

**Into Reason's Horizon:  
An Analysis of Individual Autonomy in the Philosophy of Right**

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## 1. List of abbreviations<sup>1</sup>

- PoR: Philosophy of Right
- PoH: Philosophy of History
- EL: Encyclopedia of Logic
- EM: Encyclopedia of Mind also translated as Philosophy of Mind

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<sup>1</sup> As a general guideline, a reference to a specific paragraph will be indicated by the abbreviation of the book and ‘§’ followed by the paragraph number. Occasionally a reference to an addition in the text is used. This is indicated by an A combined with the paragraph number. A remark by Hegel is indicated with an R and is also combined with a paragraph number. The comma will be used to indicate ‘and’.

## 2. The introduction

“Hegelianism is the renaissance of tribalism. The historical significance of Hegel may be seen in the fact that he represents the ‘missing link’, as it were, between Plato and the modern form of totalitarianism.” This is how Karl Popper describes Hegel’s place in the history of philosophy in *The Open Society and its Enemies*.<sup>2</sup> Popper describes Hegel as a Prussian state-appointed philosopher whose foremost job it was to provide an ideology for the reactionary and conservative Prussian state monarchy.<sup>3</sup>

Most of Popper’s criticism is directed at Hegel’s *Philosophy of Right* (PoR). He provides numerous examples of Hegel’s thoughts on the state, overall arguing that for Hegel the state has absolute moral authority over all personal morality and all conscience.<sup>4</sup> Moreover, according to Popper, Hegel collected and preserved the ‘armory of weapons for authoritarian movements’.<sup>5</sup> Most of the equipment was created by other thinkers; Popper notably refers to Plato’s totalitarianism and tribalism. The former is made up of a strict division of classes, unwavering identification with the state, a ruling class that supervises the collective interest of society, a monopoly on violence by the ruling class, constant censorship and propaganda, and lastly the state’s self-sufficiency.<sup>6</sup> However, Hegel also prepares other ‘ancient war treasuries of the perennial revolution against freedom’ for his followers.<sup>7</sup> Ideas such as nationalism, the ideal of the heroic life, and collective utility as a moral foundation of society.<sup>8</sup>

Some of the criticisms provided by Popper might be correct, but many other major criticisms that he posits have been refuted. Most notably in Kaufmann’s *The Hegel Myth and its Method*, but also more recently by Kenneth Westphal who deconstructs the image of Hegel as a conservative scholar whose academic career was importantly helped by and in service to the Prussian State.<sup>9</sup>

What has been covered to a lesser extent, is the relation between the individual and the collective within the PoR. If one follows Popper’s account of Hegel, the state is the usurper of all individual freedom. In this framework, the individual is merely an entity working towards the

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<sup>2</sup> Karl R. Popper and E. H. Gombrich, *The Open Society and Its Enemies* (1943; repr., Princeton, New Jersey, United States of America: Princeton University Press, 2013), 245.

<sup>3</sup> Ibid.

<sup>4</sup> Ibid.

<sup>5</sup> Ibid, 273.

<sup>6</sup> Ibid, 83 - 84

<sup>7</sup> Ibid, 274.

<sup>8</sup> Ibid, 274.

<sup>9</sup> Walter Kaufmann, “The Hegel Myth and Its Method,” *The Philosophical Review* 60, no. 4 (October 1, 1951): 459, <https://doi.org/10.2307/2181420>; Kenneth R. Westphal, “The Basic Context and Structure of Hegel’s Philosophy of Right,” in *The Cambridge Companion to Hegel*, ed. Frederick Beiser (Cambridge, Cambridgeshire, United Kingdom of Great Britain and Northern Ireland: Cambridge University Press, 1993), 234–69, <https://doi.org/10.1017/ccol0521382742.009>.

realization of objective Spirit and subordinate to the actualization of this goal. The individual is of little importance in this process; one is solely a cog in the totalitarian machine that Popper envisions Hegel's state to be. This individual, as described by Popper, cannot participate fruitfully in the (re)construction of the state as a 'concrete person'. The individual thus has no autonomy and no critical opportunity in Popper's characterization of Hegel's state.

The aim of this thesis is twofold. First, I argue that there is a critical potential within Hegel's broader philosophical system, whose practical application is utilized and shown in the PoR. Accordingly, I argue against Popper, positing the PoR not as a work of disguised totalitarianism, but as an example of how Hegel's critical potential can be utilized to critique the status quo. Secondly, I analyze the development of the relationship between the individual and the collective in the PoR, arguing that Hegel's state does accommodate a free and critical citizenry.

To argue for these two aims, the thesis is split into two parts. The first two chapters explain the critical potential in Hegel's broader system in connection to the PoR. The third chapter analyzes the relation of the individual and the collective in the PoR. In the last chapter, these arguments are synthesized showing that Hegel's state not only accommodates the idea of a critical citizen but also forms the basis on which the philosopher ought to follow the PoR and grasp his time in thought.

The chapters are organized as follows. The first chapter delves into the distinction between Hegel's concepts of existence (*Existenz*) and actuality (*Wirklichkeit*) to explain the underlying critical potential of the phrase "what is rational is actual; and what is actual is rational."<sup>10</sup> The second chapter discusses the aim and goal of the PoR, and how the work exemplifies the difference between existence and actuality. After this, the PoR is analyzed in the third chapter to explain the relationship between the individual and the collective in Hegel's work. The order of the PoR is followed, which means that the chapter exists of four sub-chapters including the introduction, abstract right, morality, and ethical life. The fourth chapter shows how Hegel reconciles both the individual and the collective leaving room for individual autonomy within the collective. It further explains that the state not only accommodates individual autonomy but also forms the basis for the philosopher to grasp time in thought. The thesis thereby concludes that Hegel constructed into the state a function for his successors to keep reason on the horizon and via his PoR provided them not an armory of weapons, but a compass to sail straight into reasons horizon.

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<sup>10</sup> G. W. F. Hegel, *Hegel: Elements of the Philosophy of Right*, ed. Allen Wood, trans. H. B. Nisbet, *Cambridge University Press* (Cambridge, Cambridgeshire, United Kingdom of Great Britain and Northern Ireland: Cambridge University Press, 1991), 20, <https://doi.org/10.1017/cbo9780511808012>.

### 3. The Critical Potential of the Hegelian System

#### 3.1 *Existenz & Wirklichkeit*

“What is rational is actual; and what is actual is rational.” The phrase that characterizes Hegel’s PoR is often understood as a justification for the status quo. It is commonly understood as: everything existing is rational, which posits the phrase as a conservative attitude to the world surrounding us. This interpretation aligns neatly with Popper’s characterization of Hegel. If Hegel is tasked with providing an ideology for the conservative Prussian monarchy, the most fitting is an ideology that justifies its existence as being rational.

The phrase is more complex, however, than the understanding of the PoR as a preservation and defense of the current order. The term actuality encompasses more than the mere immediate reality. Hegel writes that: “This conviction (referring to the phrase) is shared by every ingenuous consciousness as well as by philosophy, and the latter takes it as its point of departure in considering both the *spiritual* and the *natural* universe. If reflection, feeling, or whatever form of the subjective consciousness may assume regards the present as vain and looks beyond it in a spirit of superior knowledge, it finds itself in a vain position; and since it has actuality only in the present, it is itself mere vanity. Conversely, if the Idea is seen as 'only an Idea', a representation in the realm of opinion, philosophy affords the opposite insight that nothing is actual except the Idea.”<sup>11</sup> Thus, there is more to actuality than only appearance in reality, but it includes the Idea.

The Idea (with a capital I) forms the endpoint of Hegel’s logic. According to Charles Taylor, the Idea should be understood in the Platonic sense.<sup>12</sup> The Idea is the inner reason that makes external reality what it is. However, it encompasses more than mere rationality that provides the structure of the world as we know it. That is because the Idea is in constant dialectical movement with itself. It posits an external world that is imperfect and because it is imperfect it includes all divisions and differences.<sup>13</sup> This means that the world is posited by the Idea that can be seen as its essence, but by externalizing its essence, it becomes imperfect. By overcoming its imperfections and striving for the Idea, reality eventually finds unity with its essence – the Idea.

Hegel explains the term actuality in his *Encyclopedia of Logic* (EL). Actuality is explained as the unity of essence and concrete existence (*Existenz*) (EL§142). The essence of things is their underlying rational structure also described by Hegel as the Idea.<sup>14</sup> The concrete existence, is merely

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<sup>11</sup> Ibid, 20.

<sup>12</sup> Charles Taylor, *Hegel* (1976; repr., Cambridge, Cambridgeshire, United Kingdom of Great Britain and Northern Ireland: Cambridge University Press, 1977), 328.

<sup>13</sup> Ibid, 320

<sup>14</sup> Michael O. Hardimon, *Hegel’s Social Philosophy: The Project of Reconciliation* (Cambridge University Press, 1994),53.

one of the externalizations of the Idea. The concrete existence that corresponds fully to its rational essence constitutes actuality (El§142A). Thus, actuality is when the external reality is in unity with the Idea - its essence.

Actuality is best explained in relation to Plato and Aristotle. Hegel does not agree with Plato's conception of the Idea as separate from the world out there (El§142A). These ideas reflect only potentiality (*dunamis*). Hegel tends to agree more with Aristoteles's conceptualization of the Idea as an inner dimension that actualizes itself (*energeia*) (El§142A). This conception restricts the Idea in two ways. First, it is restricted by human cognition; the Idea is not comparable with the concepts such as God and the soul that Kant places beyond the borders of human cognition. Secondly, it must exist in the external reality. The Idea posits itself in the world and unfolds itself there.<sup>15</sup> Because of this dual nature of the actual, Hegel's conceptualization is often described using the two-faced Roman God, Janus. One face looks towards the concrete existence, the other to its essence.

Back to the phrase on the rationality of the actual. It is clear that actuality is the unity of the externalization and the essence of a thing, which means that that the phrase cannot be used as a justification for the existing order (nor a totalitarian state). While these institutions do form an externalization of their essence, they form a distorted externalization. Not being in unity with the rational essence, they are neither an actualization of freedom.<sup>16</sup> However, the phrase can be used to criticize the status quo for not realizing its rational essence. This can be done by analyzing how and if externalized reality works towards reason and freedom.

The potential for criticism allows Hegel to add or leave out certain elements in his description of society in the PoR. There may be a discrepancy between the externalization and its essence. For example, there was no constitutional monarch in Prussia at that time, but Hegel did develop this concept in the PoR. That the constitutional monarchy did not exist in the Prussian state can be ascribed to a discrepancy between the externalization of the monarchy and its rational essence.<sup>17</sup> According to Hegel, the constitutional monarchy would be more rational and thus more conducive to freedom than the existing monarchy in the Prussian state.

This potential for criticism also allows Hegel to do away with certain elements of society. For example, in the PoR, Hegel recalls that within Roman law slavery existed (PR§3). However, slavery does away with the inherent freedom of the individual and is thereby irrational. Since it does not contribute to the process of rationalization, it merely exists and is not actual.<sup>18</sup> This is also what allowed

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<sup>15</sup> Ibid, 57.

<sup>16</sup> Ibid, 62

<sup>17</sup> Ibid, 58.

<sup>18</sup> Ibid, 63.

Hegel to criticize both Plato and Fichte for focusing on trivial matters such as the behavior of nurses in Plato's republic and Fichte's focus on passport regulations.<sup>19</sup>

This clarification of Hegel's controversial phrase shows that his work cannot be ascribed as conservative in nature. Moreover, it ascribes a critical potential to the PoR that Popper does away with. However, the explanation of this phrase is merely an explanation of a fraction of Hegel's work. It does not explain what the overall aim of the PoR is.

### 3.2 The Aim of *Wissenschaft*

The PoR differs in many aspects from other social and political works such as Plato's *Republic*, Hobbes's *Leviathan*, or Rousseau's *Social Contract*. What sets this work apart from its predecessors is its aim which is to describe instead of to prescribe – Hegel's system is a science (*Wissenschaft*), not a utopia.

Hegel's primary aim in the PoR and his science in general, is to comprehend our social reality in its actuality. By describing the rational unity that is actuality, Hegel hopes that we can reconcile ourselves with what we try to comprehend – the social order.<sup>20</sup>

The question naturally arises what we are alienated from. Hegel's answer to this question is related to the position of modern man. According to Hegel, modern man is skeptical of the laws, obligations, and institutions that surround him. The social order is seen as a shackle to the individual's freedom. For Hegel, the social order does not limit freedom. On the contrary, the social order plays an indispensable role in realizing freedom. The blinded individual should be helped to understand how the social order does not constrain but facilitates and increases freedom.

The rational essences posited in societal institutions move it to further the development of freedom. For Hegel, freedom is essentially related to what is rational and good. Therefore, our comprehension of the rational essence in society can help us overcome our separation from it. It helps us to see the good within the externalizations of the institutions that surround us. This is why Hegel states that the aim of a science of society (*Wissenschaft*) should be insight and comprehension of the social order as rational.<sup>21</sup> Understanding the twofold unity of actuality, is to realize the core of society as rational and good and to be made aware of the progression toward freedom.<sup>22</sup> But it is also the

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<sup>19</sup> Hegel, *Hegel: Elements of the Philosophy of Right*, 21.

<sup>20</sup> *Ibid*, 282.

<sup>21</sup> Frederick Neuhausser, "The Idea of a Hegelian 'Science' of Society," in *The Blackwell Companion to Hegel*, ed. Stephen Houlgate and Michael Baur, 1st ed. (Chichester, West Sussex, United Kingdom of Great Britain and Northern Ireland: Blackwell Publishing, 2011), 282.

<sup>22</sup> *Ibid*, 283.

awareness of the discrepancy between externalization and actuality, which provides ample room for criticism.

In the previous chapter, I explained how there is a critical potential within the phrase “what is rational is actual; and what is actual is rational.” However, it was unclear how the whole of the PoR related to this phrase. What is clear now, is that, contrary to Popper’s argumentation, Hegel’s main aim is not to convince his readers of the rationality of the Prussian state. It is to reconcile the Prussian citizen with the rational essence that underlies the state. He describes the actuality of the Prussian state; the Prussian state that would be in unity with its rational essence. Hegel does this, because he believes that the Prussian state is in discrepancy with its rational essence and because of this, alienates its citizens from itself. Furthermore, understood within its broader philosophical system, the PoR is an example of how one can use existence and actuality to criticize the social order.

#### **4. The Formation of the Ethical State**

What has become clear thus far is that within Hegel’s logic, the distinction between existence and actuality proved to encompass a critical potential. However, without autonomous citizens to utilize this critical potential, Hegel’s aim for the PoR is obsolete. The goal of Hegel’s description of the actual was the reconciliation of alienated citizens with the state. The totalitarian systems as described by Popper would not need this reconciliation. Why would citizens need being convinced to align themselves to the state if they had no choice in the matter? They are forced to obey.

Within his aim for reconciliation, there is a presupposition that one needs to be convinced and not forced to participate within the state. This presupposition shows that Hegel is aware of and respects the inherent freedom and reason of the individual. The individual, for Hegel, can critically understand the society they are in and can be rationally conveyed to partake in it – which he sees it as his task to explain in the PoR. Precisely because of this presupposition, this must mean that there is room for autonomous citizens within Hegel’s state. It would be contradictory for Hegel and against his ideals, to convince free and reasonable citizens to align themselves to a totalitarian collective. To substantiate this claim, the following sub-chapters will delve into the PoR.

##### **4.1 Introduction**

In the introduction, Hegel introduces science subject matter is the Idea (*Idee*) of right. The Idea of right is made up of the concept of right, which is its essence, and the existence of right (*Existenz*). The Idea (with a capital letter I) is a concept that *is* and that actualizes itself (PR§1). It *is*, it knows its essence and is in unity with its essence. It is thereby synonymous with actuality (*Wirklichkeit*).

The Idea of right is freedom (PR§1). To apprehend freedom, the Idea must be recognized in both essence or content, and externalization or form (PR§1A). Right gains its externalization in the validity provided to it by the state and its content via a threefold; ( $\alpha$ ) the character of a people; ( $\beta$ ) a system of legal right that applies the universal to the particular; ( $\gamma$ ) the final decisions made in court (PR§3).

The basis (*Boden*) or essence of right is in the realm of Spirit. Spirit is not much elucidated in the PoR, but it is explained in the introduction to the Philosophy of History. Here Hegel explains that Spirit best can be understood contrary to its antithesis, matter.<sup>23</sup> For example, the essence of matter is determined while Spirit's essence is freedom or self-determination; matter strives towards a point outside itself while Spirit's central point is within; matter seeks unity in its negation while Spirit's unity is found within itself; and lastly, matter exists of multiple parts while Spirit is autonomous, a being-by-itself.

The most important element of Spirit is that in it, subject and object coincide. It knows, and it knows that it knows. This means that Spirit knows itself, judges itself, and at the same time forms itself. Hegel summarizes "According to this abstract definition, we can say of world history that it is the exhibition of the Spirit, the working out of the explicit knowledge of what it is potentially. Just as the germ of the plant carries within itself the entire nature of the tree, even the taste and shape of its fruit, so the first traces of Spirit virtually contain all history."<sup>24</sup> It thus means that the content of right is freedom, while the form that this takes depends on the social-historical context.

Spirit not only forms the content of right but it is also the essence of the will. This means that the will is free, but also that freedom constitutes the substance and the destiny of the will (PR§4). Hegel further explains that the Spirit is thought in general, both on the individual and the collective levels. It is thus through the will that the individual constructs rights and thereby forms an element of Spirit actualizing itself.

Hegel proceeds to give an extensive exposition of the development of the will that is not necessarily of utmost importance for the argument of this thesis. The central argument is that for Hegel, the will is truly free once it has itself as object, once it has *for itself* what it is *in itself*. Hegel gives the example of a child which is a human being that has the potentiality of reason and freedom *in itself* (implicitly). The child is free and rational according to the concept, but not the Idea. It must work to create itself and thereby become rational and free *for itself* (explicitly) (PR§10A).

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<sup>23</sup> Ibid, 20.

<sup>24</sup> Ibid, 21.

The being *in and for itself* is the basis of the individual that makes up Hegel's PoR. It is a self-conscious intelligence that thinks of itself as its own essence through thought. This will which is *in and for itself*, is infinite because its object is itself. It can return to itself in infinitude (PR§22). It is not mere potentiality, because what the will wants in striving for freedom, it can act out and realize.

That the will is *in and for itself* means it knows its essence to be freedom and actively engages in willing its essence, freedom. "In making freedom its object, spirit's purpose is to be free for itself, as Idea, what the will is in itself." (PR§27). It actualizes freedom via right (*Recht*). Right is the objective existence of the free will and is therefore the definition of freedom as Idea (PR§29). Precisely because Right is the existence of the absolute concept of freedom it is something sacrosanct (*Heilig*) (PR§30). Via the actualization of freedom in rights, the individual realizes its own essence and that of Spirit. Moreover, both the individual and Spirit come to know their essence, but since Spirit also lies beneath everything, Spirit posits itself, actualizes itself, and then comes to know itself.

Hegel explains that the idea of the will that is free *in and for itself* developed in three stages: immediate will, reflected will and unity in the will *in and for itself*; these stages show themselves in the world in the abstract terms of right, morality and ethical life. On the basis of the idea of these stages, Hegel proceeds to explain and critique the development of morality according to previous philosophical systems such as contract theory in terms of abstract right and Kantian deontology in terms of morality. Ethical life forms the synthesis of the shortcomings of the previous two.

## 4.2 Abstract Right

The sphere of abstract right is separated into three parts: property, contract, and wrongs; of which property and wrongs are divided into three other sub-parts.

At the start of the chapter, Hegel clarifies that the sphere of abstract right is of abstract reference to the self – the person. The person is conscious of himself as abstracted from all concrete limitations. Hegel also refers to it as an object raised by thought to infinity (PR§33 - 35). In abstract right, the 'person' is how one thinks of the person in the third person perspective.

Personality according to Hegel, contains the general capacity for right which constitutes and forms the basis for abstract right. The most fundamental commandment with respect to right is, to be a person and respect others as persons (PR§36). However, the commandments formed within abstract rights are only prohibitory and are thereby not as binding as regulations put forward in the next spheres (PR§38).

Rights within abstract right, are those ways in which freedom is objectified in an immediate way (PR§40). For example, via property and contracts freedom is realized by the positing of things as 'mine'. It is the role of the person to objectify this will onto things (*Sache*). The person, in other words,

faces the world and objectifies himself in it by positing things as his own via property and contracts (PR§39).

The first main section is property. Property is the externalization of freedom; it is the person who actively aims to make his will knowledgeable to external reality (PR§41). What it claims are things (*Sache*) in external reality (PR§42). The individual that claims these objects externalizes his natural existence (*Existenz*) into those things in the world (PR§43). The person has the right to claim anything (PR§44). Having claimed something as mine, I can possess power over it constituting possession. It becomes property once this possession is not determined by natural need or drives but by freedom (PR§45). The claimed property becomes an objective realization of the will and thereby private property (PR§46).

In the transition from property to contract, Hegel first connects the individual and the collective. He states that our existence is a way of ‘being for another’. The existence of our will can only be for the will of the other and this relation is where freedom manifests itself (PR§71). It is here that the contract makes its entrée. When not only my will but also the will of another in the context of a common will decide about a thing (*Sache*), we find ourselves in the sphere of the contract. Of course, reason underlies this development as it is in the interests of all to universalize the particular will.

The contract essentially exists out of the following three elements ( $\alpha$ ) it is produced by arbitrary wills; ( $\beta$ ) bound by the contract it forms a common will; ( $\gamma$ ) the contract is about an external thing (*Sache*) (PR§75). Here Hegel makes his first critical remark on the relation between the individual and the State. The citizen is not, as some dominant political theories state, in contract with the State. Such a contract theory requires two arbitrary wills that together form a common will. According to Hegel however, there is nothing arbitrary about the individual’s will to live within the state, he is pre-determined to do so (PR§75A). Moreover, an individual cannot break this contract, effectively missing the definition of a contract.

The problem with contracts is that they can be wronged. The common will is formed by two particular wills and it can happen that one of the wills, wills something different than the common will. Here is where the wrongs start (PR§81). Hegel explains that within a contract, right is posited as a universality by those involved (PR§82). Ideally, the particular will coincides with the common will and thus with the rights. In the case of wrongs, the particular will does not coincide with the common will and thus creates the semblance of right. Semblance can take three forms: unintentional wrongdoing, deception, and coercion or crime.

From semblance arises the question of retribution. The existence of an injury or any other damage is a result of the particular will of the criminal and therefore validates retribution (PR§98, 99). However, there arises a problem. In the sphere of the immediacy of right, retribution comes as revenge

(PR§102). There are no magistrates or laws in the sphere of abstract right to take on a neutral position and regulate retribution. Therefore, an endless cycle of revenge comes into being (PR§102, 103).

To explain this a bit further, within abstract Right, the basic presupposition is that of a person who actualizes its freedom by the possession of things (PR§33 - 39). This is a person abstracted from social relations, moral reflection, and political institutions.<sup>25</sup> It just is for itself. With these presuppositions in mind, there can be no impartial judges, which creates the need for a consciousness that can turn into itself and reflect.

Out of this shortcoming from abstract right, rises morality. Morality must be understood as a necessary development out of the actualization of right and not just a requirement as such (PR§103). Abstract right ends with the need for a will that is both subjective and able to will the objective; this is the concept of morality.

### 4.3 Morality

Whereas abstract right dealt with abstract personalities, morality deals with subjects (PR§104, 105). In the Moral sphere, the will that was first only *in itself* is now posited *for itself* (PR§106). This is the subjective will; the will wherein freedom can be actual.

The subjective will is characterized by self-determination and reflection. It is *in itself* and *for itself* and can therefore take a step back and reflect on what the subject itself wants. Because of this importance of the subjective will, the motive of an action rises in importance.

The moral or subjective will (Hegel uses these terms interchangeably) expresses itself in action. Action contains three parts: ( $\alpha$ ) the action must be known by me as mine; ( $\beta$ ) its relation to the concept is one of obligation; ( $\gamma$ ) it has an essential relation to the will of others (PR§113). Furthermore, the right of the moral will also contains three aspects; ( $\alpha$ ) the right to the just described action ;( $\beta$ ) the content of the action being particular to me; ( $\gamma$ ) the content being raised to universality and objectivity in the action (PR§114). In other words, for an action to be moral it must correspond to the purpose I gave it.

Out of the provided definitions first arises a discussion about the purpose and responsibility of actions. All my actions presuppose an external thing to which my action posits an alteration (PR§117). So far as this alteration was the purpose that I posited into it, it is my responsibility (PR§115 - 117). Accordingly, everyone has *the right to accept responsibility*, but only for those consequences that were part of the purpose.

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<sup>25</sup> Westphal, "The Basic Context and Structure of Hegel's Philosophy of Right." 247, <https://doi.org/10.1017/ccol0521382742.009>.

The second section of morality provides the difference between purpose and intention. This lies in the knowledge of the universal necessary consequences of actions. For purpose, responsibility was in the act itself and for the first consequence in the chain of events. In the case of intention, the rational individual is presupposed to know the universal consequences of his actions. So, in the act of committing arson, the subject knows the universal effects of fire, namely that it spreads itself. Thus, for intention, the consequences to which we carry the responsibility is in these universal effects (PR§119).

Within the intention of the subject lies *the right of the subject to find satisfaction in the action* (PR§121). The end of the actions is given subjective value due to the will of the interest in it. The fulfillment of the end that one strives for is happiness or welfare (*Eudemonia*) (PR§123). Since I strive for my welfare via actions and in the intention of my actions I can understand the universal consequences, I can also reflect on the content of my actions and conclude that it is preferable for all (PR§125).

It is not always possible for the subject to choose the universal perspective. Universal rights and welfare do not necessarily coincide with the particular actions of individuals. For example, Hegel explains that the subject's interests together form its personal existence (*Dasein*). In extreme danger, this existence has *the right of necessity* (PR§127). This means that in case of extreme danger, the freedom of another subject may be slightly restricted to keep in existence the freedom of the first. If my life depended on it, I am allowed to infringe on the property of the baker or, put simply, to steal bread. This exemplifies the discrepancy between right or welfare as universals and the actions of the particular subject.

This discrepancy is overcome in the section of the good and the conscious. The good is the idea, as the unity of the concept of the will and the particular will. It is in the good that both the universals such as abstract right and welfare and the contingency of individual existence are sublated (PR§129). It is realized freedom, the absolute and ultimate end of the world (PR§129).

The good for Hegel is an essential element of the will and the subject should oblige to what it tells it. In this aspect, Hegel follows Kant's concept of duty (PR§133). But this raises the question to what duty is aimed (PR§134). Hegel then turns against Kant, stating that the concept of duty as provided in his work, is just empty formalism (PR§135).

This critique of Kant is further elaborated with respect to conscience. Conscience is the absolute inward certainty of the self; it is what posits the particularity of the subject (PR§136). The conscience is the disposition to will what is good in and for itself (PR§137). It has no content on its own, only the formal certainty of itself. This distinguishes it from the ethical sphere that follows the moral sphere.

The former is only a formal conscience of abstracted inwardness, while the latter includes objective content and actualizes itself.

This consciousness, that achieves this formal level of inwardness thus still misses content and thereby is prone to content solely provided by itself (PR§138). Hegel explains that if the will is in a state of pure inwardness, self-consciousness can make every arbitrary principle universal (PR§139).

Both the good and conscience may end up with the same problem: both become powerless. The good is an abstract concept that can be posited with any content and conscience in its radical inwardness lacks any objectivity (PR§140A). In the sphere of the ethical life, the last sphere of Hegel's PoR, these two concepts are sublated. Together they can bridge the division between the subjective and objective and actualize the Idea of freedom.

One last important remark is that the described subject forms the basis of the citizen in the sphere of ethical life. This implies that the individual has multiple rights a priori provided to it. The most important of these rights are already mentioned in the text, such as the right of necessity and the right to accept responsibility. However, Hegel also describes the right of the subjective will (PR§107, 132), the right of knowledge (PR§117), the right of intention (PR§120), the right of subjective freedom (PR§124), the right of necessity (PR§127), and right of objectivity (PR§132).

#### **4.5 Ethical Life**

In the sphere of ethical life, the concept of freedom of actualized (PR§141 - 44). The ethical sphere is not in the act of actualizing the institutions, but it is the system of these actualizations that together forms the sphere of ethical life (PR§145). The individuals actualize this system, but they are accidental to the system itself. Hegel explains this by stating that it is the will of the individual to be free and out of the previous dialectical movements, ethical life necessarily developed out of this need (PR§145).

For the individual, the ethical sphere is both an object that can be known and understood, as well as a supremely self-sufficient element, comprising the subject (PR§146). The subject is, however, not alienated from the sphere of ethical life. It sees in it its shared essence, freedom. It is the actualization of its own essence as objective reality (PR§147). This is a relation that goes deeper than faith or trust according to Hegel. It is my inner cornel, but it is also out there, to be found.

As the actualization of freedom, the ethical sphere posits certain duties on the individual that it must obey (PR§148). Their shared essence makes it a necessity for the individual to follow the duties encompassed by the sphere. Since the individual wills freedom and the state is the actualization of freedom, the duties are not a burden but merely a natural way of being (PR§149).

The ethical, reflected in the individual by obliging to their duties, is virtue (PR§150). By reflecting the duties of the ethical, they slowly become a habit, second nature. This is how Spirit is

brought to existence (PR§151). Thus, the actualization of freedom in institutions is the actualization of ethical life. Obliging to the duties that necessitate freedom and are actualized in institutions is bringing forth Spirit as a living substance.

This actualization of Spirit is only possible and facilitated via the created laws and institutions (PR§157). It is only through this system that Spirit actualizes itself and therefore Hegel traces which systems help to do this. This comes in three parts: the family, civil society, and the State.

To start with the family: the family has its determination in Spirit's feeling of its own unity, which is love (PR§158). The family is the first form of unity where one experiences what it is to be not only an independent person but to be part of something greater.

It is first in marriage that this relationship comes to be (PR§161). In marriage, two consenting adults constitute a single person. Giving up their individual personalities in this union (PR§162). The ethical aspect of marriage is in the consciousness of this union. Since in marriage, man and woman form one union, their resources also become one, and together the couple forms a person to externalize their combined will (PR§169 - 171).

The union of two individuals is achieved in their children (PR§173). In them they see their love actualized. The children have the right to be brought up and supported at the expense of the family (PR§174). They must be taught in the ethics of the state by their parents and once they are old enough, they become concrete personalities that start their own families (PR§175 - 177). This is the ethical dissolution of the family.

From a stage of unity in the family, a stage of difference (*Differenz*) is reached in the civil society (PR§181). Civil society is a place of difference because the unifying families are dissolved into concrete autonomous persons. It consists of three elements: the system of needs, the administration of justice, and the police and corporations.

Within civil society, the concrete person is a totality of needs and a mix of natural necessities and arbitrary wills (PR§182). The person is essentially an individual who seeks to satisfy his specific wants and needs. However, for the satisfaction of his needs, he still relies on others.

Hegel overcomes the reliance on others by explaining that the satisfaction of needs is a universal desire. Every individual has a particular desire, some unique, others similar. In general, individuals are dependent on others to satisfy their desires (PR§183 - 189). No individual is fully self-sufficient. Thus, via the universality of desire, a system of interdependence is established. This is the system of needs.

Education and skill are required for the production of materials that satisfy needs. This education forms the basis of one's livelihood, integrating the individual into the collective. Based on their skill and education, individuals are divided into estates. Hegel distinguishes between three estates:

the immediate estate, the formal estate, and the universal estate (PR§201). These estates roughly translate to, the landowner's and farmer's estate, the trade and industry estate, and the civil servant's estate.

Within these estates, individual freedom is fervently emphasized by Hegel. He writes "Morality has its proper place in this sphere, where reflection on one's own actions and the ends of welfare and of particular needs are dominant, and where contingency in the satisfaction of the latter makes even contingent and individual help into a duty." (PR§207)

This paints a complex picture of the freedom experienced by the individual in civil society. On the one hand, Hegel states that the individual only becomes somebody (*etwas*) within the estate, which thus bounds the individual within this institute. On the other hand, within this sphere, the individual has individual autonomy comparable to modern freedom. Moreover, contrary to for example Plato, Hegel gives individuals the sole autonomy in their choice of education. This means that the most impactful choice of the individual's position in Hegel's civil society is left to the individual himself.

Education also forms the basis of knowledge of rights (PR§209). Rights gain their actuality by being known as universally valid, which is why their connection to education is emphasized (PR§210). However, education is not the only way the individual is familiarized with right.

The administration of justice also familiarizes individuals with right by its active persecution of lawbreakers. When right is posited as a law, it reaches objective existence (PR§211). Only as a law can rights have a binding force (PR§215). It is here that the abstract rights from the first chapter gain their universality in laws (PR§217).

Where laws are proclaimed, criminality rises. Since laws have a universal status known by all, misconducts can be retributed by the individual who perpetuated the act (PR§218). In contrast to abstract right, in ethical life individuals can take on an objective universal position to conduct a trial over the suspect. Hegel thus introduces the court of law (PR§219).

Two other institutions make rights, namely the police and corporations. The police are different from the modern-day police force. Its task is not only the prevention of crime, but it also has a function in the care for the welfare of its people (PR§232 - 242).

The corporations are various branches of the trade and industry estate (PR§250). They represent the shared interests and aims of their members (PR§251). It is such a cohesive social unit that Hegel thinks of it as the second ethical root of the state; the first being the family (PR§255). Whereas the family teaches the individual to cooperate and form a cohesive unit; the corporation provides the universal cohesiveness as a representation of the trade and the space for the individual to develop itself (PR§255). The corporations are still bound to their finite limited end, which is overcome in the state (PR§256).

This is the point where both the family and civil society are sublated into the state. It is worth analyzing the first paragraph of the state to understand how it relates to the individual:

The state is the actuality of the ethical Idea – the ethical spirit as substantial will, manifest and clear to itself, which thinks and knows itself and implements what it knows in so far as it knows it. It has its immediate existence (*Existenz*) in custom and its mediate existence in the self-consciousness of the individual (*des Einzelnen*), in the individual's knowledge and activity, just as self-consciousness, by virtue of its disposition, has its substantial freedom in the state as its essence, its end, and the product of its activity. (PR§275)

This phrase highlights that it is exactly via the mediation of the self-conscious individual, that spirit develops itself. It is a reciprocal relation in which the individual is formed by the customs that form society but also forms society by the products of its own activity. Moreover, the phrase highlights the emphasis on freedom. As we saw in the introduction, Hegel explains that the will strives for the actualization of its essence, freedom. It is finally here in the state that freedom is actualized, it is in and for itself.

The state's uniqueness is that it forms the actualization of freedom via the unity of subjective interests with universal ends. "The principle of modern states has enormous strength and depth because it allows the principle of subjectivity to attain fulfillment in the self-sufficient extreme of personal particularity, while at the same time bringing it back to substantial unity and so preserving this unity in the principle of subjectivity itself." (PR§260). Everything within Hegel's state depends on this harmonization.

It is the individual's duty to reform its interests to align with the universal ends of the state and by successfully doing this, he gains the protection of his person, property, and rights (PR§261). Hegel does not ask the individual to suppress his interests but to find a way to align them with the universal ends of the state. Eventually it is the goal of the state to require as a duty, what in an immediate sense is a right for individuals; it organizes freedom.

The section on the state has three elements: constitutional law, international law, and world history. The last two go beyond the relation of the individual with the collective. Therefore, the focus lies on constitutional law. Within constitutional law, internal constitutional law and its three elements, the sovereign, the legislative power, and the executive power are the prime focus.

The institutions that form the unity of the subjective and objective interests, the family and civil society (the police and the corporations) form the constitution. Hegel equates the constitution with actualized pillars of freedom. It forms the unity of freedom and necessity. Via the dialectical method,

Hegel explains how every previous part had certain shortcomings that were sublated in the next. The state is the final pillar of this movement. It is the pinnacle of freedom and the rational progression of society out of the dialectical movements (PR§265).

The constitution is only rational so long as the state differentiates and determines what activities within itself are in accordance with its nature, freedom (PR§272). To regulate and organize the state, there are three powers: the legislative power that determines the universal, the executive power that enforces the law, and the power of the sovereign that unites all powers in a constitutional monarchy (PR§273).

The sovereign contains the universality of the constitutions as laws, the exemplified form of the reference between particularity and universality, and lastly the moment of absolute decision-making (PR§275). The monarch is not comparable to the feudal absolute monarchs of the Middle Ages, but functions solely as the final representation of the unity of the state; “In a well-ordered monarchy, the objective aspect is solely the concern of the law, to which the monarch merely must add his subjective 'I will'.” (PR§280).

The monarch is advised by a supreme council made up of advisory boards of both the executive and legislative powers. Under executive power falls the administrator of justice and the police who are tasked with the execution and control of the sovereign’s laws (PR§287). It bridges the gap between the universal and the individual by bringing the universal laws into practice (PR§290).

The legislative power is the developmental power behind the constitutions. It presupposes the constitution itself but keeps developing it over time (PR§298). The legislative power facilitates the creation of new laws, that is enforced by the monarch and implemented by the executive power (PR§300).

The estates play an important role in the legislative power. They stand between the government and the individual citizens. The farmer and landowner estate form the upper house to which they inherit their seats. The assembly of chosen representatives of the trade and industry estate are elected to fill the lower house. These houses control the laws of the government and mediate between the government and the individuals that fill their ranks.

The totality of the state represents the nation’s Spirit (*Volksgeist*) and stands in relation to other states. The nation’s Spirit is limited in nature because of its particularity (PR§340). It is through dialectical movements that the universal spirit or world spirit develops, free from all limits. Here Hegel’s system reaches world history as the world’s court of judgment (*Weltgericht*). Hegel thus concludes that the state is always flawed. While he exalts the state, it always succumbs to war with other states, becoming a mere weave pattern in the history of the world Spirit.

## 5. The Individual and the Collective

The development of Hegel's state is clear. The questions that now remain to be answered are threefold. First: how does Hegel integrate the individual into the collective. Second: How does he maintain a level of moral autonomy and avoid the totalitarian allegations of Popper? Third: How can the individual utilize its critical potential within Hegel's system?

### 5.1 The Integration of the Individual

The individual is integrated into the collective in the third sphere of the PoR, in the sphere of ethical life. The previous spheres, abstract right and morality, were to indicate what other theories lacked and to build the basis of which the ethical life is the sublation. Abstract right provided the potential of abstract laws, while morality constructed the moral basis of the individual. It is in the ethical life that society takes form based on the sublation of the previous two.

In the three sub-spheres of ethical life, the family, civil society, and the state, Hegel integrates the individual into the collective. As indicated in the exposition of the different sub-spheres, each of these elements provides an element that the individual needs to learn according to Hegel. In the family one learns to be part of a whole and to put aside direct needs and desires for the harmony of the collective. In civil society, the concrete autonomous person is expected to develop into a somebody (*etwas*). This is done in full autonomy based on personal interests and desires.

It is in the constitution of the state that these two elements fall into harmony and the individual becomes part of the whole. The constitution is a collection of the actualized elements that make up the basis of the state. In this case, civil society and the family.

Hegel emphasizes that this unity can only happen if the individuals knowingly and willingly acknowledge that freedom is actualized better in the state. To quote Hegel "The state is the actuality of concrete freedom. But concrete freedom requires that personal individuality (*Einzelheit*) and its particular interests should reach their full development and gain recognition of their right for itself (within the system of the family and of civil society), and also that they should, on the one hand, pass over of their own accord into the interest of the universal, and on the other, knowingly and willingly acknowledge this universal interest even as their own substantial spirit, and actively pursue it as their ultimate end." (PR§260).

Hegel explains that this comes forth out of the necessary developments and shortcomings of the family and civil society. The family eventually disintegrates and while it is a functioning whole, it cannot oversee more than its direct family members. Civil society is too fragmented into different corporations that all follow their specific interest. Without the state, every corporation would strive for its own interest. The idea is that individual strive for the actualization of freedom and realize that the

state can overcome the weaknesses of the previous two sub-spheres. Thus, the state is the solution if its citizens knowingly and willingly acknowledge it.

So, the answer to the first question is that the individual is integrated into the state via necessary developments of earlier forms of societal organizations and only forms a whole with the acknowledgment of the individual.

## **5.2 The Autonomy of the Individual**

### **5.2.1 *Autonomy in the Philosophy of Right***

The question of autonomy is based on the same idea of interests and desires. Hegel states that it is always the interest or desire of the individual that lies at the basis of the institutions and from which they arise. This means that it is always out of the interest or desire of the autonomous individual that an institution arises. Hegel clarifies this in the following paragraph:

Particular interests should certainly not be set aside, let alone suppressed; on the contrary, they should be harmonized with the universal, so that both they themselves and the universal are preserved. The individual, whose duties give him the status of a subject (*Untertan*), finds that, in fulfilling his duties as a citizen, he gains protection for his person and property, consideration for his particular welfare, satisfaction of his substantial essence, and the consciousness and self awareness of being a member of a whole. And through his performance of his duties as services and tasks undertaken on behalf of the state, the state itself is preserved and secured. (PR§261)

It is thus out of the interests of the individual that the state can grow and only in service of the actualization of freedom – the universal Idea.

It is in relation to the individual's interest, that the critical awareness of the individual is first raised by Hegel. He explains that it is within education that the individual comes to understand himself (PR§187). Education (*Bildung*) is the process of familiarization with one's desires, interests, and knowledge and raising this to a universal level. The individual works to end immediacy and individuality, to shape their interests into a universal and rational whole. This is why Hegel calls education the liberation and works towards a higher liberation. (PR§187). It is through the rational development of the individual (*Bildung*) that societies can form and by which ethical life is substantiated, which is a liberation of the immediacy of body towards a higher liberation in the state.

It is here that existence and actuality become relevant again. Our desires and interests form the institutions, but the existing institutions might not always realize our freedom in line with its rational essence. The individual must study this, as is done in the PoR, and help to bring existence to actuality.

The answer then to the second question is that Hegel's state necessitates autonomous citizens. It is a requirement for the attainment of the Idea, that individuals are in a constant process of *Bildung* towards the state and themselves. Because it is through our desires that the institutions are brought to bear. The state is our willingly and knowingly acknowledged medium through which the Idea is realized via the state. But this requires an autonomous and critical citizenry to point out whether the individual desires and interests are alienated from the medium that should actualize it. It was especially for this task, I will argue in the last sub-chapter of this chapter, that the PoR was written.

### **5.2.2 Art, Religion and Philosophy**

The most convincing argument for autonomy is not found in the PoR, but in the EM where Hegel introduces Absolute Spirit. As indicated in the previous chapters, the individual is part of the actualization of Objective Spirit via the state, but this is not the end. The state forms the base for individuals to busy themselves with absolute spirit or absolute knowledge that is actualized in art, religion, and philosophy.

It is in absolute spirit that the individual finds truth. Hegel explains: "Worldly wisdom awakens in the mind of government and peoples, i.e. wisdom in what in actuality is right and rational in and for itself. The production of thinking and more specifically philosophy has rightly been called worldly wisdom, for thinking presents the truth of the mind, introduces the mind into the world, and thus liberates the mind in its actuality and in its own self." (EM§552) He further explains that it is within the sphere of ethical life that the individual can sublimate the limitations of the national spirit and gain this worldly wisdom.

As an example of someone who sublated the limitation of the ethical sphere, Hegel looks back at Plato. Plato explains in the *Republic* that, contrary to Athens, the ideal state should unite the political constitution and philosophy. This unity would best express the Idea (freedom). Plato saw the corruption within the Athenian democracies and searched for an idealized method to overcome this. Hegel criticizes Plato's attempts for two reasons. First, Plato's method is prescriptive, it provides an ought and does not actualize the essence of the Athenian democracy. Second, Plato's idea of the philosopher king bypasses subjective freedom. This again highlights the importance Hegel places on the autonomy of the individual. However, what Plato did correctly, was by way of philosophy bringing us closer to the Idea of freedom. The philosopher is not able to transcend once own time, however, via art, religion, and philosophy we can come closer to the Idea and overcome the limitations of the *Volksgeist*.

The existence of art, religion, and philosophy as an element of Spirit that develops autonomously from the state and can be utilized by individuals is the strongest argument for autonomy.

### 5.3 The Philosophy of Right as Handbook

What has been explained thus far, is that Hegel's state integrates individuals into the state based on their willing acknowledgment, requires critical citizens for its actualization, and next to the state has a development of Spirit that is autonomous from the state and can be utilized by individuals to posit shortcomings of the state.

This leads me to my last claim: it is the PoR that exemplifies the critical potential within Hegel's philosophical system, which can be used by his disciples to stir toward the actualization of freedom. It is in the PoR that Hegel's steps in Plato's footsteps and philosophically forms a method that is used to critique the state.

It is clear that the PoR should be read in the broader context of his work. His readers were expected to understand his logic and thereby the critical potential of the work. With that context in mind, the readers were aware that what they read was an example of how Hegel utilized his system to underscore the shortcomings of the Prussian state. It showed them how different elements of the Prussian state could be rationally actualized (*Wirklichkeit*) and thereby also showed them where the existing state (*Existenz*) fell short. It is by this reasoning that I posited that the PoR is a handbook for Hegel's disciples, showing how one can utilize the Hegelian system to describe how the social surroundings can be actualized. After familiarizing oneself with the Hegelian system, this handbook shows how it can be used; it provides an example for all disciples not only within in the Prussian state, but for all times.

## 7. Conclusion

The aim of this thesis was twofold. First it argued that there is a critical potential within Hegel's broader philosophical system of which the PoR was a practical example. Second, the development of the relation between the individual and the collective was analyzed to show that Hegel's state does accommodate a free and critical citizenry.

The thesis first showed the difference between existence (*Existenz*) and actuality (*Wirklichkeit*) wherein it was argued that Hegel's critical potential lies. After this, the aim of the *Wissenschaft* was discussed, arguing that it is in the PoR that Hegel utilizes the aforementioned critical potential to show how the Prussian state could have been had it actualized its rational essence. The outline of the PoR that followed, showed the dialectical construction of the state and discussed specific points where the individual was integrated into the collective. In the last chapter, all was synthesized into a single argument offering three new important insights: Hegel integrates the individual into the collective in the constitution, but does so only with the acknowledgment of the individual; Hegel's broader system

mitigates the role of the individual in favor of the development of Spirit, but his state leaves room for individual autonomy; and lastly, the PoR can be used as an exemplified handbook of how Hegel's broader system can be used to critique society.

It is hereby that I want to conclude that Hegel's social philosophy integrates the individual into the collective in his quest for the Idea. But in this process, he does not forget the individual. On the contrary, individual autonomy, education and willingness to participate is a necessity in the formation of the state. Just as Hegel describes when discussing Plato, the modern individual has the rationality to reshape the state.

I thus posit this thesis in line with Ernst Cassirer who stated that "Hegel could extol and glorify the state, he could even apotheosize it. There is, however, a clear and unmistakable difference between his idealization of the power of the state and that sort of idolization that is characteristic of our modern totalitarian systems."<sup>26</sup>

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<sup>26</sup> Ernst Cassirer, *The Myth of the State* (New Haven, Connecticut, United States of America: Yale University Press, 1946), 276.

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