in which he lives as in his own element which is not distinguished from himself. The subject is thus directly linked to the ethical order by a relation which is more like an identity than even the relation of faith or trust. (PR, #147).

Corresponding to the different moments of ethical life, consciousness of ethical substance is typically immediate and unreflective in the family, obscured or lost in civil society (insofar as the reciprocity that mediates its members is hidden), and reflected explicitly, often with a sense of its reasonableness, in the state.

To what extent an ethical order requires this type of awareness and uncritical bond on behalf of its members is an interesting question. At least to some thinkers, modern history suggests it need not be very great. In the classic Weberian narrative, for instance, Hegelian rectitude retreats from public life to be succeeded by the sport of economic compulsion in the spiritually vacuous cage of rationalized capitalism. Only historical circumstance may prevent Hegel's optimistic account of the immediate spiritual identity between individual and community from being interpreted as inept and naive. Nonetheless from our perspective, this is simply irrelevant. Since, as we shall see, the actual argument that Hegel presents for the objective necessity of ethical life involves no requirements of consensus or spiritual awareness save a strong collective desire to bring a rational state into being. Once born, the constitutional character of a notional state allows for any degree of individual and communal alienation save an equally potent collective will to see its abolition.

This example serves well to illustrate Hegel's tendency to misplace concreteness (to use Whitehead's phrase<sup>1</sup>). What is truly concrete is unconditionally self-determined or real. In this sense only pure thought or the logical Notion is fully concrete. The task of applied logic is to reveal the presence of the concrete in the world of nature and spirit by showing to what degree their respective contents mirror or imitate that concreteness. Because the Notion is nothing but a self-contained necessary process of universals, imitation involves showing the a priori character of factual content, i.e. showing what elements of experience, existent or potential, are inconceivably otherwise. In this case as in many others, Hegel simply fails to argue what the logically necessary role consensus plays in ethical life; and so it is left to those who demand a more speculative or metaphysical reading of the text to resolve.

The demonstration of the normatively objective character of ethical life is left to be unfolded in its principle moments. Initially Hegel only asserts that ethical life "is the good become alive"; that an "objective ethical order", consisting of "absolutely valid laws and institutions", "comes on the scene in place of good in the abstract". So rationally warranted, its content is "independently necessary and subsistent in exaltation above subjective opinion and caprice" (PR,#144); "a circle of necessity whose moments are the ethical powers which regulate the life of individuals" (PR,#145).

### a) The Family

"Ethical mind in its natural or immediate phase", Hegel states, is "the Family" (PR, #157). If the family is to have an objectively warranted place in ethical life, it must be reconstructed as an institution comprising a new mode of autonomy transcending right and morality and yet distinct from civil society or the state. Prima facie this may seem improbable, given that membership in the family has traditionally been rooted as much in the natural necessity of birth and gender as in any capacity of the free will. Hegel's insight, however, is to conceive the family as an association established by individuals through mutual consent wherein they freely unite into a common personality with joint property and welfare, sustained by their reciprocally recognized desire to make this bond the end of their actions towards one another<sup>2</sup>. In forming, as it were, such a notional family, each individual assumes the rights and duties specific to being a family member. These rights and duties are irreducible to any natural or arbitrary desire, and consist in acting freely so as to promote the autonomy of the family itself. Only as a family member can an individual exercise this particular type of freedom, and correlatively only as a member is one obliged to contribute to the household good in which the similar freedom of the other members is ground.

According to Hegel, the family institution is established in the first instance as a relation of ethical love that emerges out of romantic psychological "inclination" or traditional cultural

arrangements in marriage. In order that the marriage tie be raised to "the level of mind" so that this union may no longer be a "self-restriction" but rather "their liberation", natural love must be recognized as an "ethico-legal love" or as product of the free will uniting to realize a higher degree of autonomy (PR,#161). "The ethical aspect of marriage", Hegel writes, "consists in the parties' consciousness of this unity as their substantive aim, and so in their love, trust, and common sharing of their entire existence as individuals" (PR,#163)

This scheme should be examined in light of the previously established rights of personality and morality. As we have seen, property relations provide all the necessary resources for establishing common ownership. Morality, on the other hand, furnishes a framework of mutual accountability where individuals are obliged to act for the sake of universal right and welfare. As an institution of freedom, the family incorporates both of these dimensions into common household it establishes.

As with any form of ownership, the joint personality and property of the family objectively exists only through the recognition of other persons. Consequently, the enactment of the marriage bond must take a publically recognized form; i.e. a marriage must be acknowledged and respected by others and "the knot is tied and made ethical" as Hegel puts it, "only after this [public] ceremony" (PR,#164). Public recognition signifies that notional families are situated and emerge within a context of other individuals, bearing the same rights of ownership and moral

accountability that qualify one to enter into marriage. Being a family member involves playing a role with two dimensions; both acting towards one's own family members according to the rights and duties they share, and acting towards other individuals and families. With respect to the latter, an individual relates to other families not simply as group of persons and subjects but as "a legal entity" (PR,#171), with each of its members, as an "embodiment of the substantial personality of the family" (PR,#169), recognized as a family representative responsible for promoting its right and welfare in the community.

On these terms, the family is a type of freedom realized through the recognized commitment of its members. Required for the notional family is that bond of marriage be based on ethical love, i.e. as an expression of the free will reciprocally pledging to form a common personality. So united, the family enjoys normative validity because it is an institution of self-determination. Arising out of mutual choice, it has no other normative purpose than to provide an association entirely determined by the will of its members who therein give themselves a form of autonomy whose reality and end is their association itself.

Unfortunately much of Hegel's own notional reconstruction of the family suffers from its frequent introduction of stipulations that owe their content not to the necessary logical conditions of freedom, but to the given cultural prejudices of his day. For example, Hegel's suggestion that the validity of marriage is tied to procreation is illicit. The relation of parent to child is an

optional one whose absence in no way threatens the ethical unity upon which the family's freedom solely depends. Furthermore, while history may favour the modern monogamous nuclear family as most reflecting the type of egalitarianism needed for the reciprocal rights and duties of notional family life, Hegel has no logical grounds (only the historical) to canonize this form as paradigmatic. Any type of family may be a notional family so long as all of its spouses (however many, and of whichever gender) each has the same reciprocal rights and duties as the others. Similarly, gender and sexual orientation cannot prescribe household roles. These kinds of restrictions, having nothing to do with an individual's capacity to accept the rights and duties of family membership, only undermine the family's notional potential to manifest truly self-determining activity.

Of course, the one naturally given condition that does rightfully affect the family is the child. Children have a unique place in the family insofar as they are not recognized as autonomous individuals, but only as "potentially free and their life directly embodies nothing save potential freedom" (PR, #174). Because freedom is an end in itself, children have the right to be socialized to nurture their own autonomous potential; the right to be raised "out of the instinctive, physical, level on which they are originally, to self-subsistence and freedom of personality and so to the level on which they have power to leave the natural unity of the family" (PR, #175). Children can be rightfully subjugated to the authority of their parents so long as that subjugation has for

its aim the realization of their own free potential. Consequently, the presence of the child in the family does not prevent it from being an institution of freedom, since being nourished as potentially free testifies to its legitimacy.

As an ethical institution of freedom, existing for the sake of the rights and duties characteristic of its own form of self-determining activity, the family gives rise to a type of freedom beyond right and morality. Unlike property relations, which leave personality particularized in terms of external things, and unlike morality, which leaves good and conscience indeterminate oughts not yet at hand, the freedom specific to the family member reproduces the same freely established association that already comprises the framework in which such action occurs -- i.e., the family institution embodies the unity of freedom and realized right for which morality can only strive but never realize.

Nevertheless, the family by itself is not sufficient for the full realization of the notion of right. Specifically, it is burdened by two types of difficulties; firstly, by itself the family cannot freely secure its own reality. When disagreements arise about the welfare of the family, another "ethical authority is called for to maintain the right of marriage" (PR, #176). Here the mere plurality of persons and families finds no one possessing the binding authority to establish objectively when rights have been violated. In the absence of further ethical institutions the respect of these rights could only be left to the arbitrariness of the individual or the contingency of might.

Secondly, the family only realizes one of the three potential forms of ethically self-determining activity. While it remains to be seen of what these other modes of freedom consist, family freedom is limited to the extent that it has for its sole end the common personality and property of the household. In this ethical dimension only the welfare of the family is recognized in the community, leaving free interaction based on the individual's private and political interests unacknowledged.

#### **b) Civil Society**

Hegel introduces civil society as the next moment of ethical life where the pursuit of private interest is reconstructed as a mode of ethical freedom. True to Hegel's method, civil society must be shown to incorporate right, morality, and the family, yet realize a unique form of freedom with rights and duties of its own. It is often remarked that Hegel's conception of civil society is a major innovation of the Philosophy of Right<sup>3</sup>. According to this view, Hegel challenges the traditional framework of political thought by introducing the distinction between civil society and the state, or depending on one's perspective, between it and the household. A reflection of liberal capitalism, Hegel's conception of civil society supplants the classical binary distinction between the family and the polis, or between private and public spheres, and replaces it with a threefold scheme in which civil society is neither simply private or public, but rather contains elements of both. Moreover, insofar as civil society is demonstrated to

manifest a type of freedom unique to itself, it has the effect of altering the traditional conceptions of household and polis altogether. For Hegel, that is, the family is not to be construed in economic terms alone and the polis, being displaced by the state, likewise must be seen as categorically distinct from civil society. For our purposes, however, neither the theoretical nor historical novelty of civil society is relevant. Rather the question at issue here is how civil society can be understood as a normatively warranted ethical institution; i.e. as a discrete form of freedom specific to economic interaction.

Civil society is an institutional order in which individuals, the "bourgeois", pursue particular interests in public in such a manner that their pursuits forward and sustain the similar pursuits of other interested individuals. Hegel's account of civil society is broken down into three parts: the basic normative reconstruction construed as a system of needs, the social administration of justice, and the relations amongst individuals in the form of organized interest groups or corporations. Our strategy, roughly corresponding to this division, is first to demonstrate in what sense economic freedom affords a new mode of right irreducible to the preceding forms, and then, secondly, to articulate the concrete institutional structure required to secure and protect the civil domain, and finally to discuss its normative limit.

Again, civil society must provide a new mode of freedom that transcends right, morality, and the family. The freedom of civil society, the freedom to realize particular ends in reciprocity with

others, is irreducible because it is absent in the previous modes of right. While the rights of persons, subjects, and adult family members are its logical prerequisites, civil freedom is still something lacking in these forms. Personality and property relations do not by themselves realize any particular interest in reciprocity with others. Here the individual only objectifies his capacity as a personality through property. Strictly speaking that property owners can pursue particular ends has nothing to do with that objectification. Similarly, the aim of moral action is not the mutual realization of particular interests, but acting to promote universal welfare through a particular determination of conscience. Of course the moral subject may privately through his conscience resolve the good to be freedom of interest, but to be reciprocal others would have by coincidence to concur. Also, the unity of the family is threatened the moment its members interact as independent interests. Only outside the family in a distinct ethical institution can individuals pursue private interests without deserting family rights and obligations. Finally it might be added that civil freedom is categorically distinct from the political, where individuals realize freedom through self-government.

Hegel defines civil society in the first instance as a system of needs, "the mediation of need and one man's satisfaction through his work and the satisfaction of the needs of all others" (PR, 188). Unlike the natural will's asocial capacity to satisfy particular ends through its negative universality, the social universality of

civil freedom "asserts itself in the bearing which this satisfaction has on the needs of others and their free arbitrary wills" (PR,#189). What qualifies a need as a specifically civil need is its character as "something which has being for others by whose needs and work satisfaction for all alike is conditioned"; "it directly involves the demand for the equality of satisfaction with others" (PR,#192). Civil needs and interests are not given in nature or accessible to the natural will, but are solely a product of social interaction.

Social needs have in them, Hegel says, an "aspect of liberation" (PR#194) because the reciprocal interplay in which their ground is a vehicle of self-determining activity. The key to this argument lies in the conception of reciprocity. Hegel writes,

When men are thus dependent on one another in their work and satisfaction of their needs, subjective self-seeking turns into the satisfaction of the needs of everyone else. That is to say, by a dialectical advance, subjective self-seeking turns into the mediation of the particular through the universal, with the result that each man in earning, producing and enjoying on his own account is eo ispso producing and earning for the enjoyment of everyone else. (PR,#199).

Each individual satisfies his particular interests only by realizing and respecting the similar pursuit of others. Where for the dialectical advance to occur, the interests at play must be realizable only through what others can supply, and moreover both parties must obtain some means of satisfaction in any exchange (rather than using the term 'commodity' as Marx does, Hegel refers to the 'means' of need satisfaction). A particular interest is determined by capricious personal preference, yet can only be

satisfied, as a civil need, by what someone else is willing to offer under the condition that the bearer of the first need own and agree to trade something satisfying the similarly advanced need of the other. Only when need is defined under this condition of reciprocity, irreducible to any natural, biological, or cultural given, can subjective self-seeking be said to involve the mediation of particular and universal, and the "private becomes something social" (PR, #192, Add).

While it is the case that abstract right ought grant every person the right to have his needs for biological subsistence met, for the reason that the maintenance of life is a precondition for any exercise of freedom whatsoever, nevertheless this is irreducible to civil freedom. Civil society legitimates, above and beyond the right of biological subsistence, the pursuit of reciprocally realizable interests whose content, free of any natural limit, is as artificially diverse as endless. Here, "the strict natural necessity of need is obscured and man is concerned with his own opinion, indeed with an opinion which is universal, and with a necessity of his own making alone, instead of with an external necessity, an inner contingency, and mere caprice" (PR, #194). Accordingly what defines a civil need is that it is directed upon means of satisfaction or commodities that can only be obtained from other needy individuals in conjunction with the satisfaction of their respective contingently determined need. Although the particular content of any need is arbitrary and so may correspond to whatever physical or psychological want, what makes

it civil is that it is satisfied in reciprocity with the needs of others as an exercise of freedom.

For this reason, the possible differentiation and duplication of needs and commodities is endless, "this multiplication goes on ad infinitum" (PR,#191). What figures as an object of civil need is any alienable property (typically a product of work) that is socially needed. Hegel must reject as germane the distinction between rational and irrational needs or between truly human wants and superfluous needs for items of luxury. Rather here the content civil need is to be determined exclusively through free interaction as a matter of entitled preference, and must be so if market interaction is to comprise a new mode of freedom. That is to say, freedom of self-interest can only be reconstructed as a mode of right if in its activity both the form and content of the will are the products of the willing in which this system of wants and needs consists. To participate freely, then, individuals must choose to need a commodity, a choice only restricted to the extent that the commodity be owned by another and that they themselves own and are willing to exchange a similarly desired commodity. When individuals satisfy their needs in this reciprocal manner, they are liberated from natural necessity, realizing particular ends of their own choice in a relation of right that involves the mutual recognition of each others right to make their self-interest a factor in their self-determination.

Although he does not raise the point, this conception of civil freedom commits Hegel to the claim that the exchange value of

commodities is not a derivative of their use value, but dependent upon the transactions in which they are actually exchanged<sup>4</sup>. Because commodity exchange is an act of mutual agreement, the exchange value is not something reducible to market scarcity, nor is it strictly determined by anything preceding the exchange act setting them in their actual relation of equivalence (as Marx's labor theory of value would have it). Whatever the economic factors involved in the market place, what ultimately makes two commodities exchangeable are the concurring decisions of their respective owners. Individuals may typically pursue their interests in an economically 'rational' way, but the point remains that for civil society to constitute a distinct mode of freedom individuals must be free to trade according to whatever mutual agreement they freely resolve. The only normatively warranted constraints on economic freedom are those mandated by the Idea of right itself, such as an individual's right to biological subsistence or, as we shall see, public welfare and political sovereignty.

As a realm of unnatural affluence and luxury, civil society may appear to potentially provide greater wealth to all. However, as Hegel explains, just as wealth is now socially defined so too is poverty:

When social conditions tend to multiply and subdivide needs, means, and enjoyments indefinitely -- a process which, like the distinction between natural and refined needs, has no qualitative limits -- this is luxury. In this same process, however, dependence and want increase ad infinitum, and the material to meet these is permanently barred to the needy man because it consists of external objects with the special character of being

property, the embodiment of the free will of others, and hence from his point of view its recalcitrance is absolute. (PR,#195).

Although the market's multification and refinement of needs and commodities gives each individual the opportunity to choose from a mass of luxury beyond natural use, it also leaves each in a dependent poverty relative to this artificial multification. Not only is an individual's need without limit, but it can only be satisfied by that individual's limited resources and by what others own and are willing to exchange.

Besides creating a culture of commodity deprivation, the interaction of civil society also entails the formation of economic classes which generates more serious poverty problem. Hegel explains the emergence of class as follows:

The infinitely complex, criss-cross, movements of reciprocal production and exchange, and the equally infinite multiplicity of means therein employed, become crystallized ... into general groups. As a result, the entire complex is built up into particular systems of needs, means, and types of work relative to these needs, modes of satisfaction and of theoretical and practical education, i.e. into systems, to one or other of which individuals are assigned -- in other words, into class divisions. (PR,#201).

The reciprocal satisfaction of civil need gives rise to a variety of forms of exchange and production, where different types of capital accumulation are linked to different types of commodity ownership and need. As the economic order and the division of labor becomes more complex, man's productive capabilities and civil needs multiply. This in turn breaks any immediate link between an individual's labor and his particular needs. Unable to produce the needs he desires and confronted by a complex production system, the

individual can freely participate in whichever form of livelihood and economic class activity only if he has the appropriate social resources at hand to do so, i.e. capital, means of production, labor power, etc... The problem is that an individual's given social circumstance, the division of labor, and the free competition in the market place, can result in "disparities of wealth" (PR,#200) that hinder fair participation in the market. Even though the freedom of commodity relations offers every commodity owner the opportunity to exchange, this same freedom allows for some individuals to amass wealth to such an extent as to enhance their opportunities while prejudicing the respective opportunities of others.

There are other difficulties endemic to civil society as well. First, although commodity relations operate in terms of mutual respect for the ownership of exchanged goods, commodity transactions, like the modes of right before it, provide nothing to prevent violations of the civil rights they presuppose and incorporate. Secondly, because the transactions of civil society proceed through free agreement, its members can never be assured of finding other commodity owners who not only have needs and commodities correlating with their own, but the will to enter into a mutually agreed transaction. That is to say, in civil society the satisfaction of need is always dependent on the free and arbitrary decisions of others, and hence mutual satisfaction is always only a possibility.

These problems betray the ability of civil society to be self-

sustaining. Hegel introduces the administrative institutions of law and welfare or the police, as well as organized social interest groups in an attempt to remedy to these difficulties. To begin with, the protection of civil rights (which entail abstract, moral, and family rights as the basis upon which the civil domain stands) calls for a social authority empowered to stand over commodity owners as a recognized arbiter and enforcer of their civil rights. This is done in the administration of justice. Since civil rights are universal, applying equally to all, they are posited as law (PR, #211). The social authority enforcing these laws faces the task of applying these general rules to the concrete context of civil society. This involves both judging how individual cases fall under the law and carrying out whatever punishments and restitutions are due. To "have a binding force" the laws "must be made universally known" (PR, #215). To this end the implementation of law within the community entails legal formalities that give civil rights a mark as publically recognized. For example, "property acquisitions and transfers must now be undertaken and concluded only in a form ... which make[s] ownership capable of proof and valid in law" (PR, #217). Moreover, as a result the administration of justice, the social enforcement of civil rights entails a new civil right of its own -- namely, the right of the individual to have his freedom protected and arbitrated by a policing authority (PR, #232).

Although the administration of justice may work to enforce the rights and duties of civil freedom, it cannot by itself remedy the

problem of poverty, nor does it secure an individual's opportunity to satisfy his needs through the reciprocal action of choice. Hegel examines the role of organized interest groups or corporations and the public administration of welfare in terms of a solution to this problem. Again, the aim here is to guarantee the freedom of the individual to satisfy chosen needs reciprocally. Hence these institutions will not eliminate the market, for the free market comprises the very exercise of freedom to which the economically disadvantaged should be given fair access.

Individuals in civil society have the right to join together into economic interest groups to promote their common needs. What makes these groups legitimate, from a normative perspective, is that they have voluntary membership, advance particular interests that can only be realized in reciprocity with others, and accordingly pursue their common goals solely by participation in civil society. Typically interest groups are a product of the different shared interests that arise from common means of livelihood by which the classes are distinguished. Through collective legal action, collectively securing employment or exchange transactions, communal educational opportunities, etc... membership in interest groups can provide individuals greater protection from poverty.

This is, however, no real solution. Although an interest group may succeed in attaining the common goals it seeks, the fact that it is but a particular group in the market that can only satisfy its members' needs with the agreement of other owners,

leaves it unable to ever guarantee the welfare of its members. Further, a group's success need not benefit other individuals or groups. Just as commodity relations among private individuals cannot preclude growing disparities in wealth, so market intervention by interest groups cannot prevent the development of poverty and social inequalities that prejudice the opportunity of all to satisfy their needs. Hence civil society requires more for its normative realization than what interest group activity can supply.

Another alternative is welfare administration where a public authority extends assistance to all members of civil society in the interest of securing the equal opportunity to satisfy freely selected needs in reciprocity with others. Hegel in fact only gives partial consideration to public welfare administration and finds in the corporation both the best solution to the poverty problem (at least to the extent that it can be alleviated) and the embryonic germ of the democratic state.

Hegel envisions the corporation as a business association that functions "like a second family for its members" (PR, #252). By joining a corporation the individual lives within a community with a distinct communal way of life. Livelihood protected and assured (PR, #253), the individual becomes explicitly conscious of and strives to promote the universal reciprocity within the social group that sustains the corporation. As a private member of civil society, the individual while also realizing his particularity only through reciprocal universality, is typically "unconscious" of

"working for others" in his own self-seeking (PR, #255, Add). In the corporation, on the other hand, the social whole becomes less external and formal, and the individual's particularity now includes a conscious reference to the universal. For Hegel it is then only a small step to a political community in which a public economic lifestyle will develop into one which strives for the common political good.

This argument or rather narrative is inconsequential for applied logic and again reflects Hegel's tendency to misplace concreteness. Corporations and interest groups realize no greater degree of self-determining activity than what the privately self-seeking individual in civil society does. Further there is no logical or even economic reason to suggest that these groups will always have the ability to function to promote the equal opportunity of its members (let alone non-members) to satisfy their civil needs. In this respect Hegel under-estimates the market's interminable and ingenious resourcefulness at creating disparities in wealth and fair opportunity. Finally, it makes little difference, normatively speaking, what social circumstance may surround the rise of democracy.

Nonetheless a good argument for the intervention in the market by a public authority is implicitly present in Hegel's discussion. The key is the principle that legitimates intervention -- equality of opportunity for civil freedom<sup>5</sup>. The aim of intervention is to combat economic disadvantage and to secure for all the same freedom of interest whose realization comprises free market activity.

Because individuals can satisfy their needs in the market only if the social products they need are available and they own commodities needed by the owners of what they seek, the public authority must act on two fronts simultaneously in order to secure civil freedom. Simultaneously the administration of welfare must aim to ensure that the market offers an affordable supply of commodities needed by every member and that all have commodities required for the exchange of what they need (PR,#236).

What makes this difficult is that it involves more than simply insuring the physical subsistence of individuals, but insuring that all can earn a conventional standard of living through their exercise of economic freedom. Further, since welfare (from Hegel's perspective) consists in participation in modes of right or freedom, economic disadvantage cannot simply be removed through charity or public assistance. "In either case", Hegel writes, "the needy would receive subsistence directly, not by means of their work, and this would violate the principle of civil society" (PR,#245). Direct assistance may help to alleviate poverty, but if the possession of goods and employment is given without the mediation of an individual's will then his civil right to choose what he needs and how to earn a corresponding livelihood in conjunction with others is undermined.

Similarly, economic disadvantage cannot simply be remedied by imposing equality of wealth, stipulating either the social products or the exchange value to which each individual is entitled. If ownership is limited this eliminates rather than secures everyone's

freedom of need. By contrast, publically furnishing all with an equal amount of exchange value, while leaving all with an equal opportunity to participate in the market, is not the same as enforcing everyone's right to realize interdependent interests. Since individuals may freely desire both different commodities and different levels of wealth, to restrict either is to restrict civil freedom. In fact these types of restrictions if rigidly enforced often do more harm than good -- socialist economic restraints, for instance, historically have resulted in decreasing availability of goods in the market and a declining level of commodity ownership.

Without any direct solution to the problem of securing civil freedom, the public authority must take a more flexible approach. Again what makes this problem so difficult is both the unrestricted character of civil need and inequalities of wealth and fair opportunity continually produced in the free market. Since the market's limitless multiplication of goods and needs permits individuals to choose to need any variety and amount of commodities, welfare administration cannot eliminate the discrepancies between the need and supply of commodities. Nonetheless, public authority can address both sides of the dilemma. On the one hand, it can regulate the actual resources of the economy to furnish the market with some of the needed social products, e.g. the provision of public goods, guaranteeing money supply, creating public utilities etc.... On the other hand it can supply the economically disadvantaged with the means to better freely participate in the market, e.g. through the redistribution

of wealth in progressive taxation, public work, training, and education opportunities, etc...(PR,#240-45). These types of intervention are legitimate so long as they function to promote for all the right to exercise civil freedom where both livelihood and need satisfaction remain a matter of personal preference. Here what can reasonably limit and regulate activity within the marketplace is nothing but what aims at the realization of civil freedom itself.

Because the workings of the market are contingently determined by the arbitrary reciprocal decisions of its members, public welfare strategies can at best achieve a relative temporary success at restoring equality of opportunity for civil freedom. In the absence of any speculatively warranted a priori solution to this problem, no public plan to adjust supply and demand or to redistribute income can ever be assured of achieving its ends and intervention and regulation requires constant adjustment in reaction to the circumstances of the market. While this leaves the occurrence of economic injustice a constant possibility, it also leaves the restoration of civil freedom an endeavor whose partial success can never be excluded. And just as the administration of civil justice can protect civil rights without eliminating the possibility of criminal violations, so the public administration of welfare can struggle to ensure economic rights without removing the conditions from which economic disadvantage arises.

On these terms, public welfare administration does not supplant or undermine civil society, but rather regulates it so

that civil rights are secured externally by a public authority. The normative limit of civil society, one shared by all of the preceding modes of right, is that, on the one hand, it together with the preceding modes does not exhaust the will's potential for self-determining activity, and on the other, it fails through its own activity to secure the freedom of which it is the exercise; requiring foreign intervention by public institutions. With respect to the latter problem, the difficulty here is that the public institutions Hegel introduces to secure familial and civil freedom do not as yet have the ability to legitimate and determine their own authority. On their own, the modes of right thus far considered do not provide public institutions with the power to furnish the laws they apply and enforce with a normatively warranted obligatory force. The process whereby public laws are concretely determined needs to be rationally certified. By themselves public institutions can only enact laws positively by appealing to either custom, consensus, or force. Hence the mandate for the final mode of ethical life, political freedom and the notional state.

### **c) The State**

According to Hegel, the state is the complete and final specification of the Idea of right. It fully realizes the set of conceptual requirements contained in the notion of right, i.e. the thought of human practice as radically self-determined activity.

"The state", Hegel claims,

is absolutely rational inasmuch as it is the actuality of the substantial will which it possesses in the particular self-consciousness once that consciousness has been raised to consciousness of its universality. This substantial unity is an absolute unmoved end in itself, in which freedom comes into its supreme right. (PR, #258).

In the notional state, individuals as free citizens take as their aim the substantial universality of political freedom in which all of their other modes of freedom are ground and realized. Political freedom is an unmoved end in itself because it is unconditionally self-grounded, having in its realization both its own actualization and end as a distinct and unique mode of right, and all of the other modes as well. The identity between the individual's particular self-consciousness and the state's substantial universality is precisely the identity between an individual's capacity for self-determination and the particular modes of freedom realized through the politically grounded interrelations of right -- where political consciousness is raised to substantial universality insofar as citizens make the community's own free interrelations the aim of political activity. Unlike the previous non-political modes of right, political freedom is self-grounded and self-reflexive because it has freedom's entire compass as its explicit purpose and activity.

Hegel's discussion of the state is divided into three sections, constitutional law, international law, and world history. From our perspective, the principle task is to articulate how political freedom functions as a self-grounded mode of right, its relation as a substantial ground to the other modes of right, and

correlatively the specific activities and institutional structure required by a notional state. Questions concerning the relations between states and their historical development are less pertinent in terms of applied logic than Hegel's attempted demonstration of the objective rationality of a constitutional state, which will here be our chief occupation.

The notional state is a "self-dependent organism" and the "actuality of concrete freedom" (PR, #259-60). Specifically Hegel understands this concretion to mean that "the determinations of the individual will are given an objective embodiment through the state and thereby they attain their truth and their actualization for the first time." (PR, #261, Add). This means not only that the state is the rationally objective "ground and final truth" (PR, #263, Add) of the prior modes of right thus far spelled out, but moreover that citizens of the state "in the act of willing these [modes of right] will the universal in light of the universal, and their activity is consciously aimed at none but this universal end." (PR, #260). The state both realizes a new mode of freedom which resides in making freedom the end of its activity, the universal in light of the universal, and in this same newly realized political autonomy, determines and secures all the previous relations of right.

Just as Hegel's strategy in speculative logic is to show the objectivity of pure thought by revealing its form and content to be unconditionally self-grounded and self-instantiated, so too is it appropriate for applied logic to seek in the realm of practice the ability of man's activity to imitate this objectifying rationality.

It is only in this sense that Hegel's notorious remarks identifying the state with "the march of God in the world" must be understood. The self-subsisting work of Hegel's God in the state is simply the a priori "power of reason actualizing itself as will" (PR, #258).

The demonstration for the objective rationality of the state and ultimately ethical life consists in revealing how the state can be conceived to function as a concrete ground of freedom, exhausting the will's self-determining potential. Hence the state is rational insofar as it gives all the modes of freedom a necessary realization through its own activity, and insofar as the organic whole into which it unites them is self-determined.

Since the state can only ground right by employing its own institutions of political freedom, their structure must be legitimately established in their own right as the internal basis not only for its own freedom but also for its relation to the non-political institutions under its control. How the state mediates its own universal rule with the particular political wills of its citizens concerns the inner constitution of the state. The enumeration of the distinctive powers of government, their interrelated character, as well as the relation between positive and constitutional law, all fall under Hegel's theory of constitutionality appropriate for a notional design of self-government.

Unfortunately, Hegel's constitutional theory is only partially adequate and in fact has the effect of throwing the very possibility of a rationally warranted self-determined ground of

right into question. In truth however, Hegel's errors are not so much a product of applied logic, the concluding reductio ad absurdum of its strategy to ground right, but rather the result of misplaced concreteness, and poor and often absent argumentation. Given only partial textual support for a compelling resolution to this critical question, we will proceed by turning Hegel against himself -- first by giving a brief synopsis of the weaker elements of his constitutional theory and then by addressing the possibility of a theory truer to the speculative intentions of philosophical science; making explicit those aspects of the Hegelian state that point in that direction.

The internal constitution of Hegel's state is reconstructed as follows:

- (a) the power to determine and establish the universal -- the Legislature;
- (b) the power to subsume single cases and the spheres of particularity under the universal -- the Executive;
- (c) the power of subjectivity, as the will with the power of ultimate decision -- the Crown. (PR, #273).

According to Hegel, this constitutional arrangement corresponds to the logical moments of the Notion; where the legislature as the source of law, the application of these laws through the executive, and the ratifying will of the monarch, coincide respectively with the universal, particular, and individual. Just as the logical moments of the Notion are interrelated such as they are simultaneously identical and distinct, so the constitutional monarchy forms an organic whole with differentiated yet interdependent parts.

The task of the hereditary monarch is through counsel to

formally sanction (but not alter) legislation as constitutionally legitimate. Other more positive functions include the selection of ministers, for whose action and advice he is nevertheless not responsible, and occasionally granting mercy to condemned criminals. Through the institutions of the police and judiciary, the executive branch oversees the enforcement of the past and present decisions of the monarch. Finally, the legislature develops from an already existent body of law and custom the new laws to be submitted for approval by the monarch. Legislative power resides in the interaction of the monarch, executive, and the Estates. Representing the interests of the different classes, the Estates through the speeches of its representatives bring political activities of the legislature into public consciousness. With freedom of speech and religion guaranteed, the public in turn can influence the legislature indirectly through popular opinion and through the election of Estate representatives.

There is little point in going into much detail here. Clearly, a notional state cannot be legitimate if it assumes Hegel's design which loosely mirrors the political arrangements of his day. Constitutional monarchy is flawed in two basic respects: firstly, it fails to separate civil society from the state in the radical way necessary for political activity to constitute a distinct mode of right irreducible to it<sup>6</sup>. Assigning direct political functions to the different Estates makes the allotment of political power a matter of social privilege, reducing politics to the rule of particular as opposed to universal interests.

Secondly, the organic division of powers, necessary if right is to ground itself, is violated when the monarch and executive participate in legislation. In this scheme, the role of the average citizen is reduced, not unlike the monarch's, to ratifying what is willed by a bureaucratic legislature. Finally, it is not clarified how the non-political rights citizens are to be secured and guaranteed through the governing activity of the monarchy.

Given the failure of constitutional monarchy in terms of Hegel's own criteria of rationality, the question remains whether a notional state can be reconstructed that would realize a truly self-grounded mode of right<sup>7</sup>. Again the question concerns the possibility of determining a rationally warranted institutional structure of political freedom that would function to ground all the modes of right including itself exclusively through its own self-determining activity. To begin to address this question it is best to start by resolving the most general requirements and then move to the more specific.

For the state to be rational, it must comprise a new mode of right irreducible to the other modes it grounds and sustains. This means the state must embody a political freedom constituted through a unique type of infinite teleological activity. Where for this to occur, citizens must codetermine an order of self-government (the form of the political will) that is the very framework by which they exercise their agency as free citizens (the content of the political will). The state, that is, must be an association through whose institutions citizens interact determining government

policy as the aim of their action. For that policy to be something citizens can will as their own political self-determination, the state in which they act must be the existing structure of their own political freedom to govern themselves. In this case, the universal will of the state coincides with the particular wills of its citizens, because the state to which they are subject is the mechanism of their self-rule. In the free act of self-government, then, the state exhibits infinite teleological activity simply by being the institutional reality of this freedom. Further, constitutional self-government is a unique mode of right distinct from the previous modes insofar as it explicitly has freedom as its own end and purpose. Such a self-reflexive purpose is absent in the non-political modes of right where activity is not directed upon the objectification of freedom per se, but only a particular element of it.

Further as Hegel himself properly argues, the relation between the state and the other modes of right must be such that,

the state is from one point of view an external necessity and their higher authority; its nature is such that their laws and interests are subordinate to it and dependent on it. On the other hand, however, it is the end immanent within them, and its strength lies in the unity of its own universal end and purpose with the particular interest of individuals (PR, #261).

The key here is to grasp the role the non-political modes of right play as necessary logical prerequisites for the possibility of self-government. Since the modes represent the preconditions of political freedom, the state must secure these rights in order to secure its own reality as self-determined. Thus the accommodation

of non-political rights will not limit or restrict the legitimate scope of political freedom, but rather will always be part of its realization. For example then, in any act of political self-determination abstract rights are necessary for all, otherwise without at least one's body representing one's will, recognizable participation in any further modes of right is impossible. Moral rights are equally indispensable, since without them one cannot be held responsible for one's actions. Political autonomy would also be undermined, albeit in a different way, if free participation in familial and civil domains was not protected by the state. In this case while it could be conceivable that all could participate in the collective political will to annul these domains as politically ground and secured, the state would cease to have freedom as its exclusive aim, violating the identity between the universality of political freedom and the particular, non-political modes of right.

Although the exercise of non-political rights is presupposed as part of the realization of political freedom, this does not mean that the state cannot legitimately impose limitations upon them. The state has the right to preserve its own sovereignty and this may involve preventing any of its component non-political institutions from subordinating the state to its own ends. If right is to be determined by freedom, the state must ensure for all property, moral, household and civil rights without letting these undermine political freedom or their self-determined ground. The state cannot legitimately cancel these modes in their entirety and still be a notional state for it presupposes them, but it has the

right and duty to restrict particular aspects of their exercise when such measures are required to preserve the political institutions of freedom that guarantee their general existence. Thus, for example, the state has the prerogative and obligation to restrain and punish the arbitrariness of conscience when its moral acts violate the laws of the state. So too is the state entitled to tax its citizens to support government endeavors, and solicit them to risk their lives for the defense of political sovereignty, which alone protects personhood in general.

More specifically, the regulation of the modes of non-political freedom by the state can be said to have two basic dimensions. On the one hand, the state must provide public institutions with the law and authority required to protect family and civil rights. To this end, the state must enact administrative laws determining the jurisdiction and organization of the public enforcement of civil rights and welfare and the body of civil law that civil institutions administer in securing non-political rights. It must ensure that public institutions obey the laws it has imposed upon them. Only under this political supervision can the state assure that public institutions are able and compelled to regulate property relations, families, and the economy in accordance with the principles of right.

On the other hand, the state must also act to ensure the equal political opportunity of citizens to rule themselves<sup>8</sup>. Since obtaining publicity for political ideas and programs, organizing political groups, and mounting campaigns, all require financial

resources, access to communication, freedom of political speech, etc..., particular individuals even in a society with all of its non-political rights secured may have privileged resources and clout undermining the equal access of citizens to the social tools needed to engage in politics. Given the possibilities of political corruption and the domination of political affairs by particular interests, the state must struggle to safeguard the equality of access to the means of political participation. The state must undergo this regulation for purely political ends if it is to prop a regime where ruler and subject are not mutually exclusive.

In this general fashion then, the state can secure the conditions for political freedom by regulating its own relation to society. Through these two types of intervention, the state may insure that its citizens' freedoms as persons, moral subjects, family members, and civil agents are realized in unity with their political self-determination.

It also follows from these abstract principles that a notional state must be a constitutional state. As reason alone determines what can count as an act of political self-determination, a rationally determined constitution is necessary to ensure the state maintains and wills itself in its political activity. If this were otherwise, the endemic arbitrariness of majority rule would not be restrained to preserve political freedom and the non-political modes of right. Whether or not non-political modes of right are preconditions of political freedom and whether or not state sovereignty may occasionally call for their limitation, does not

alter the situation. Their rightful enforcement can only be guaranteed under a state if the political will is bound by constitutional laws spelling out every right that needs to be unconditionally upheld, including the state's right to restrict them when necessary to maintain itself as the bulwark of every right.

Strickly speaking, the enactment or amendment of a constitution is not itself an act of political self-determination. For political activity to be self-determined, the end or content that citizens will must be the realization of self-government that comprises the very framework or form of agency in which they engage in politics. Because political self-determination, like every other mode of right, is inseparable from the context in which it proceeds, a citizen cannot exercise political freedom without already being situated within the constitutional institutions by which it operates. In contrast, when a community brings a constitution into being, this activity is not an end in itself but only a means for producing a political order that does not already exist. Enacting and amending a constitution is not a self-determining act because end and mean, form and content remain divorced. Nonetheless once founded, citizens of a rational constitutional state can engage in a unique political form of infinite teleological activity that resides not in constitution making but constitution willing -- where the only way citizens can act in their contitutional context is by governing themselves, exercising an activity that wills that context itself.

This might appear paradoxical, since it seems to deny the community the freedom to impose upon itself the form of government in which it participates. However, as reason determines freedom to lie in infinite teleological activity, so too does applied logic determine the modes of human practice that can manifest it. Because a normatively warranted constitution is prescribed by reason, it is only a matter of choice for a community to determine to what extent its political order will conform to it and consequently to what extent freedom will be realized. Instantiating a constitution is, from Hegel's perspective, by its very nature an unconstitutional act. Accordingly the occurrence or realization of right is categorically distinct from the contingent historical activity through which it is brought into being. This is a distinction Hegel makes clear in speculative logic where the possible actualization of reason is considered, but which is often conflated in his philosophy of history. The task of applied logic is only to investigate the possibility of a rational state or, what is the same, to explore the constitution's potential qualities of universality, objectivity, and unconditionality that mirror the logical Notion qualities as a vehicle of truth. The historical and sociological conditions that are likely to give rise to the actualization of right are, in terms of resolving the rationality of the state, irrelevant. That the emergence or retraction of a rational constitution is dependent upon cultural tradition and the arbitrary will of a community does not undermine the status of its activity (once born) as a self-grounded reality of freedom. For

what makes a notional state self-grounded is only that it comprises a constitutional self-governing regime whose citizens freely will the realization of the same institutions through which they exercise their rights of political self-determination. Although the political participation of every citizen is constitutionally restricted to (as we shall see) positively actualizing the constitution, it still realizes the constitution as a political order existing for no other sake than its own self-government. Thus again, it is precisely by conforming to or imitating a rational constitution that political freedom can never bring into being, but must already possess, that political freedom gets realized as an infinite teleological activity, as a continual product of its own activity. In Hegel's system, all forms of higher actuality are dependent upon and emerge through the lower, yet nevertheless are higher only insofar as they transcend the forms from which they emerge and depend by realizing a greater degree of self-subsistent activity.

It may be objected that a constitution prescribed by reason, and that when actualized results in an activity that can only legitimately aim at realizing itself, leaves little room for the arbitrariness of the collective political will. In truth, however, freedom of majority rule is only restricted in terms of constitutional law and has its proper place in determining positive legislation. Although a rational constitution has an a priori content that prescribes all those activities and institutions that are universally and unconditionally valid, its realization in

practice cannot be determined by concepts alone. It also involves applying the constitution's prescriptions to a given political reality whose contingent situation can only be judged through experience. This calls for the legislation, authorization, and execution of positive laws, not to alter the constitution, but to bring it to bear upon the current state of affairs. Alterable, rescindable positive laws are necessary, for without their continual enactment in reference to the changing political situation, constitutional statutes cannot be acted upon in any general, yet determinate fashion. Like civil society which requires flexible supervision by public authorities to struggle to insure civil freedom, the co-determined political will is left to supply the variably conditioned laws (e.g. public economic policy) which will serve to implement a politically sanctioned state of affairs that best realizes or at least is not at odds with abstract constitutional guidelines.

The reason that positive legislation ought to be left for public democratic discretion, however unreflective, and not to a professional bureaucracy of experts, is simply because this democratic exercise is an end in itself. While all modes of right depend upon the realization of a rational constitution, this can be an act of political self-determination, a particular mode of right, only when all citizens participate in co-determining the legislation, authorization, and execution of the law that governs themselves. This is not to say that the execution and authorization of law does not benefit from a professional

bureaucracy better suited to handle the technical duties involved, but that in these spheres and the legislature in particular government positions must be in an effective sense mediated by the will of all citizens.

The relation between positive and constitutional law raises the issue of the division of powers. Again as it was pointed out, a rational state must regulate its own relation to society so that both political and non-political rights are secured and respected. It is also the case that the state ought to be internally regulated to prevent any political institution from having the authority to easily disregard the constitution. This can be accomplished through an organic division of powers that separates the principle functions of political activity into three distinct yet interdependent branches of government. Substituting the judiciary for the monarch and fully isolating their functions in terms of authorization, execution, and legislation, we can easily follow Hegel's argument for an organic division to ensure the state only can act through the co-determination of all its separate powers. For political as well as non-political rights to be respected, no institution of the state should be able to exercise its characteristic power except in conjunction with the complementary constitutional activity of the others. When the legislature cannot make its laws valid without the assent of a separate authorizing power, when the authorizing power has nothing to certify without the preceding legislation of the law-makers, and when the executive cannot govern without authorized laws to administer, no particular

political power can substitute itself for the universal will of the state, separating an institutional ruler and ruled and annulling self-government.

These considerations, then, allow for a preliminary conception of the principles involved in determining a political ground of right that could function to legitimate the state and ethical life as rationally objective. The state is rational insofar as the relation between it and the other modes of right is something determined and secured by political activity which is itself a distinct mode of right. While these other modes provide its necessary preconditions, their dependence signifies that it is only through a political ground that they subsist in conformity with the notion of free human practice, free of any dependence on might, tradition, or consensus. Uniting all of the will's self-determining potentialities into an organic whole, the ultimate raison d'être of the Hegelian state is that it serve as this ground through its own form as a vehicle of self-determination.

Admittedly, this bare outline of a notional state leaves much of the actual structure of self-government yet to be determined. Whether the legislative power should involve participatory and/or representative assemblies, single or multiple chambers, proportional or majority representation, a federal or parliamentary arrangement; whether the head of the state should be an individual or a collective leadership, directly or indirectly elected; and which authorizing and executive officials should be elected, are all questions given no immediate answer by the identity of right

and political freedom, and the need for a rational constitution and division of powers. Nevertheless, if these matters can be rationally decided from the perspective of philosophical science, this will only occur by thinking through a coherent structure of political self-determination, which gives the state legitimacy while freeing right from force and dogmatism.

Having focussed on the internal rationality of the constitutional state, there is still a need to consider the international relations between states. According to Hegel, the relations between states can either be considered formally or substantially. On the one hand, the relation between states are formal because international relationships conform to the logic abstract right and morality -- states claim territory as their sovereign domains, determining for themselves without recourse to universally valid standards their own interests and purposes, as well as the standard to judge the legitimacy of such determinations. International law, following this logic, is always restricted to agreements subject to revision and withdrawal of recognition. Consequently, international state relations are either that of war or peace.

On the other hand, construed substantially what individuates states is the degree to which the Idea of right is realized. This substantial mode of particularization Hegel discusses under the title of World History. What ought to be at issue is not the chronological relation amongst states, an illicit temporal dialectic, but the representation of different historically given

states in terms of their normative value. Since the modes of right are logically related such that the more concrete are dependent on the more abstract forms, an a priori model of the historical development of right can be employed to construct a philosophy of history -- the three possible stages in the emergence of freedom being: abstract right alone, abstract right and morality, and finally abstract right, morality, and ethical life.

Again, because self-determining human practice is a type of infinite teleological activity, the historical emergence of these forms is necessarily a contingent occurrence. The freedom afforded through right, by definition as self-determining activity, can never be given prior to its own realization and is nowhere present except through itself. While right must always be collectively instantiated by a community, that instantiation process is not itself a self-determined activity, but simply a product of the natural will's abstracting capacity to pursue ends with categorically distinct means. If this were otherwise, and the occurrence of one mode of right somehow of necessity led to the occurrence of another (whether as Hegel suggests due to the causal\temporal "advance of the self-developing self-consciousness of the world mind" (PR, #347) or some other less grandiose causation scheme), then the identity of end and mean in any particular mode of right would be violated, and the sphere of right as a whole would find itself mediated by something other than itself. Again the normative, ideal character of the modes of right is predicated precisely on their ability to lift man's activity into a realm

which imitates the absolute Idea's as immediately unconditioned yet radically self-mediated.

Accordingly, the proper task of a philosophical science of history is to investigate the sociological conditions and factual circumstance that surround the emergence of right in history. Since the full realization of right involves a logically determined development of the Idea of right, a recollected past and potential future necessity may be found in history -- namely, deducing more abstract modes in the past when one finds more concrete ones in the present, or, correlatively, articulating what of necessity must occur for right to be more fully realized or maintain itself in the future. In contrast, by construing the task of world history to lie in conceiving in an a priori fashion what has occurred as the work of world mind, Hegel commits himself to an absurd position which is not only at odds with much of Western history, but speculative logic as well.

### Conclusion

From the outset, the question of this thesis has been to resolve Hegel's strategy for grounding a normative conception of right. As a normative theory, what legitimates the Philosophy of Right's modes of social practice lies in the radical freedom or self-determined activity that they make possible. In turn, what legitimates freedom as the ground of normativity is presumptionless, self-grounded speculative logic.

Since we have proceeded dogmatically -- simply rehearsing the chain of reasoning that serves as the basis for Hegel's understanding the Philosophy of Right as a philosophical science -- no definitive conclusion about the success of Hegel's normative theory and its speculative foundation is immediately at hand. One has only to be confronted by the long and diverse history of Hegel interpretation to see the difficulties involved in evaluating his philosophy. It appears that all of Hegel's central arguments have been interpreted, challenged, and defended from a wide body of incommensurate perspectives. There are as many 'Hegels' as there are traditions of Hegel interpretation. Nevertheless, whatever the difficulties Hegel's receptive aftermath poses, the interpretation of his position presented here offers an approach to normative theorizing that avoids the difficulties traditionally associated with foundationalist projects. This is not to say that the success of Hegel's speculative logic and its application in normative theory is unproblematic. But rather that, despite the debatability

of the actual success of Hegel's position, it does provide a coherent strategy for resolving a prescriptive conception of right.

Criticism, to use Carnap's distinction, can be internal or external. In the former case, particular assertions or parts of arguments are at stake; by contrast, in the latter more radical case, the unifying set of principles or presuppositions, the total framework, style of reasoning, or the paradigm of a theory stands in question. With respect to our interpretation, for example, Hegel's philosophy of history is rejected internally as been at odds with speculative logic, his philosophy of logic weakly defended, or at least sympathetically interpreted, externally against Kantian and traditional formal logic. In a weak external sense, the case for the coherence of Hegel's strategy for grounding right can be made by recounting his position in light of the foundationalist requirements of natural right theory. Such a relative and tentative conclusion takes the place of a more desirable but unavailable authoritative judgment about the promise of a philosophical science of right.

The contemporary rejection of foundationalist strategies in normative theory is based on a perceived failure of the two archetypal traditions in Western political thought, classic and modern natural right, to successfully justify a theory of justice in a prescriptive sense. In general, the distinction between classic and modern natural right refers to those (typically ancient) theories that ground right on externally prescribed virtues and modes of conduct, as opposed to those that make freedom the

normative principle of right. Hegel's theory is a modern teleological version of natural right theory that, at least in principle, overcomes the difficulties that either of the traditional alternatives endemically face. His position is classically teleological insofar as 'nature' or rather reality is not what is temporally first, but rather stands as the rational telos of nature and spirit, and insofar as what constitutes reality is logically first -- present throughout temporal development in differing degrees of actualization. And it is modern or liberal at least to the extent that what is good by nature is freedom (although construed as radical self-determination this is not the 'ability to do otherwise' or 'absence of coercion' brand of freedom traditionally associated with liberalism). Further, because freedom is conceived as man's second nature, a non-natural social product, rather than a given precondition of interaction, normative theory is for Hegel specifically a theory of right.

Common to all prescriptive natural right theories is the claim that there is a normative dimension to nature; a dimension to which recourse is ultimately made in normative justification. The question whether there is natural right, according to Leo Strauss, is the axial foundationalist problem for natural right theory<sup>1</sup>. To avoid dogmatism, the natural right theorist must successfully resolve this question in a rationally coherent manner. That is to say, to establish what is right and true by nature, reasons must be supplied that are objective rather than subjective and

unconditionally universal rather than conditioned by particular circumstance. The foundationalist question of natural right can be broken down into three more specific ones: firstly, a metaphysical question concerning the existence of natural right. Secondly, given an affirmative answer to the first, an ontological question about the whatness or determinate content of right; this amounts to a question about the meaning of 'nature'. And finally, an epistemological question about whether and how it is possible to know what is required in order to answer the first two questions; this amounts to a question about the method of philosophy itself. The various anti-foundationalist objections to and rejections of natural right are based upon arguments attempting to show that there cannot be, or at least have not been, positive, justified answers to any or all of these guiding questions.

To see in what sense Hegel at least in principle furnishes a rationally warranted resolution to the question of natural right, we need first recapitulate the long line of argument that has been presented to construe normative theorizing as a type of applied logic. Then we will be in a position to consider some of the possible difficulties and limitations of this account.

Following Hegel's philosophical system, the three questions are addressed from the last to the first, from method to a determinate conception of right and finally to its existential status. In brief, Hegel's method is to conceive substance as subject or the True as a type of self-determining activity. In terms of the philosophy of logic that is at work in speculative

logic, this means that form and content of pure thought are shown to be valid or objective when they are shown, without reference to any given, to be determined exclusively through themselves. The intelligibility of all pure thought and thinking can and is only articulated through the pure thinking activity itself. While the determinate content of this ideational realm is originally available through the givenness of feeling, intuition, and representation, phenomenology shows that no recourse to these types of experience can explain their determinate content. The determinate character of any experience is rendered intelligible and, because of phenomenology's negative conclusion, only rendered intelligible in the self-explanatory objective reality of pure thought thinking itself. Regardless of the mode of experience, its content can be determinate only in accordance with the universal and necessary rules of determinancy self-referentially defined in speculative logic.

The authority of speculative logic as the absolute ground of determinancy rests solely on its character as having articulated concepts and principles which can be seen to be the exclusive determinations of autonomous reason. The key foundationalist feature of this authority is that it is in principle presumptionless and objective because it can be demonstrated to be radically self-determined. On its self-determined character alone does the validity of speculative logic depend, for only as self-determined is thought capable of revealing without presumption the determinate and interrelated character of the thought-forms as the

product of its own self-relating and self-negating activity. With both the form and content of the thinking activity being a recollectively mediated result and ground of the movement, the dialectic need not claim any predetermined axiomatic principles, or be tied to any given empirical content, or rest on any relative presuppositions which operate as the given standard against which ideas and propositions are tested.

In this respect speculative logic is superior to the metaphysics, empiricism, and critical philosophy which preceded Hegel. As Hegel argues of these 'attitudes toward objectivity' in the Logic, each resting on a claim to be an account of the truth as we find it or as it is given in thought or fact is open to sceptical objections. Speculative logic avoids these objections because it rests on a retrospective account of thought's rational necessity without these kinds of appeals to non-deducible first principles. Hegel's objection to traditional methods is that they are all vitiated by their reliance on conceptual distinctions which they never fundamentally challenge. Indeed, Hegel's objection to all non-speculative methodologies is that they fail to sufficiently examine the categories and presuppositions underlying their arguments.

With respect to the second foundationalist question of right -- determining the proper character and prescriptive content of right -- Hegel's self-grounded method addresses this problem as a question of applied logic. Because the logical Notion manifests itself as the only content to which reference can legitimately be

made (i.e. without recourse to presupposition), its system of self-ordered thought-forms provides the only resource for accounting for reality. Consequently, to this end the task of applied logic, Hegel states, "is only to recognize the logical forms under the shapes they assume in Nature and Spirit" (L,#24). This is an inherently critical task for it involves more than a descriptive determination of matters of fact but a determination of the rationality, actuality, or value of what is found existent. To ask of any given content whether it is of value is to ask to what extent that content mirrors or imitates the self-determining, self-legitimizing activity of pure thought. And in the realm of Spirit, to ask after value is also to determine how any given reality ought to be criticised in order to be made more rational -- i.e. insofar as reason and normative argumentation can only become an effective force in the spiritual world.

While the a priori determinations of logic do not guarantee to what degree the world will be rational, it does entail an account of what a fully rational world would be. To be fully actual, reason must temporally emerge out of nature in spirit in the form of sentient teleological life. In turn, life must pass through various levels of development until it reaches complete self-awareness and self-determination in absolute spirit and ultimately philosophical science (finite self-consciousness thinking pure thought truly and completely). Accordingly, not only does the occurrence of speculative logic mark the end of history -- the revelation of the truth and value of human activity and its

relation to the Absolute -- but it also signifies the existence of reason's full actualization in the world. This is not to say that philosophy might not complete itself before other forms of absolute spirit, but that a world with philosophical science exhibits a form of the highest degree of rationality possible and that being conscious of this involves being conscious of the principles which ground the criticism of other potentially less rational spheres of spiritual activity. This is important because in terms of the foundationalist question of natural right, Hegel's resolution of the ontological character of right is dependent upon the successful completion of philosophy or speculative method, but not, strictly speaking, upon the factual occurrence of right.

For Hegel, the nature, as it were, of natural right is such that freedom is both the normative ground and result of right. Freedom grounds right because freedom is the form and value of speculative truth itself. It is also the result of right insofar as freedom is a product of social interaction whose character is specific to the modes of right. Free human practice is only given through the structures and institutions of right that realize social forms of infinite teleological activity. Hence, any exercise of self-determination is necessarily accompanied by the objective recognition of right. That this is necessarily so becomes apparent when one considers what is required for a will to be radically self-determined. As Hegel's introductory analysis of the will demonstrates, to be free the will must give itself determinate form and content exclusively through its own willing

activity. A natural faculty of choice is a necessary but not sufficient condition for this possibility of self-determination. What is further required is a plurality of natural wills who collectively will a mode of right -- a recognitive relation to one another in which each is distinguished in an act of reciprocal particularizing exclusion.

In the Philosophy of Right, the emergence of freedom through right is reconstructed dialectically with different modes of right representing alternative specifications of the notion of free practice and with each successively being a more adequate realization of it. The progression moves from the abstract to the concrete and serves to articulate the logical constitution of right or freedom interactively defined. Again, what serves in the first place as the standard against which the notion of right and its modes are reconstructed and criticized is speculative logic's self-determined system of valid reasoning. Right, that is, stands in critical contrast to the logical Notion; a self-subsisting process that right at the same time contains within itself or imitates as its a priori structural element. Hegel's method to resolve the ontological character of right is to conceive, from the abstract to the concrete in the logical order of its make-up, the practical conditions necessary for social activity to exhibit radically self-determined activity. A system of right so derived meets the demand for normative justification insofar as the order it prescribes actualizes the greatest potential freedom for social activity, and insofar as the speculative methodology it employs truly furnishes

a self-legitimizing discourse that takes theoretical self-responsibility for all of its terms.

Ethical life is the most rational expression of right because it is a type of self-determining activity that realizes practical freedom in its entire compass. It is a community conceived as a collectively-determined system of institutions and rights that orders all of the modes of right into a self-grounded organic whole. The state or institutionalized political freedom serves as the consummate ground of ethical life because its realization entails, locates, and determines not only a form of freedom unique to itself, but the realization of the community's non-political self-determining possibilities as well. Moreover, unlike abstract right and morality, the family and civil society, the state need not depend on practices that are not self-determined for the maintenance of its own activity. Rather as concretely self-subsistent, political freedom is the substance of natural right fully actual.

While reason prescribes ethical life as normatively warranted free practice, its occurrence in history is dependent upon the contingent collective action of a community to make it actual. All self-determined actions and institutions are the work of individuals whose natural liberty underlies, rather than results from, their activities. All the modes of right emerge through a collective exercise of the natural will. Nevertheless, once actual all realize a degree of autonomy irreducible to the arbitrary activity through which they were born. Further, that the occurrence of

ethical life is dependent on the occurrence of abstract right and morality does not mean that the activity constitutive of these abstract modes of right causes the emergence of ethical life. Rather ethical life is only factually dependent on these more abstract modes of right because it is logically dependent -- i.e. representing the logical conditions of its possibility, the occurrence of abstract right and morality is necessarily implied by the occurrence of ethical life, but not the other way around. The history of right is a result of utterly conventional social activity enacting, perpetuating, or even destroying the modes of right through which freedom is actual. Just as realization of speculative logic is dependent upon the arbitrary resolve of a philosophical tradition of culturally situated thinkers to think purely, so right emerges from a long development of human habits. Yet in either history, the moral of the tale remains the power of reason. Accordingly, the metaphysical status of right is such that it is a product of social activity in a variety of degrees of actualization with its rationality fully and abstractly present to thought upon the completion of speculative method and its application to practical theory.

This synopsis indicates in what sense Hegel's theory attempts to provide a prescriptive account of right grounded through a process of reasoning capable of complete justification. As a result, a dialectical analysis of right leads to a conception of ethical life that is neither dogmatic nor culturally or historically relative. It is, however, one thing to interpret

Hegel's method in logic and normative theory as an externally coherent foundationalist strategy, and quite another to demonstrate the success of this strategy.

With respect to the Science of Logic, even among those scholars today who take it seriously, none will defend it as it is written. Too many categories coupled with several artificially forced dialectical moves is a common criticism. If speculative logic is judged to be ultimately untenable, then the system of right derived from the application of its methodology must find a new scheme to ground freedom as the just end of practice. Otherwise, its unconditionally prescriptive status will be relativised.

Whether a self-determined category theory is possible is a question about which it is hard to decide. While it is doubtful that it has been adequately specified by speculative logic, it is difficult to say anything further. Indeed, the identity of method and content in any self-determined logic makes an objective defense or refutation an arduous proposition. The reason is as follows: in a self-determined system, the method that underlies the determination process comes only to be defined at the end of that process as a result of itself. Thus the objectivity of any self-determined method is revealed recollectively through the very activity that defines its content and ordering process. Accordingly, an objective assessment of the method, or any moment of it, involves such an assessment of the whole movement. It involves, in other words, pitting the method and system against

itself or some foreign logic the critic introduces (which in turn stands in need of validation).

It may be suggested that at least the implausibility of speculative logic could be inferred indirectly by any absurdities resulting in its application to the sciences of nature and spirit. With respect to the Philosophy of Right, the most enduring criticism is that Hegel accomodates his theory of right to the political order of his day, the Prussian state. Under the guise of setting forth an independent normative theory, Hegel substitutes an apologetic without acknowledging this intention. As well, there are other more specific objections to the various discussions and phases of argument in the text: reason uncritically reduces itself to what is; historicism is embraced; civil society is not adequately distinguished from the state; a glorified and even deified organic state suppresses individual freedom. Our interpretation of the Philosophy of Right as applied logic, however, shows that many of these criticisms, if not simply a product of misinterpretation, can in fact be avoided by a stricter conformity to the dictates of speculative method. Hegel's obscure claims about the historical reality of world-mind and the dated character of his constituional monarchy, for example, can be seen as idiosyncratic misapplications because of an appropriate prior understanding about what signifies valid application. Only when such a prior understanding is worked out is it possible to decide whether a problem in application is simply a matter of a deviation from a coherent systematic method or whether it bears witness to

flaws endemic to the underlying method itself. While our reading of the Philosophy of Right is sympathetic to many traditional objections, no case for a reductio ad absurdum is found. Rather it finds a unique and compelling defense for a society that promotes social freedom and political freedom in particular.

Since ultimate status of speculative logic is left here as an unresolved problem, Hegel's strategy of grounding right can at most be said to offer the possibility of a foundationally self-grounded prescriptive theory. But this result is not guaranteed by this investigation. Yet if speculative logic is not mostly mental masturbation, if a foundational but still critical discourse is possible, then Hegel's system ought to take on new importance. For his idea of a presumptionless category theory, its dialectical method and normative application, suggests a subtle and sophisticated rationalist alternative to traditional foundationalist strategies that is typically overlooked by his anti-foundationalist critics.

## PRIMARY TEXT ABBREVIATIONS

- L -- Hegel's Logic, trans. W. Wallace. Oxford University Press, 1975
- Phg -- Hegel's Phenomenology of Spirit, trans. A.V. Miller. Oxford University Press, 1977.
- PM -- Hegel's Philosophy of Mind, trans. W. Wallace and A.V. Miller. Oxford University Press, 1971.
- PR -- Hegel's Philosophy of Right, trans. W. Wallace. Oxford University Press, 1952.
- SL -- Hegel's Science of Logic, trans. A.V. Miller. Humanities Press, 1989.
- PH -- Lectures on the History of Philosophy, trans. Haldane and Simpson, three volumes, Humanities Press, 1974.

## End Notes

### Introduction

1. Richard Rorty, Philosophy and the Mirror of Nature, p.3.
2. Hans Albert, Treatise of Critical Reason, p.18.
3. Philosophy and the Mirror of Nature, p.390.
4. See W.V. Quine, "Two Dogmas of Empiricism", in From a Logical Point of View; and T.S. Kuhn, Structure of Scientific Revolution.

### Phenomenology as Introduction

1. Leslie Armour, in Logic and Reality, discusses these and other philosophies of logic, as well as presents a compelling case for a dialectical system of logic. See Logic and Reality, chp.1.
2. Derrida, "Tympan", in Margins of Philosophy, p.xxii.
3. How Kant accounts for the legitimation of reason in the Critique of Pure Reason is a difficult question; ironically so given its title and purpose. In brief, the problem is as follows: if the understanding is the faculty securing the unity of appearances, and reason is the transcendental faculty of principles securing the unity of these rules of the understanding, then what is there to secure these transcendental principles? For Kant, unlike Hegel, transcendental principles do not show themselves to be secured in an objective self-determined whole. According to Kant, the idea that these principles somehow correspond to reality leads to contradictions; specifically, paralogisms, antinomies, and impossibilities. Hence the axial Kantian suggestion: "The formal and logical procedure of reason in syllogisms gives us sufficient guidance as to the ground on which the transcendental principle of pure reason in its synthetic knowledge will rest." (A306/B363).  
Kant explains the heart of this foundationalist position:  
reason, in its logical employment, seeks to discover the universal conditions of its judgment (the conclusion), and the syllogism is itself nothing but a judgment made by means of the subsumption of its condition under a universal rule (the major premise). Now since this rule is itself subject to the same requirement of reason, and the condition of the condition must be sought (by means of a prosyllogism) whenever practicable, obviously the principle peculiar to reason in general, in its logical employment, is -- to find for the conditioned knowledge obtained through the understanding the unconditioned whereby its unity is brought to completion. (A307/B364)  
The final ground or supreme principle of pure reason from which all transcendental principles arise is its urge or "logical percept, to advance towards completeness by an ascent to even higher conditions

and so to give to our knowledge the greatest possible unity of reason" (A309/B366). Like Hegel's real Notion, Kant's transcendental ideal is the ground of determinacy; "this concept is completely determinate a priori" (A574/B602) and so is the "idea of the sum-total of all possibility", "the supreme and complete material condition to which all thought of objects, so far as their content is concerned, has to be traced back" (A576/B604). But as concerns the ontological status of this "being of all beings" -- "we are left entirely without knowledge as to the existence of a being of such outstanding pre-eminence" (A579/B607). To make good on his scepticism, Kant explains the illusion that this might be otherwise by refuting the traditional proofs for the existence of God. The supreme principle of reason for Kant, then, is subjective with respect to reality in-itself, but objective with respect to the structure of the human mind.

4. See Philosophy and the Mirror of Nature, chp.8, and Gadamer, Truth and Method.

5. See "The Hermeneutic Relevance of Aristotle", in Truth and Method pp. 278-89; also "Hermeneutics as a Theoretical and Practical Task", in Reason in the Age of Science, pp.113-38. R. Bernstein offers a similar criticism of Gadamer in Beyond Objectivism and Relativism, pp.150-65.

6. Habermas, Knowledge and Human Interest, p.13.

7. Ibid., p.8.

8. The transcendental imagination, for both Hegel and Kant, is radically originary. Like the empirical imagination, which consists in the ability to intuit in the absence of sensuous givenness, the transcendental imagination is both receptive and spontaneous; referring both to givenness and free abstraction from it. With the transcendental imagination, however, there is no direct empirical reference, and its content refers only to the universal and necessary conditions that ground the possibility of determinate experience. This ability to freely receive and entertain different conceivable grounds is itself a necessary condition required for the specification of potentially real grounds. Of course, speculative logic is such a specification of grounds, where the a priori articulation of what is conceivable in this ontological realm (Being and Essence) leads immanently to the articulation of the meta-ground from which this discourse of grounds arose -- i.e., such an explanation shows the Notion to be the absolute originary, or the identity of self-negation and self-relation. In this sense the Notion is the activity of a simultaneously revealing and concealing transcendental imagination. See Jacques Taminiaux's Dialectic and Difference (pp.59-64), for an interesting discussion of Hegel's and Kant's conception of the transcendental imagination.

9. Pippin, Maker, and Winfield all argue that phenomenology deduces science in the indirect, negative manner suggested here.

See Pippin's Hegel's Idealism (chp.s 5,6,7), or Maker's "Does Hegel have a Dialectical Method?" and "Hegel's Phenomenology as Introduction to Science", or Winfield's "The Route to Foundation-Free Systematic Philosophy".

10. This argument can be found in both Maker and Winfield. Habermas suggests that because consciousness is doomed to fail from the start, fait accompli, that there is "something half-hearted about the Phenomenology". For, on the one hand, Science does not need phenomenology for its justification, and on the other "it [phenomenology] is not even capable of such justification" (Knowledge and Human Interest, p.10). Habermas, however, misses the point, for it is precisely its inability to succeed that allows it to serve as an indirect deduction.

### Dialectical Method

1. The following discussion is intended as a general exposition of Hegel's method. It is not meant to be an explanation or a defence of the manner in which Hegel uses the terms involved. Rather the goal is only to introduce the dialectic by examining in a descriptive way the account that Hegel here provides. Most scholars typically discuss Hegel's method in conjunction with the first movement of the SL, being-nothing-becoming, where he is perhaps more lucid. Often however, this is at the expense of failing to capture the sense in which the method is the result or telos of the movement and not simply its ground. For a similar interpretation of the absolute Idea as the logic whereby thought determines itself, see Burbidge's On Hegel's Logic (chp. 14); also Winfield's "The Method of Hegel's Science of Logic".

2. Following Stanley Rosen, we say  $A=A$  implies  $A$  not-equal not- $A$ , for the former does not imply, as the latter might, the violation of the law of contradiction and yet still conveys the point -- the essence of  $A$  is only disclosed in its relation to not- $A$ . Rosen has an extended discussion on the question of contradiction in Hegel juxtaposed to Plato's, Aristotle's, and Fichte's understanding (chp.s 4,5).

3. Stace points out that Hegel not only affirms Spinoza's maxim that determination is negation or identity implies difference, but further that "all negation is determination" ... "the positive nature of an object consists in its determinations ... and since all determinations are negations, it follows that the positive nature of the thing consists in its negations. Negation, therefore, is the very essence of positive being. And for the world to come into being what is above all necessary is the force of negation, 'the portentous power of the negative'". The Philosophy of Hegel, p.33.

4. Winfield, in "The Method of Hegel's Science of Logic", makes this point and discusses and relates this identity of form and content, presumptionlessness, and self-determination with Hegel's

"self-constituting", "self-grounding, and self-justifying" methodology (p.53).

5. Ibid. (p.52).

6. For thinking to be radically self-legitimizing, Hegel is committed to the claim that thinking, while being a conscious activity expressed in language, is not determined or conditioned by this embodiment. Language, that is, cannot limit or define the content of thought nor what counts as true or false thinking. If this were otherwise, then truth claims could not be justified for one could neither think independently of language, nor comprehend its distorting influence -- it is contradictory to assert that language structures thought without this truth claim itself being relative to that very structure, i.e. without itself being a distorted product of language. Of course this is an issue of much contemporary debate and I only wish to point out that Hegel does attempt to account, in the section on theoretical mind in the PM, for all the necessary preconditions for the absolutely spontaneous activity of thinking. Here Hegel discusses intuition, representation, and imagination to show how language through signs makes possible the reference to thoughts that are wholly a product of thought itself. Since their reference is not restricted to the given representations of experience, their determinacy can only be accounted by reference to pure thinking activity, unconditioned by any given order of grammar or 'metaphysics of language'. See Burbidge's study for a sophisticated defence of Hegel's theory of language (chp.s 2,3).

7. Hegel's criticisms of Kant are considerably more complicated and problematic than this account might suggest. The intention, however, is only to address the criticisms of Kant predicated, as Hegel sees it, on the failure by Kant to see the need or conceive the possibility of the identity of form and content in pure thinking. Priest's collection of essays on the Hegel\Kant problem serve well to illustrate the diversity of opinions found in the secondary literature.

8. This synopsis of Kant's project is the "standard picture" as Allison puts it (an interpretation he argues ought to be rejected pp. 3-14) and appears to be the one Hegel accepted. As with most of these types of problem, however, there is little consensus: Bird, for instance, argues that Hegel grossly distorts and misreads Kant resulting in vacuous and inaccurate criticism. In contrast Pippin claims that Hegel while ignoring and accepting uncritically certain Kantian principles nevertheless has his greatest achievement lying in his appropriation and development of transcendental idealism.

9. This specifiable function, for instance, entails the employment by Kant of the category negation, needed to say of reality in-itself that it is not the sphere in which the categories (including negation) can legitimately be applied. "The negative characteristic which this identity receives as an object is also

enumerated among the categories of Kant" (L,#44).

10. Ameriks makes this argument in his article "Hegel's Critique of Kant's Theoretical Philosophy".

11. White in his text, Absolute Knowledge: Hegel and the Problem of Metaphysics, has an excellent discussion on the relation between logic and metaphysics. The absolute Idea, as White defines it, is "the subject determined as the principle of determination" such that "Logic itself is in any case a work of transcendental ontology purporting to present the determinations that ground the determinacy of anything that is or is thought.... Hegel's science is fundamentally that of the determinations of thought that could not be otherwise: the absolute Idea is presented as the aggregate of determinations that are constitutive for any and all determinacy" (p.71).

12. Hegel makes this same argument, albeit in a slightly different context (cognition as opposed to reasoning) in the Introduction to the Phg (#73-74). Whether cognition is pictured as "the instrument for getting hold of absolute being" or as a "passive medium through which the light of truth reaches us", knowledge that this is the case implies a contradiction. One could not know the effects of man's cognitive faculty on the truth unless one could grasp, so as to see the difference, the truth absolutely in an "immediate" and "effortless relationship"; which is precisely what such instrumentalist conceptions deny. Of course it is quite conceivable that our cognition, in truth, functions like an instrument: it is only inconceivable that if this were so we could ever know it. Accordingly Kant's critique must itself be criticized, one has to "turn around and mistrust this very mistrust" for "this fear takes something -- a great deal in fact -- for granted as truth, supporting its scruples and inferences on what is itself in need of prior scrutiny to see if it is true. To be specific, it takes for granted certain ideas about cognition as an instrument and as a medium and assumes that there is a difference between ourselves and this cognition".

13. Both Dusing's article and the Pippin text (chp.2) discuss Hegel's criticism of the formal, contentless character of Kant's transcendental subject which precludes the possibility of grasping its concrete self-differentiating nature.

14. See Dusing's article, "Constitution and Structure of Self-identity: Kant's Theory of Apperception and Hegel's Criticism", p.423.

15. Winfield makes this point in his article "The Method of Hegel's Science of Logic", p. 56.

16. Harris, An Interpretation of the Logic of Hegel, p.290.

## Logical Notion as Determinate Foundation

1. Harris, An Interpretation of the Logic of Hegel, p.94.
2. Both Harris and Burbidge present similar interpretations of this difficult transition from becoming to determinate being. See Harris, Ibid.(pp.99-102) and Burbidge, On Hegel's Logic (pp.46-48).
3. The phrase "othering relation" and this argument is made by Mure. See A Study of Hegel's Logic, chp. 4.
4. Pippin proposes for a similar type of argument, although it is developed in a much sophisticated and comprehensive account. See Hegel's Idealism (pp.218-26).

## Doctrine of the Notion

1. This interpretation of the relation between Being, Essence, and the subjective Notion is defended by Burbidge in his On Hegel's Logic. As Burbidge well explains the overall path of logic; As the logic proceeds, the attention of pure thought broadens in scope. At first it is simply directed towards categories that result from immediate transitions. Then as it becomes aware of the negative, dissolving character of its own intellectual activity, it distinguishes its own reflective processes from the content of thought. This self-reflexive act does not remain simply a negative discounting, but now becomes a positive comprehension of itself as a persistent totality. The focus is enlarged to include the whole dynamic within which concepts are considered by thought. p.111.
2. Burbidge, On Hegel's Logic, p.115.
3. Pippin, in his Neo-Kantian interpretation, explains the self-differentiation of the subjective Notion as the specification of the 'rules' of pure thinking:  
Hegel is following Kant here in understanding concepts as predicates of possible judgements and likewise insisting that to understand a concept is not to represent some abstracted common quality, but to understand how to use it in a variety of judgements. This does not mean that there cannot be abstracted concepts, but it does assert that such abstractions cannot originate a determinate concept unless there are specific judgemental roles for that concept to play within a range of judgements (ultimately requiring pure categorial distinctions) and a system of inferences grounding such possible judgements. Hegel's Idealism, p.238.
4. It must be kept in mind that this does not mean that the

existence of nature and spirit as such is originated by the logical Notion. The Notion is concrete in existence not because it determines the existence or occurrence of entities in the first place, but strictly because notional categories are logically required or presupposed in any empirical determination of any object or subject.

5. This is a 'transcendental' reading of the Logic which can be found in Burbidge, Pippin, and White. The dialectic is taken as the process articulating all of the necessary conditions for the possibility of any determinate experience. The necessity of the conditions specified means that they are ever-present or cannot fail of exemplification in any experience, and can be defined only, as Pippin puts it, by initially "accepting and entertaining a notion he considers impossible or inadequate" (Hegel's Idealism, p.183.) This is the case because the only way to determine that which is necessarily present is to juxtapose it to that which is inconceivable or no-where present. Thought, that is, must "hypothetically" (as Burbidge says) or imaginatively supply the kind of pure differences and contradictions that enable such a transcendental order to be defined.

6. Harris makes this argument in his text, An Interpretation of the Logic of Hegel. The Notion "is objective in that it is universal and necessary -- Kant's criteria of objectivity -- and also in that it is stable and concrete, not subject to whimsical or arbitrary change.... It is a stable, self-maintaining whole and as such it is objectively real" (p.252).

7. Harris, ibid, pp.250-52.

8. Michael Rosen's Hegel's Dialectic and Its Criticism contains an excellent discussion on Hegel's Ontological argument. Rosen argues that Hegel solves the Christian theological problem of creation ex nihilo. The key is to conceive God non-representationally as the reason of the world and not its cause, so that one does not have to posit the temporal/spacial being of God existentially preceding creation. God, for Hegel, is understood supersensually as a self-differentiated system of pure thought and exist temporally only as nature and spirit. God precedes creation only as pure essence, a timeless indistinct immediate totality -- "supersensuous inner intuition" (SL,p.828). When God actually becomes comprehended in the world by philosophical science, then the philosopher "looks back" (PM,#573) at the world and can say that nature must be God in his externality, spirit his self-mediated return to self-awareness. This is so because logic reveals a priori that pure thought is a radically self-determined whole and as such, anything determinate is so in accordance with the rules of determinacy per se, self-constitutionally defined in this eternal realm.

9. It is inconceivable that any object be other than mechanical/chemical/teleological because these forms exhaust all the ways in which determinacy can be manifested by objects in the thought of any differentiated manifold. And because the subjective

Notion revealed pure thought to be real, objective, and necessary this is not simply a reflection of how man perceives determinacy, but of the very nature of determinacy per se. Further, because Hegel deduces the thought of teleological actuality from that of a chemical and then a mechanical object, it follows that only teleological objects are real; mechanical and chemical objects cannot be thought coherently and are in truth abstracted constitutive elements of teleology. Accordingly, mechanical and chemical objects are not fully real or present -- only the absolute Idea, as the infinite teleological actuality par excellent it present.

10. Hegel: A Re-Examination, p.256. Findlay's illuminating reading of the objective Notion and teleology in particular is reflected in the discussion of this dense section of Hegel's logic presented here.

11. This is also what Hegel means by the "Cunning of Reason": "Reason is as cunning as it is powerful. Cunning may be said to lie in the intermediate action which, while it permits objects to follow their own bent and act away upon each other till they waste away, and does not itself directly interfere in the process, is nevertheless only working out its own aims. With this explanation Divine Providence may be said to stand in the world and its process in the capacity of absolute cunning" (L,#209). The Divine and finite are interdependent such that the absolute only realizes itself as a result of a series of finite phases through which it manifests itself to itself in increasing degrees of perfection. The "intermediative action of reason", then, refers to the way in which the activity of the finite brings about this result -- the very arbitrary and contingent character of which being at the heart of this generative process. What is arbitrary and contingent is not whether the Divine will be actual, but only the degree to which it will be manifest in the world. That the Divine is for us, as a matter of fact, actual to a high degree is necessarily the case because for any self-conscious subject to be, is for the Idea to be profusely actual, and to deny that Idea in this sense is, is contradictory for it always implies the being of a thinking subject to effect the denial.

12. The necessity Hegel has in mind is a priori synthetic and not analytic. "The line of thought here is identical with that of Kant, who argued that the elements of universality and necessity in experience cannot arise, as Hume showed, empirically in experience and must, therefore, be due to the activity of the subject." Stace, The Philosophy of Hegel, p.289.

### System and Normative Theory

1. See Michael Rosen's Hegel's Dialectic and Its Criticism (chp.s,3,4) for an excellent discussion on the implications of Hegel's non-representational, supersensuous conception of God.

2. This interpretation of the end of philosophy can be found in Stanley Rosen's G.W.F. Hegel: An Introduction to the Science of Wisdom: "Knowledge of the absolute is the same as absolute existence (or in the Parmendean phrase, of the sameness of Being and Thinking)"(p.36); for the absolute is "the formation process by which everything is what it is" (p.41).
3. Ibid: "Once the truth is revealed, nothing fundamental can change" (p.45).
4. Hegel and Modern Society, Charles Taylor, pp. 135-39.
5. Klaus Hartmann, for instance, raises this question by exploring some of Jean Paul Sartre's insights on freedom in the various types of "social ensembles" in the Critique of Dialectical Reason -- see "What is a Social Category".
6. Hegel's aim, in Hartmann's words, "is to transform what is 'found', what is 'experienced fact', into a 'presentation and reconstruction' of thought in terms of thought. Thought or reason has a claim to satisfaction in point of form: it is the said transformation of what is found or granted as a fact as a deliverance of science... into a reconstruction in the form of rational necessity or in a a priori form. For this to be possible, there has to be a vehicle, items of thought, appropriations of the real by thought -- and a procedure for relating these items. The vehicle of reconstruction will be concepts or categories; the procedure will be the dialectic." "Hegel: A Non-Metaphysical View", p.101. See also Pinkard's "Hegel's Idealism and Hegel's Logic" for a similar account to translation and reconstruction.
7. That the eternal necessarily is immanent in the finite follows from Hegel's axial claims about the identity of thought and being, and the Ontological argument -- i.e. all determinacy is grounded in the Notion and the Notion is real, objective, and necessary: consequently whatever exists is determinate in accordance with the Notion. Moreover, when philosophy is completed the eternal has fully actualized itself in the finite, for again as the doctrine of the Notion demonstrates the conditions necessary for this occurrence entail the ideal's full realization.
8. The prescriptive character of Hegel's theory of right is unconditional insofar as both the end or ground of justice -- radically self-determining activity -- and the system of right which is derived from it, are determined exclusively by reason. Thus reason is the self-legitimizing ground of the good and of the system of right that most manifests it. Hartmann, Kolb, Maker, White, and Winfield are all sensitive to this relationship for Hegel between reason and political legitimation.
9. For an excellent account of the role of interaction in Hegel's conception of freedom and an interpretation similar to the one presented here, see Winfield's "Freedom as Interaction: Hegel's Resolution to the Dilemma of Liberal Theory".

10. This quote is taken out of Kolb's The Critique of Pure Modernity, p.278, and is from Hegel's Philosophy of Nature, #353.

### **Abstract Right**

1. See Peter Benson's article, "The priority of Abstract Right and Constructivism in Hegel's Legal Philosophy", for a similar interpretation of the overall logical scope and purpose of Abstract Right "as the lexically first part of the normative" p.175. Although Benson fails to articulate the role the logical Notion plays as the ground of Hegel's 'constructivist' strategy, the identity of freedom and right, actualization and ideality is well explained. In Hegel's conception, Benson writes, "the content of the normative is worked out or 'constructed' from a standpoint that is immanent in and constitutive of responsible agency: normative conceptions, such as the right or the good, are not viewed as objects that are fixed prior and given to the choosing self independent of its activity; rather, they are conceived as entailments of that activity, posited by and wholly expressive of the choosing self as the basic unit of responsible agency" (p.175).

2. Joachim Ritter makes this argument in his essay "Person and Property" in his book Hegel and the French Revolution; Essays on the Philosophy of Right.

3. Hegel's most developed argument for conceiving the absolute as the whole system of logic, nature, and spirit is found in the section on absolute Mind in the PM (#574-77). Mitchell Alboulafia's The Self-Winding Circle: A Study of Hegel's System provides an interesting alternative account sympathetic to the holistic conception of system.

4. See Michael Theunissen's "The Repressed Intersubjectivity in Hegel's Philosophy of Right for an excellent textual reading of Hegel's discussion of contract as the objectification of personality through a common will (pp.27-31).

### **Ethical Life**

1. See A.N. Whitehead's Science and the Modern World, pp.51-52.

2. For a sophisticated account locating Hegel's differentiation of ethical life in Western political thought see Manfred Riedel's Between Tradition and Revolution. The Hegelian Transformation of Political Philosophy, chp.6.

3. W. Ver Eecke makes this point in his article "Hegel on Freedom, Economics, and the State", p.152.

4. Winfield makes this argument for equality of civil opportunity in "Hegel's Challenge to the Modern Economy". Others sympathetic to Hegel's argument for state intervention in the economy include

Ver Eecke, Avineri, Arato, and Hartmann.

5. A major criticism of the PR has been its conflation of the determinations of civil society with those of the state, particularly with respect to the role of the Estates in the state. For a sophisticated account of Hegel's theory of the Estates see Avineri's Hegel's Theory of the Modern State, chp.s 8,9.

6. In "Towards a New Systematic Reading of Hegel's Philosophy of Right", Hartmann addresses this question of a truer Hegelian state set against Hegel's own idiosyncratic theory. Hartmann, for instance, suggests that the proper conclusion concerning representation is not a system of Estates but a parliamentary democracy with political parties. From the perspective developed here, there is much merit in Hartmann's criticisms. The basic line of reproach being a recognition of the absence of a sufficient categorical distinction between civil society and the state, and consequently an inadequate account of how the state and civil society are to interact.

7. Beginning with Max Weber there has been much scepticism concerning the possibility of meaningful democratic participation in rationalized, bureaucratized mass society. In this line of thought for instance, Habermas argues that the modern democratic state reduces political freedom to a device for choosing between alternative groups of administrators and technicians. Political issues are reduced to technical problems requiring expertise to avoid the dysfunctions that threaten the economic system. The class interests that the economic system serves, and that often actually determine economic policy are then concealed behind the technical rationalization of political issues. Nonetheless it is by looking at thinkers like Habermas that the possibility of the institutionalization of equality of political opportunity and an enlightened political will (required in the Hegelian state) can be meaningfully considered. See Habermas' Toward a Rational Society and Theory and Practice.

## Conclusion

1. See Leo Strauss, Natural Right and History, p.93. In What is Political Philosophy (p.12), Strauss defines the task of political philosophy as "the attempt truly to know both the nature of political things and the right, or the good, political order". In this formulation the question is not simply directed toward the meanings of right and nature, but also inquires whether there are fundamental principles of normative justification.

2. Burbidge quotes Noel as writing: "As a result there is only one way to refute a system of logic in the sense that Hegel understood this word: it is to do it over again; it is to formulate a more profound and more comprehensive one, which contains the first and surpasses it. Outside of that, outside of a total remaking of the system when the conserved elements and the modifications penetrate

each other in a new synthesis, criticism is reduced to being cavilling about details." See On Hegel's Logic, p.230.

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