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The Idea of a Speculative Philosophy of Objective Spirit

Krijnen, C.H.

published in

Hegel's Philosophy of Spirit
2019

DOI (link to publisher)

[10.1017/9781108164184.007](https://doi.org/10.1017/9781108164184.007)

document version

Publisher's PDF, also known as Version of record

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citation for published version (APA)

Krijnen, C. H. (2019). The Idea of a Speculative Philosophy of Objective Spirit. In M. Bykova (Ed.), *Hegel's Philosophy of Spirit: A critical guide* (pp. 127-146). (Cambridge Critical Guides). Cambridge University Press. <https://doi.org/10.1017/9781108164184.007>

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*The Idea of a Speculative Philosophy of
Objective Spirit*

Christian Krijnen

Freedom: From the Alpha to the Omega of Philosophy

Freedom is the core topic of modern philosophy. When it is viewed as a philosophical epoch, a new perspective arises concerning how humans conceive of themselves and their relationship to the world. Then human thought and action are no longer held to be determined by external factors (heteronomy) but are held to be self-determined (autonomy), and hence freed from external factors functioning as grounds for their determination. The philosophical paradigm for mastering this impetus of freedom is reason. With his “Copernican,” that is to say, his transcendental turn, Kant gave reason a form that suits the modern understanding of humans as self-determined agents. Reason transpires to be the source of all validity, and hence of any normativity of human thought and action. Objectivity, of whatever type, is from the start framed by the conditions of reason, or as it is also called in the discourse, of “subjectivity.”

On the one hand, philosophers like Fichte, Schelling, and Hegel hailed Kant’s transcendental revolution of philosophy and his conception of reason as the source of validity for human thought and action. On the other hand, the German idealists were also convinced that Kant’s transcendental philosophy lacked the proper methodical and systemic form to do justice to the claim, that reason is the source of validity for human thought and action, of Kant’s critical project. Reinhold, Fichte, Schelling, and Hegel were all of the opinion that Kant’s transcendental turn unleashed a revolution in philosophy that should not so much be stopped but completed. It should be completed by critically addressing the presuppositions or “foundations” of Kant’s philosophy itself.

To these presuppositions belongs, without doubt, Kant’s architectonic of reason in general as well as the particular role of the concept of

freedom.¹ Kant divides philosophy into theoretical and practical philosophy as well as into nature and freedom (which are the objects of theoretical and practical philosophy, respectively), or theoretical knowledge and determination of the will, or philosophy of nature and moral philosophy (as “practical legislation of reason according to the concept of freedom”) (*CJ, Ak 5:171*).² Against the background of this dualistic conception, it was significant for the German idealists to formulate a general concept of freedom: a concept of freedom that establishes a pervasive relationship and, hence, is able to function as the grounds for the unity of any specification of freedom. Freedom already plays an essential role within theoretical philosophy, since freedom as self-determination turns out to be a necessary condition for possible knowledge of objects. To put it more generally, freedom belongs to the determinacy of any activity of reason. Therefore, Kant’s architectonic was doomed to insufficiency. Whereas for Kant, practical is “everything possible through freedom,” for the German idealists, everything possible through freedom is rational (*vernünftig*). Whereas for Kant, the concept of freedom is the “capstone” (*CPrR, Ak 5:3*) of the whole system of pure reason, for the German idealists, freedom transforms into the *origin* of all philosophy and being. Whereas Kant’s conception of freedom offers a subsequent, not an original unity of the system, of theoretical and practical reason, nature and freedom, the post-Kantian idealists transform Kant’s dualistic conception of transcendental philosophy into a monism of reason as a monism of freedom. Knowledge, of whatever issues, is itself an eminent act of freedom.

From the very beginning, the adventure of exploring Kant’s presuppositions gave wings to the development of German idealist philosophy. The unity of reason was then to be conceived of as freedom. Fichte, as early as 1795, qualified, with revolutionary pathos, his *Wissenschaftslehre* (1794) as “the first system of freedom” (*GA III/2*, 298). His system is supposed to be “from first to last only an analysis of the concept of freedom” (*GA III/4*, 182). Inspired by Fichte, Schelling wrote to Hegel, in 1795, the no less programmatic statement that “the highest principle of all philosophy” is the absolute I, that is, the I which is not yet determined by “objects” but only “posed by *freedom*. The alpha and omega of philosophy is freedom” (*Briefe I*, 22). Hegel is not only committed programmatically to freedom;

¹ On Kant’s dualistic conception, see, for instance, Krijnen 2011; 2016b.

² All translations from foreign texts into English are mine, although I have benefited from consulting current translations. I always refer to the German edition of Kant’s and Hegel’s texts.

rather, as it seems in the most radical fashion, he tried to conceive of reason and freedom as a unity from which everything else emerges and can be comprehended. For Hegel, freedom makes up the beginning, the way, and the end of philosophy.

Therefore, considering the contemporary revival of Hegel in the debate on “recognition,” one must welcome the effort of Hegel scholars such as Klaus Vieweg in his voluminous study *Das Denken der Freiheit* to emphasize the role of the *Logic* for Hegel’s *Philosophy of Right*. He not only points out that freedom is a fundamental determinacy of the “idea” (Vieweg 2012, 43ff.) but also stresses that the determinations of the “concept” itself (universality, particularity, and singularity) are decisive for Hegel’s conception of free will (Vieweg 2012, 57ff.). As said, this reference to the *Logic*, and with that to the system of philosophy, is indeed highly important in order to comprehend freedom.

By contrast, a thinker like Axel Honneth dislikes Hegel’s view that philosophy and its disciplines should be determined within the framework of a “system” of philosophy, granting the *Logic* even a foundational and guiding role for a contemporary philosophy of recognition. Honneth dismisses it as “metaphysical” (cf., e.g., Honneth 1994; 2001; 2010). According to Honneth, Hegel’s philosophy of right, for “methodological” reasons, fails because it rests on his logic, which purportedly is fully unintelligible to us due to its “ontological” concept of spirit (Honneth 2001, 12ff.). However, a vague reference to the “theoretical and normative conditions of the present age” (Honneth 2001, 13f.) hardly suffices for such a far-reaching estimate of Hegel’s logic. On the contrary, any interpretation of Hegel’s concept of objective spirit that neglects its relationship with Hegel’s system of philosophy also neglects essential determinations of Hegel’s concept of philosophy. Whereas for Honneth the “proper substance” of Hegel’s *Philosophy of Right* can be provided by an account of objective spirit without reference to Hegel’s system of philosophy (Honneth 2001, 14f.), Hegel himself understands his *Philosophy of Right* as an elaboration of his Philosophy of Objective Spirit, and hence of the system of philosophy (*Enc.* §487R, cf. §§483–552; *RPh* §2).³ Accordingly, he also notes that the *Philosophy of Right* borrows its method from the *Logic*

³ Embedding the *Philosophy of Right* in the system of philosophy, and thus connecting it to the *Logic* and the Philosophy of Spirit, leads to an interpretation that also opposes a reading of Hegel according to which in the *Philosophy of Right* Hegel establishes his conception of freedom on the “basis of an intuitive dialectic beginning from an ordinary concept of practical freedom” (Bristow 2013, 372, cf. 373).

(*RPh* §§2R and 31).⁴ The *Logic* plays a fundamental role for the *Philosophy of Right*, as such and concerning its specific content. The elaboration of the *Philosophy of Right* follows the developmental process of self-knowledge of the absolute idea as absolute spirit.⁵ In accordance with the logic of a speculative development of concepts, the beginning of the philosophy of objective spirit must concern a concept of spirit that is maximally extrinsic to the concept attained by subjective spirit: “right” (*Recht, ius*, justice).⁶ Hegel overcomes the outwardness of the idea within objective spirit by realizing (*realisieren*) this concept of right: that is, by making explicit the abstract generality of that concept as the beginning of series of meanings (cf. *WL, GW* 12:239ff. and 33f.).⁷

Nonetheless, in a certain respect, even Vieweg underestimates the relevance of Hegel’s *Logic* for the *Philosophy of Right*. Vieweg does not discuss the speculative *concept* as the origin of freedom. He holds the view

⁴ Generally, Hegel’s two philosophies of reality regard their object as necessarily conforming to the “self-determination of the concept” (*Enc.* §246).

⁵ Hence, as a spirit that has *not* been reached within the philosophy of objective spirit. Objective spirit is a *finite* spirit, that is to say, not a cognitive *self*-relation. Only in absolute spirit is a figure of knowledge reached “in which knowing reason [is] free for itself” (*Enc.* §552). The concept of spirit, and hence, also the concept of the absolute idea, is actualized not before the concept of absolute spirit. Cobben (2009, 137, cf. 143) is surprised that regarding absolute spirit there is a considerable difference between Hegel’s *Phenomenology* and his *Philosophy of Right* as in the latter, absolute spirit plays no role on the level of social institutions. This absence of the absolute spirit, however, fits well into Hegel’s program of philosophy as self-knowledge of the absolute idea as absolute spirit: it results from the function absolute spirit has within Hegel’s system of philosophy. That is why – *pace* Cobben – Hegel does not conceive of right and morality as “*objective and absolute spirit*” (*ibid.*, 148). Right and morality are both figures of objective spirit because they are, unlike absolute spirit, not forms of self-knowledge of spirit as spirit. For Cobben (*ibid.*, 8, cf. chs. 7–9), the “logical structure” of the *Philosophy of Right* cannot be understood without considering Hegel’s intention to connect the epochs of European history with corresponding forms of the self. In his *Encyclopaedia*, however, Hegel himself takes a different track. Whereas for Cobben the *Philosophy of Right* is to be understood as an elaboration of the rationality developed in the *Phenomenology* (*ibid.*, 116), within Hegel’s system of philosophy the *Philosophy of Right* is an objectification of free spirit, that is, of the final stage of subjective spirit. Here, Hegel shows that and how spirit can be a knowing spirit, both theoretically and practically. Spirit must be a free spirit, a spirit that “knows” and “wants” itself as free (*Enc.* §482). Such a spirit is autonomous in the sense that it can determine itself. It is free, yet, pre-social and pre-individual, as sociality and individuality (of subjects) play no role prior to the philosophy of objective spirit.

⁶ More precisely, abstract right as the *existence (Dasein) of freedom* in the form of possession. According to Hegel’s concept of right, the concept of right, as existence of the free will that has freedom as its “inner determination and goal,” must be actualized in an “external pre-given objectivity,” so that the concept is perfected as “idea” (*Enc.* §§483f.). At the beginning of this process, the subjectivity of free spirit does not manifest itself in a free spirit but in an external matter (*äußerlichen Sache*) in which “I” put my “will” (*Enc.* §§488f.). Cf. Krijnen 2012.

⁷ Against this background of Hegel’s conception of philosophical justification, the justificatory status of “social pathologies,” extremely important to Honneth (2001, 16f., 49ff.; 2008), is just as problematic as Honneth’s conception of philosophical foundations of reality. On Hegel and contemporary philosophy of recognition, see also Krijnen 2014; 2017.

that the predicate “free” applies only to the will: freedom can be thought “only within the paradigm of the will”; it is not before the *Philosophy of Right* that Hegel “makes explicit and proves” that freedom is an “immanent determinacy of the idea” (Vieweg 2012, 44). Hegel, by contrast, seems to have a different view: “the concept is that which is *free*” (*Enc.* §160, cf. *WL, GW* 12:15f.). And to be sure, that and how the concept is that which is free results from an “immanent deduction,” which is the “genesis of the concept” (*Enc.* §160 and *WL, GW* 12:16; 12). If we take this idea, and hence the structure of Hegel’s system, seriously, then it turns out that the widespread practice to understand Hegel’s doctrine of objective spirit as “practical” philosophy fails. Indeed, “Hegel’s practical philosophy” functions, in various permutations, as a popular book title.⁸ Yet Hegel’s philosophy of objective spirit is not “practical” philosophy. In contrast to the “practical” reading, Hegel’s *Encyclopaedia* conceives of philosophy as a philosophy of the *idea*, and conceives of spirit in its objective dimension not as practical but as *free* spirit, embedding the distinction between theoretical and practical in a new, more fundamental constellation of philosophy of spirit. It is essential to Hegel’s mature philosophy (both in the logic and in his philosophy of spirit) to sublimate the traditional, pervasive, and influential distinction between theoretical and practical philosophy as well as between the theoretical and the practical. Neglecting this continually misleads scholars toward abandoning Hegel’s arguments, the structure of the system of philosophy, and, by consequence, determinations of the relevant matter under consideration (cf. Krijnen 2014; 2016a).⁹

Hegel’s conception of freedom and its relevance for the philosophy of spirit, therefore, are even more complex than already presented by Vieweg. Freedom is neither primarily nor mostly conceivable as “practical.” Instead, for Hegel, the concept, and hence the logical, is that which is free. Moreover, it is that which is originally and exemplarily free. Taking Hegel’s doctrine of freedom as practical philosophy misses the decisive punchline. As a consequence, such an interpretation loses sight of Hegel’s subtle and complex conception of freedom in general and the characteristic form it obtains in the philosophy of objective spirit, reaching from abstract

⁸ See, for instance, Rózsa 2005; Pippin 2008; or Siep 2010. As for many others, for Honneth (2001, 17f., 41) too Hegel’s philosophy of objective spirit is “practical philosophy.”

⁹ Unfortunately, Knappik 2013, in the sections after on his interesting elaborations on Hegel’s *Logic*, follows the *comme il faut* of the present discourse to an extent that his thoughts on “Hegel’s metaphysics of spirit” (Knappik 2013, ch. 6) and “Practical freedom” (Knappik 2013, ch. 8), despite many fruitful insights, do not seem to be sufficiently based on Hegel’s texts.

right to *Sittlichkeit* as the facticity of freedom.¹⁰ Without relating it to the logic and Hegel's system of philosophy, the philosophy of objective spirit cannot be understood properly, let alone evaluated in regard to its systematic relevance – at least if the complexity of Hegel's argumentation is taken into account. Attempts at an “actualization” of Hegel, which do not do justice to this complexity, would fail because of Hegel himself, despite the numerous advantages such attempts might have compared with contemporary non-Hegelian philosophies.

The Concept as the Logical Foundation of Freedom

Hegel takes Kant's claim of the “self-knowledge” of reason (*CPR*, A XI), formulated with regard to metaphysics, extremely seriously, forcing him to overcome, both in the logic and in the philosophy of spirit, Kant's architectonic of reason. Kant's architectonic is based on the distinction between theoretical and practical. In order to develop his concept of philosophy as a speculative doctrine of the *absolute* idea, Hegel was forced to sublimate the restrictions of both theoretical knowledge within the idea of the truth and practical knowledge within the idea of the good (*WL, GW* 12:192ff.). Additionally, he had to sublimate the opposition between theoretical and practical operations of spirit into a doctrine of free spirit (*Enc.* §§445ff.). The terminus of Hegel's philosophy of subjective spirit and starting point of his philosophy of objective spirit is indeed *free* spirit as a unity of theoretical *and* practical spirit. Before treating his conception of “idea,” however, Hegel determines the concept of the concept – as freedom.¹¹ As the logic, having “comprehending thought” as its subject matter (*WL, GW* 21:27), divides itself into a logic of being as being-in-itself of the concept, a logic of essence as being-for-itself of the concept, and a logic of concept as being-in-and-for-itself of the concept (cf. *Enc.* §§83, 84, and 112; *WL, GW* 21:17, 34, 44f., 272, etc.), self-knowledge of reason boils down to knowing reason as freedom. In the course of this effort, Hegel arrives at a conception of that which is originally free,

¹⁰ Considered from the perspective of the matter at issue, the proper translation of Hegel's *Sittlichkeit* is not “ethical life,” as is the standard translation. *Sittlichkeit* concerns the actuality of freedom and, hence, the *facticity* of freedom (on this, see Krijnen 2019). In order to prevent confusion, I shall use the German term.

¹¹ The logical foundation of Hegel's doctrine of freedom has only recently come under the attention of scholars. Compare, for instance, the essays in Simon (1977) with Pierini (2006), Knappik (2013), and Krijnen (2016a). It is telling that in Hindrichs and Honneth (2013), Hegel's logical foundation of freedom does not play a significant role. Apparently, the insightful work of Fulda on freedom in Hegel has been neglected for too long (1996; 2007; 2011; 2014).

different from the one held by Kant, Fichte, Schelling, or later transcendental philosophers. These thinkers conceive of original freedom in terms of a practical subject, an I, (self-)consciousness, or a value or norm-related activity of a subject. By contrast, the *concept* turns out to be the eminent and fundamental form of being with itself in its other, which is Hegel's determination of freedom.

Put in reference to the programmatic formulation of the *Phenomenology of Spirit* and the concept of substance – the latter being of great importance in Hegel's transition to the concept of the concept as that which is free – in freeing itself, the “substance” must not only become the “subject” (*PhG*, *GW* 9:18). Hegel's analysis of the concept of substance shows that it is the substance that utterly “*has been let go freely into the concept*,” and as Hegel adds, this completion of the substance is no longer the substance itself but “the *concept*, the *subject*” (*WL*, *GW* 12:14). On the whole, a philosophical program that is subjected to “*immanent deduction*” (*WL*, *GW* 12:16) is a philosophical program in which the concept in a radical and encompassing way *frees itself to itself*. As a logic of the concept that frees itself to itself in the fashion of self-knowledge, the logic is a logic of the (absolute) *idea*, that is to say, a logic of the concept that corresponds to itself in its objectivity: a logic of the “*adequate concept*” (*WL*, *GW* 12:30). This is a logic that evolves itself through an immanent process of determination, beginning with thought as the indeterminate immediate (“being,” *Sein*) and completing this evolution by comprehending its own evolution (“absolute idea”). Viewed in this light, the absolute idea contains all determinacy within itself (*WL*, *GW* 12:236).

Containing all determinacy in itself, the idea is not exhausted merely as a logical idea. Taking the whole of philosophy into account, the absolute idea is addressed by Hegel in three perspectives of determination: within pure thought, within nature, and within spirit (cf. Krijnen 2008, ch. 4.2.1.2). Hence, Hegel's philosophical program includes nature and spirit, that is to say, the realms of reality; his philosophy includes them in the way of an immanent development of the idea which acknowledges “experience.”¹² Here, the logic functions as the “foundation” of any natural or spiritual determination (*WL*, *GW* 12:20; cf. *Enc.* §24A1). Hegel

¹² Immanent development is meant here as a methodological qualification. As far as the content is concerned, speculative idealism, according to its self-understanding, is committed to the “fruitful bathos of experience” (Kant). Hegel leaves neither the empirical dimension nor the history of philosophy aside: he acknowledges empirical and philosophical knowledge as material, but he (trans)forms this material to conform with the knowledge claim of his speculative philosophy and the methodology belonging to it (cf. Krijnen 2008, 190ff.).

denotes the logic in his perspective also as the “pure figure” (*reine Gestalt*) of the “intellectual view of the universe” (*WL, GW* 21:34) as well as the “inner figurator” (*inneren Bildner*) and “pre-figurator” (*Vorbildner: WL, GW* 12:25) of his philosophy of reality (*Realphilosophie*). Because of its radical foundational role, the logic is qualified as both the “first” and the “last” science of the system of philosophy (*WL, GW* 12:198). This implies, inter alia, that each and every determination – whether empirical determinations or philosophical determinations of nature and spirit constituting the foundations of the empirical – has its basis in logic, while at the same time the logic is retained in the other realms of the philosophical system as their foundation. Finally, at the end of the system, the logic becomes a logic that *comprehends itself* as a logic that is the unity of nature and spirit, and, therefore, is the grounding principle of reality. By reaching this insight, philosophy – a figure (*Gestalt*) of the absolute spirit – comprehends itself as truly a science of foundations, or conversely, as truly a science of totality.¹³

In short, the *program* of a veracious idealist philosophy is profiled in conformity with the concept that is and remains with itself in its other. Hegel’s speculative determination of the concept thereby integrates notions like spontaneity, self-determination, necessity, contingency, law, cause, effect, universality, and singularity in a complicated way and in doing so enables first something like spiritual freedom.

Concerning the execution of this program, the *concept* transpires to be the logical place in the system of the absolute idea – the one and only theme of philosophy – *as* that which is free. With the transition from the section Actuality (*Wirklichkeit*) to the Doctrine of the Concept, Hegel deduces the concept of the concept and the freedom that characterizes it. “The concept is that which is *free*” (*Enc.* §160), freedom is the “absolute negativity of the concept as identity with itself” (*Enc.* §382).

Hegel comes to this insight by comprehending Kant’s cosmological concept of freedom and Spinoza’s concept of substance from their common origin, that is, the concept as that which is free. Kant, however,

¹³ For the logic as the last science, see Krijnen (2008, ch. 4.2.3, esp. pp. 228ff.). The absolute spirit is, however, not just “the spirit which *knows* that it has to appear in the finite life that Hegel conceives of as *world history*” (Kok 2013, ch. 6.8.3). This type of “transcendental openness” does not cover Hegel’s mature concept of absolute spirit. Absolute spirit entails a specific closure of spirit too. Hegel thinks openness and closure together in such a way that this unity is not only a “unity of spirit and nature” but a unity of the idea, nature, and spirit. From the perspective of the history of philosophy, philosophy is a particular (*jeweilige*) knowledge of totality (cf. Krijnen 2008, ch. 4; 2010).

following the line of thought of rational metaphysics, conceives of freedom as a “power of causality,” as the capability of beginning a series of events spontaneously, of one’s own accord, from one’s own law (the cosmological law of freedom: spontaneous causality). Hegel rejects such a general concept of freedom, a concept of freedom that even underlies Kant’s practical philosophy. For Hegel, freedom is not a power of causality but being with oneself in one’s otherness (freedom as a power of intelligible causality would at most be a specification of this most general concept of freedom). If the “ground” of caused appearances is conceived of as a spontaneous causality, then the relationship between cause and effect is and remains an *external* one. Seen from Hegel’s perspective, Spinoza’s philosophy of substance definitely offers a counter model. Instead of conceiving freedom comprehensively as a spontaneous cause, and hence foundation, of the world of appearances, Hegel appropriates Spinoza’s concept of substance and transforms it speculatively. His famous formula that the “substance” turns out to be the “subject” already indicates this. The substance has to be conceived of in a modern idealist way, that is, in the fashion of a philosophy of subjectivity. The “absolute power” and “blind necessity” characterizing Spinoza’s substance thus become the freedom that is thought, the concept, or the idea. The cosmological unity of ground (cause) and effect would then transpire to be the immanent necessity of comprehending thought itself. As Hegel puts it, the absolute “expounds itself” – its “*expositor*” is the “*absolute necessity*.” He states: “Therefore, the determinations of the absolute are no longer ‘attributes’ that emerge from an ‘*external reflection*,’ but they are ‘identical positing of itself (WL, GW 11:393; cf. 370f., 375). Hegel explains this process of manifestation, self-expounding of the absolute, in a way that the truly absolute relation is “*posited unity* of itself in its *determinations*,” that is, the “*concept*” (WL, GW 11:393f.; WL, GW 12:11ff.). The achieved self-referential unity of the absolute substance is the concept in general: a relation to itself that manifests itself, or *freedom*. Hence, freedom, which is the concept, is the ground of actuality as appearance, not merely a spontaneous causality. Its power and necessity are characterized by an “*inner necessity*” that comes to be freedom because its identity, which is in the first instance only an “*inner identity*,” *manifests* itself (WL, GW 11:409). By passing through rationalism and empiricism (WL, GW 11:393ff.), Hegel finally even sublates Kant’s transcendental unity of apperception in the freedom of the concept (WL, GW 12:17ff.).

Such freedom of spontaneous self-determination and complete self-mediation, characteristic of the activity of the concept and the necessity

that belongs to it, seen systematically, precedes or founds any specification of freedom (in particular, spiritual freedom). It is the “absolute negativity of the concept as identity with itself” (*Enc.* §382). This absolute negativity of the concept as identity with itself preserves itself in the further progression of the logic, with respect to the logical development of the concept to the idea as well as to the elements of reality, and hence to something elementarily different that despite its sheer otherness is founded in it. About this transition to reality, Hegel holds that the “pure idea,” in which the determinacy of the concept is itself “raised into concept,” is an absolute liberation, the “concept that remains with itself” (*WL, GW* 12:253).

Philosophy of Spirit as Philosophy of Freedom

In the course of its emergence from the logic of essence, namely, the relation of substantiality, the concept transforms the unity of substance into a posited identity that is the “identity of the concept” (*WL, GW* 12:15). In this way, a self-referential relationship of “absolute negativity” is achieved that Hegel qualifies as freedom, and by implication as “*manifested identity*” (*WL, GW* 12:15). For Hegel, manifestation as an activity of something which is truly absolute must be thought of as the manifestation of this absolute itself in its expression (*WL, GW* 11:375f., 380, 397f.; *Enc.* §§139, 142R, 151). Hence, nature and spiritual reality are specific manifestations of the concept, and therefore are specific manifestations of that which is free. Freedom does not exhaust itself in the realm of the logical, but it does have a logical foundation. It is grounded in logic speculatively.¹⁴ We are free because the concept, as that which is free, manifests itself as a spiritual self-relationship. While nature does not show “freedom” (but merely “necessity” and “contingency”) (*Enc.* §248), more precisely, the essence of nature is not freedom, and thus nature is no manifestation of freedom; the formal “*essence*” of spirit is “*freedom*” (*Enc.* §382). As regards content, the determinacy of spirit is the “*manifestation*” (*Enc.* §383) of its essence (freedom). Manifestation is not a manifestation

¹⁴ The attempt of Bubner (1984) to reconcile Kant’s ethics of maxims with Hegel’s doctrine of *Sittlichkeit* in a hermeneutical fashion is not very plausible because of the content of both approaches. Concerning in particular Hegel, Bubner’s interpretation of *Sittlichkeit* suffers from not taking into account that *Sittlichkeit* has its foundation in the *concept*. As a consequence, in Bubner’s story, freedom does not appear as the superordinate factor of determination of constellations of *Sittlichkeit*. Rather, Bubner’s indeterminate talk of a transparent “coherence of forms of life,” of “hindrance or enabling of praxis” and the like takes its place.

or revelation of “*something*,” but spirit itself *is* this process of revelation. Its “possibility,” therefore, is “immediate infinite, absolute *actuality* (*Enc.* §383; *WL, GW* 11:375).

This revealing by manifesting or manifesting by revealing of spirit takes place in three forms of itself, ranging from subjective to objective and finally to absolute spirit (or from finite to infinite spirit) (*Enc.* §§385f.).

As *subjective* spirit, the development of free spirit concerns this spirit itself in a narrow sense, that is to say, the relation to itself. Therefore, no “subject” is already constituted, let alone a plurality of subjects (or “individuals”). The subject first is the result of the process of development (constitution) of subjective spirit.¹⁵ Therewith, the essence of spirit is not only freedom, but because the “concept” of spirit becomes “for it,” its being (*Sein*) becomes “with itself, that is, becomes free” (*bei sich, d.i. frei zu sein: Enc.* §385). Subsequently, the free spirit objectifies itself into a spiritual world, which it gradually makes adequate to itself: into a world in which freedom “exists as necessity” (*Enc.* §385). In this form of its activity, the spirit is “*objective*” spirit: a spirit that brings about a spiritual world, a reality in which spirit actualizes freedom (*Enc.* §385).

The realization of the (absolute) idea within the element of spirit is completed when spirit is *freed* from all forms of existence not adequate to its concept. In this case, spirit “actually” is free. This freedom is achieved by spirit only through its own activity; the philosophy of spirit, then, addresses the spirit as “producer of its own freedom” (*Enc.* §382Z). Formally, the essence of spirit is freedom and the spirit in the realm of spirit is “free spirit” (*Enc.* §§382, 384).

At the end of the philosophy of *subjective* spirit, Hegel determines free spirit as the unity of theoretical and practical spirit: “free will that is for itself as free will,” “will as free intelligence” (*Enc.* §481), spirit that “knows” and “wants” itself as free, that is, spirit that makes its own freedom its “purpose” (*Enc.* §482). *Freedom* (self-determination) makes up the unity of theoretical and practical spirit. With this, the transition into the objective existence of free spirit is achievable. For the philosophy of *objective* spirit, it is decisive to comprehend free spirit in its objective existence, and hence, to determine objective spirit philosophically according to the logic of the concept. Realizing freedom in the objective realm amounts to rendering explicit what is implicit concerning this actualization of the purpose (freedom). The free spirit as result of

¹⁵ This seems to be underestimated in the contemporary discourse on recognition (cf. Krijnen 2014).

subjective spirit is in fact “actual” (*Enc.* §§480ff.) free spirit. Free spirit not only has freedom as its “essence”; it has this essence at the same time as its “determination” and its “purpose” (*Enc.* §482, cf. §483). Objective spirit is that free will that has made the existence of its freedom its own purpose. (From the perspective of constituting meanings in the system of philosophy, it is not before the philosophy of objective spirit that we are dealing with a plurality of subjects (cf. *Enc.* §§485ff.); they all have made the existence of their freedom their own purpose.)

This is one side of the coin. The other is that the *actualization* of this purpose takes place in an “externally found objectivity,” which makes up the “material for the existence of the will” (*Enc.* §483). By realizing its concept (freedom) in the “external objective side,” the free will is “in it with itself, united (*zusammengeschlossen*) with itself” (*Enc.* §484). Hence, the world, the “external objective side,” obtains the “form of necessity”; its “substantial relationship” is freedom, while the “appearing relationship” is its “recognition” (*Annerkanntsein*) or “validity in consciousness” (*Enc.* §484). The achieved unity (*Zusammenschluß*) of the free (“rational” (*vernünftig*)) and the individual will – the latter is the “element” of “activation” (*Betätigung*) of the free will – constitutes the “actuality of freedom” (*Enc.* §485). Because of this individuation or singularization of the actual free will, the “external material” is transformed by freedom: freedom comes into the world, and it does so first as “right,” then as “morality,” and finally as “*Sittlichkeit*” (*Enc.* §487). Right, morality, and *Sittlichkeit* are figures in which the idea manifests itself and are therefore forms in which the idea gives itself existence.

Spirit, as the idea that has achieved its being-for-itself and has therefore the concept as its subject and object (*Enc.* §381), is not some abstract general concept of possible spiritual activities or spirits. By contrast, conforming to his program of philosophy and the conception of “realization” that belongs to it, Hegel conceives of spirit as actuality (*ἐνέργεια*), that is, as being active of freedom, aligned to emerge from itself and to come into harmony (correspondence) with itself as freedom.¹⁶ The task is to establish the conditions under which freedom comes into the world, that is to say, the figures in which the freedom of free spirit realizes itself in

¹⁶ The secondary literature about the philosophy of objective spirit, videlicet Hegel’s philosophy of right, does not take sufficiently into account this perspective of the system of philosophy, hence, the formal relationship between a speculative doctrine of the idea and objectifying freedom. Instead, it focuses immediately on the content of the respective determinations of objective spirit. A welcome exception again is Fulda (see, for example, Fulda 2003; 2011).

the objective realm. Seen from the perspective of the logic of the system, the “concept” in its “actualization” gives itself a “shape” that is a “moment” of the idea as unity of the concept and its realization (*RPh* §1R). Hence, the gradation of the development of the idea goes along with different figures (shapes), which are specific “spheres” of objective spirit (*RPh* §33): abstract right, morality, and *Sittlichkeit*.

This, however, does not mean that the figure of (abstract) right and of morality are to any extent “abstract moments” of *Sittlichkeit* in the sense that only *Sittlichkeit* would make up the objective-spiritual reality. Actually, each and every one of these three figures concerns an existence of the free will; each of them is a moment of its existence. *Sittlichkeit*, however, is an existence which Hegel conceives of as the “unity and truth” of the preceding two figures: of “external world” (abstract right) and “reflected will” (morality). This implies that in *Sittlichkeit* freedom exists both objectively and subjectively. Hence, the will here is a substantial will: a will that has an “actuality” that corresponds to its concepts – the will is in itself (abstract right) and for itself (morality) free will, that is to say, *Sittlichkeit* (*RPh* §33 with *Enc.* §487). By overcoming both the abstractness of an abstract system of objective rules and mere subjective self-determination, Hegel has reached concrete life in its objective-spiritual fullness. That is to say, in *Sittlichkeit*, freedom has taken shape as the “living good” (*RPh* §142); “self-conscious freedom” has become a (second) “nature” (*Enc.* §513; cf. *RPh* §151); the “absolute ought” has turned into “being” (*Enc.* §514). Nevertheless, none of these spheres of objective spirit has an “ontological” prevalence. In any event a particular existence of freedom is at issue. This existence reaches from the most minimal correspondence with its concept up to the maximal correspondence; thus, each of them is a specific figure of meaning. To each of them applies what applies to spirit as such: to consider the “concrete nature” of spirit involves the peculiar difficulty that the different levels of development of the concept of the spirit do not remain as “particular existences” but are “essentially only as moments, conditions, determinations of the higher levels of development” (*Enc.* §380). All concern a spiritual existence, a spiritual reality. The actual world of humans is not only *Sittlichkeit* (mere families do no more exist than a mere formal system of right) – the free will continuously gives itself existence. That Hegel via abstract right and morality finally arrives at *Sittlichkeit* is due to his method of speculative comprehension and the conception of concept and its realization that are part of it. The existence of freedom, actualization of normativity can only be conceived of in this manner.

Philosophy of Right as Philosophy of Freedom

In the sense sketched above, Hegel conceptualizes the philosophy of objective spirit as “philosophy of right.” “Right” means generally the existence of the free will (*Enc.* §486). Therefore, right is determined as a qualification of the free will, giving itself existence. In doing so, the free will actualizes its essence (freedom): the existence of freedom. The philosophy of right or of objective spirit has the task of comprehending the existence of freedom.

In conformity with the logic of speculative concept formation,¹⁷ at the beginning of the philosophy of objective spirit a concept of spirit is at issue which is maximally external to the final concept of subjective spirit as free will. This existence of free will is for Hegel *right*. As mentioned, right is conceived of not in a narrow sense but as “encompassing”: as “the existence of *all* determinations of freedom” (*Enc.* §486). Against the background of Hegel’s logic of speculative concept development, it is plausible that Hegel lets the moment of the will, which is one main aspect of free spirit, prevail and makes it the basic concept of the philosophy of objective spirit (whereas in the philosophy of absolute spirit, thought, which is the other main aspect of free spirit, takes center stage). Hegel conceives of the will not as something that is separated from thought but as a type of thought – thought that “translates itself into existence, impulse to give itself existence” (*RPh* §4Z, cf. *Enc.* §233), thought as a “thinking will” (*Enc.* §469). Within free spirit, it is precisely the moment of the will as impulse which makes up the maximal external moment of thought, and hence, of spirit actualizing its freedom.

The development of Hegel’s *Encyclopaedia* is designed to deal with thought. It does so by considering it in the fashion of self-knowledge of the idea. At the end of the conceptual development of subjective spirit, an *actual* free will, which is for itself a free will, is constituted. Therefore, the will is not merely the competence of a subject to determine objects; it is not mere intentionality. By contrast, the will is in itself *determined*, *knows* and *wants* itself, and is in this unity of theoretical and practical spirit at the same time a moment in the *process of self-knowledge* of the idea. As such a moment, free will is the “*existence of reason*” (*Enc.* §482): as a free will, the

¹⁷ On the logic of progression of a speculative development, see Krijnen 2008, ch. 3.4.2, and in particular concerning the philosophy of reality, ch. 4.2.1.2.

will aims to give itself existence in an externally found objectivity; it intends to actualize its concept (freedom).¹⁸

Hegel unveils the notion of right as a wide concept. Right is conceived of as the will, determining itself rationally (*vernünftig*) into the existence of spirit. This process of determination starts with “abstract right” (*Enc.* §487).¹⁹ Here, the actual free will achieves its existence in individual persons that put their will in objects external to them (*Enc.* §§488ff.). In such a figure, free spirit is maximally external to itself: its subjectivity manifests itself not in the will itself but in an “external matter” (*Enc.* §§488f.). The objective-spiritual process of conceptual development that is initiated evolves from this “immediate” appearance of free spirit (abstract right) to a figure that is “reflected in itself” (morality) and ends in the figure of “substantial” will as the unity of both two preceding figures, and hence, of objectivity and subjectivity (*Sittlichkeit*) (*Enc.* §487).²⁰ Seen from the perspective of speculative concept development, by starting with abstract right we start to comprehend what realizing freedom in the objective realm is. This perspective of realizing freedom in the objective realm, that is to say, actualizing freedom, makes up the overriding moment; the focus on abstract right (in the sense of “narrow legal right” (*Enc.* §486), that is, positive law and traditional natural law) is functionalized accordingly. The perspective of actualizing freedom even is a foundation for the traditional abstract concept of right. The figures of existence of free spirit as objective spirit itself as well as their relations are the subject matter of the philosophy of objective spirit.

Hegel’s philosophy of right as philosophy of objective spirit deals, in the way described, with the idea of right. It attempts to show how the concept of right realizes itself in an objectivity adequate to that concept (*PRh* §1). Accordingly, Hegel conceives of free spirit as “purposive activity” (*Enc.* §484), striving to give its inner (essential) determinacy an objective existence. Under what conceptual conditions is this, taking into consideration our level of knowledge of objective-spiritual constellations, possible? For Hegel, the conditions of objective-spiritual realization of freedom amount neither only to a contract theory model of abstract right nor to a moral

¹⁸ Formulated from the perspective of self-knowledge, the free will is “in itself the [absolute] idea,” “only the *concept* of absolute spirit” (*Enc.* §482, cf. §483).

¹⁹ On the historical background of Hegel’s determination of right, see Fulda (2003, ch. 7.3.5). Also see Duso (2013) on the relevance of the modern doctrine of natural law for Hegel’s philosophy of objective spirit.

²⁰ The sketched end applies to the volitional aspect of free spirit; the development progresses to absolute spirit, addressing the idea that knows itself as spirit.

justification of right from the will of the willing subjects. Actually, it seems necessary to include political communitarization, and hence, *Sittlichkeit*. The reason for this inclusion makes up the peculiarity of freedom in the sphere of *Sittlichkeit*.

The Freedom of Constellations of *Sittlichkeit*

The existence of freedom starts, as sketched above, with a figure of subjectivity of the free spirit that manifests itself not in this spirit but in an “external matter”: that “I” put my “will” into a matter (*Enc.* §§484f.). Conceiving, however, the existence of freedom as freedom of persons who put their will in objects external to themselves (that is, the existence of freedom as abstract right) *itself* leads to another figure of freedom: morality. The reason for this is that in the course of the development of the concept of abstract right, it turns out that abstract right eventually can no longer be distinguished from the individual, “subjective” will, that is to say, from the perspective of morality; the actuality of abstract right requires morality for its own sake; thus, it is “mediated” by morality (*Enc.* §§502ff.). In morality, the will, and with that the existence of freedom, is conceptualized as “in itself reflected will,” not as freedom of (legal) persons but as the free individual that is “subject” as in itself reflected will (*Enc.* §503). Hegel’s moral philosophy discusses the “internal” determinacy of the will, not, as in abstract right, the existence of freedom in external matters (*Enc.* §503). Morality too, eventually, collapses: it turns out to be merely stilted subjectivity, pretending to be absolute; yet morality posits itself to be identical with the good as a substantial (and not only abstract) generality.²¹ Comprehending the existence of freedom, by consequence, involves the transition to a subsequent figure: to the substantial will, that is, the figure or shape of *Sittlichkeit* (*Enc.* §§511ff.; *RPh* §§140f.).²²

Neither abstract right nor morality is capable of conceptually preserving the existence of freedom. In fact, both have, as Hegel puts it, constellations of *Sittlichkeit* as their “carrier and foundation” (*RPh* §141R): abstract right lacks the moment of (particular) subjectivity and morality lacks the moment of objectivity. Taken on their own, they concern inadequate figures or conceptual constellations of the existence of freedom; universality

²¹ Morality culminates in an “absolute vanity,” a being good that is not objective but “merely certain of itself”: exactly because of “taking-the-deepest-inward-turn,” the general, objective good the subject strives for dwindles away (*Enc.* §§512, 511).

²² On this, with regard to Kant’s conception of morals, see Krijnen 2019.

and particularity are conceived of only abstractly, not in their adequate relationship, and hence in their mediation as moments of the existence of freedom. Hegel's doctrine of *Sittlichkeit* is exactly this "unity of the subjective and objective in and for itself existing good" (*RPh* §141Z), the "unity and truth" of both moments, and hence, the idea of the good realized in the "external world" (*RPh* §33; cf. *Enc.* §§487, 513). In this manner, the figure of *Sittlichkeit* first makes individual self-fulfillment in the sense of actualizing freedom possible: it is its condition.²³

Hegel grasps the sphere of *Sittlichkeit* not as in the natural law tradition, that is to say, not as a *purposefully established social* entity that enables its members to actualize ends designed from the moral perspective. On the contrary, *Sittlichkeit* proves to be a condition of the possibility to actualize such ends. Indeed, Hegel's main concern is not *Sittlichkeit* as sociality but *Sittlichkeit* as the existence of freedom. *Sittlichkeit* as a figure of the existence of freedom is characterized by the constellation that the "subjective freedom" of free spirit gains "immediate and general actuality" in attitude and activity, hence, turning "self-consciousness freedom" into (a second) "nature," that is to say, into nature as *Sittlichkeit* (*Enc.* §513). To be sure, it by no means sacrifices the modern, Kantian concept of the autonomous subject on the altar of the antique, Aristotelian concept of the polis. In *Sittlichkeit*, self-consciousness freedom has become (a second) nature (*Enc.* §513), the "absolute ought" turned into "being" (*Enc.* §514). In accordance with this, Hegel treats the figures of *Sittlichkeit* – the family, the civil society, and the state – in their respective structure and meaning as constellations of *Sittlichkeit*: they are addressed as specific moments in the process of self-knowledge of the idea, and hence of the actuality of freedom.²⁴

Whereas the conception of freedom of abstract right is insufficient because it does not adequately take into account the particularity of a free spirit in actualizing freedom, the conception of freedom of morality leads to an "absolute vanity" (*Enc.* §512, cf. *RPh* §141) of the will, with the result that both figures, taken on their own, cannot retain the freedom claim of a free spirit. Hegel transforms them into moments of a higher

²³ "Condition" in the conceptual sense, of course, not as preceding temporally (cf. *RPh* §32R).

²⁴ The civil society is a figure of human coexistence in which *Sittlichkeit* is (in the first instance) conceptually lost in its own "extremes" (*RPh* §184). Yet this does not mean that *Sittlichkeit* has fully disappeared. It must remain at least at a minimal level even in the "system of atomism" (*Enc.* §523, cf. *RPh* §§182ff.), as otherwise the civil society cannot be presented on the "standpoint of bifurcation," which qualifies civil society as a "spectacle of excess, misery, and the physical and social ruin that belongs to both" (*RPh* §186).

unity that underlies both of them conceptually and makes up their unity: *Sittlichkeit*. As Hegel formulates it, freedom was in the first instance determined as right; subsequently, in the reflection of the subject, it became determined as the good, finally leading to a determination of *Sittlichkeit* as a “subjective disposition of right existing in itself” (*RPh* §141R). Actual, concrete-universal freedom exists only in a constellation of *Sittlichkeit*. A constellation of *Sittlichkeit* is always a unity of subjectivity (morality, particularity) and objectivity (abstract right, universality). It is the idea of freedom as the “living good” (*RPh* §142). Self-knowledge, disposition, and activation have come here to an “immediate actuality,” and in this sense self-conscious freedom has turned into a nature that is mores (*Sitte*, custom) (*Enc.* §513). *Sittlichkeit* concerns the realm of the “concrete” (*RPh* §144), “consciously free substance” (*Enc.* §514), that is to say, a conceptually determined unity that develops itself within itself. Therefore, this sphere “is” in the “highest sense of independence,” however, not as something that is “alien” to the subject but as “witness . . . of its own essence” (*RPh* §§146f. and *Enc.* §514). The freedom of free spirit has obtained an immediate, universal actuality; and accordingly, self-conscious freedom has turned into (a second) nature. Within the element of objective spirit, the universal and the particular have come to a unity. They have determined themselves toward singularity, that is, toward the living good as the existence of freedom. Constellations of *Sittlichkeit* transpire to be the spirit “living and present as a world, and only thus the substance of spirit exists as spirit” (*RPh* §151).

In this way, constellations of *Sittlichkeit* are the carrier and foundation of the inadequate objective spiritual figures of abstract right and morality. Taken on their own, abstract right and morality have no actuality (*RPh* §141Z). They have actuality only within constellations of *Sittlichkeit*: within the world in which we live as free spirits. The world in which we actualize our essence, freedom, is a world of constellations of *Sittlichkeit*.²⁵

²⁵ Seen from this perspective, one can understand what “duty” is without putting blame on Hegel for being conservative and even annihilating freedom. Actual, not merely abstract duties exist only in constellations of *Sittlichkeit*. As Hegel says, duties within *Sittlichkeit* make up the relationships of individuals (*Enc.* §516; *RPh* §§148, 150R), they are “binding relationships” (*RPh* §155Z). And as Hegel is committed to a modern concept of right, the “right of individuals to their particularity” is preserved in *Sittlichkeit* (*RPh* §154, cf. 153 and *Enc.* §516). Hence, concrete subjectivity is not annihilated. In fact, it is first enabled in its actuality. Hegel’s doctrine of duties, therefore, concerns the development of those constellations that are necessary because of the idea of freedom (cf. *RPh* §149 & Z and §29 about misunderstanding duties as “limitations” of freedom). Hegel’s philosophy of right is no practical philosophy, aiming at a set of moral-ethical and moral-juridical standards, but a philosophy of objective spirit that first comprehends objective spiritual constellations in their significance for the actualization of freedom.

Conclusion

Hegel's philosophy of right has from the start fascinated scholars. Presently, besides intensive historical and philological explorations, influential attempts at a reactualization of Hegel's philosophy of right have been undertaken. In these attempts to rejuvenate Hegel, the relationship between Hegel's philosophy of right and his conception of the system of philosophy, as presented in the *Encyclopaedia*, has been substantially loosened, in some cases even neglected. This tendency to loosen the relationship between the system and its elements also facilitates the widespread but misleading view that Hegel's philosophy of objective spirit is "practical philosophy."

In stark contrast to such developments in Hegel scholarship, we have seen why and how for Hegel it is essential to comprehend the philosophy of right as a philosophy of objective spirit, and therefore as a part of the system of philosophy. Hegel's (mature) philosophy has as its sole content and object the (absolute) idea, which it conceives of speculatively. Objective spirit, then, transpires to be a manifestation of the idea too. For Hegel, this makes up the original determinacy of objective spirit.

Indeed, exploring the presuppositions of Kant's philosophy from the beginning strongly motivated the development of German idealist philosophy, leading to a very complex philosophy of freedom. By loosening the intrinsic relationship between Hegel's system and its parts, however, contemporary appropriations of Hegel's philosophy fail to address this complexity adequately. Yet the question of the relationship between the system and its parts is central to understanding the program of Hegel's idealist philosophy. Hegel's philosophy unfolds as the realization of the "concept" that is and remains with itself in its other and which reaches its full self-realization in the "idea." This implies an innovative and truly radical conception of freedom. While traditionally freedom is conceived as freedom of the will, which is a characteristic of an I as a moral agent or practical subject, for Hegel, in his *Logic*, the "concept" is that which is originally and exemplarily "free." Hence, freedom is primarily not a practical but a logical constellation.

Hegel's philosophy of spirit should be interpreted as a philosophy of freedom. Although this might be apparent, it is not at all clear what the perspective itself of this interpretation should be. We have seen that this perspective is the perspective of the idea. As a consequence of the logical dimension of freedom, Hegel's philosophy of spirit is a philosophy of freedom qua manifestation of the (absolute) idea. Accordingly, the

philosophy of right or of objective spirit is a philosophy of freedom qua manifestation of the idea too. It deals with a particular problem regarding freedom: the problem of the actuality of freedom. This problem emerged from Hegel's attempt, in his philosophy of subjective spirit, to overcome, by free spirit, the highly influential distinction between theoretical and practical spirit, and hence by the conception of a spirit that knows and wants itself as free. Spirit has made the existence of its own freedom its purpose. Then, the actuality of freedom is at stake. Hegel's solution for the problem of the actuality of freedom finally leads him to carve out the specific freedom of constellations of *Sittlichkeit*. These constellations reveal themselves to be the carrier and foundation of the inadequate objective spiritual figures of abstract right and morality. Their inadequacy is due to the fact that from the point of view of abstract right and morality, the actuality of freedom cannot be understood. The world in which we actualize our essence, freedom, is a world of constellations of *Sittlichkeit*. Since *Sittlichkeit* basically is a manifestation of the idea, Hegel's conception of objective spirit cannot be grasped without taking into account that his philosophy is speculative idealism.