

The Actualization of Freedom

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Abstract: In the *Elements of the Philosophy of Right* (1820), Hegel argues that neither abstract (negative) freedom nor Kantian moral law (positive freedom) succeed in responding to the demands of their own truth. Instead, he argues that the moment we say anything about our freedom we are already articulating it in terms of right, and the demands of right are never only singular but always already inherently universal. The very essence of right for Hegel is freedom, with right being “the existence [*Dasein*] of the free will”.¹ This essay argues that Hegel’s philosophy of *Bildung* is essential for mapping a philosophical account of the process of right’s objective realization in the world, wherein individuals freely participate in an objectively rational social order. The drawing out of the contradictions and failures in positive and negative freedom, as well as (necessarily) in Hegel’s own philosophy of freedom, directly challenges commonly reproduced conceptions of freedom and right. Hegel’s philosophy of *Bildung* explicates a process of self-cultivation toward universality where the individual actively participates in the development of world history through their own self-development, anticipating and forming the substance of right, and in the process reframing the apparent contradiction between freedom and restriction in the actuality of right.

Keywords Freedom · Right · Abstraction · *Sittlichkeit* · *Bildung*

Arbitrary Freedom

“[T]he commonest idea we have of freedom is that of arbitrariness [*Willkür*]”.²

In his *Elements of the Philosophy of Right*, Hegel maintains that freedom to make arbitrary choices is an abstract, incomplete form of freedom. For Hegel, our freedom is never simply our own – one is never simply free to think and act as one wishes; there is always a normative dimension to freedom; the concept of freedom implies certain demands in relation to others, which, when ignored (or repressed or otherwise avoided), obscure spirit’s (both the individual’s and the world spirit’s (*Weltgeist*)) self-realization. Hegel maintains that the moment we assert anything about our freedom, we are already articulating it in terms of right, and the demands of right are never only singular but always already inherently universal.

For Hegel, right should not, as it is often understood, be taken as a “limitation of my freedom or arbitrary will”,³ but instead the individual

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1 Hegel 2008 [1820], §29

2 Ibid., §15

3 Ibid., §22

will freely submitting itself to its own immanent necessity, having come to recognize the rational will in and for itself; spirit as it is in truth and not simply as a particular individual.

*“Only in freedom of this kind is the will with itself without qualification, because then it is related to nothing except itself and so is released from every relation of dependence on anything else. The will is then true, or rather truth itself, because its self-determination consists in a correspondence between what it is in its existence (i.e., what it is as objective to itself) and its concept; or in other words, the pure concept of the will has the intuition of itself for its goal and its reality”.*⁴

Principal among Hegel’s aims in the philosophy of right is to set out the true concept of freedom in its immediate actuality, “not simply in producing the determination as a contrary and a restriction, but in producing and seizing upon the positive content and outcome of the determination, because it is this which makes it solely a development and an immanent progress.”⁵ While the concept of freedom as arbitrary choice must ultimately be left behind, one must nevertheless pass through this moment of spirit’s path to becoming “pure knowing”,⁶ and, in grasping it as a necessary, immanent failure, cultivate a concept of freedom constituting the essence of right.

The experience of freedom as arbitrary choice entails the “absolute possibility of abstracting from every determination in which I find myself”.⁷ This capacity for abstraction, Hegel argues, is based on the “pure reflection of the I into itself” or the “pure thinking of oneself”.⁸

When the subject takes itself as its own object, including its own material nature – taking its content as the object of its own freedom – an unbound possibility of determination opens up through self-reflection and the power of abstraction for self-determination. Hegel explains,

“The absolute determination, or, if you like, the absolute impulse, of the free spirit is to make its freedom its object, i.e., to make freedom objective, both in the sense that freedom is to be the rational system of spirit and in the sense that this system is to be the world of immediate actuality. In making freedom its object, spirit’s purpose is to be for

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4 Ibid., §23

5 Ibid., §31

6 Hegel 2018 [1807], §567

7 Hegel 2008 [1820], §5

8 Ibid., §5

itself, as Idea, what the will is in itself. The abstract concept of the Idea of the will is in general the free will which wills the free will."⁹

Another name for abstract freedom is “negative freedom”; freedom ascertained through the negation or denial of outside impetus through the force of reason. With negative freedom, freedom is taken as its own object, emancipating unconscious motivations from themselves through self-reflection and empowering reason to make a broad scope of potential decisions through the recognition of freedom as subjective arbitration. However, the array of potential decisions generated at this moment of free will is, for Hegel, not yet a situation of true freedom, as it entails the abstracted *content* of freedom disassociated from its true *form* (that is, it's *form-content*¹⁰). For Hegel, freedom *does* essentially entail such arbitrations, however, true freedom, he insists, consists more fundamentally in the active willing and maintenance of right.

This power of abstraction or internalization of what previously appeared as external (norms, traditions, customs, social laws, etc.) is sublated in Hegel's philosophy of right; pushed up against and beyond its fixity, where it's self-contradictory and intrinsically limited nature is made explicit; a redoubling of the process of self-reflection's self-objectification.

In understanding freedom as the object of will as an “immediate actuality”¹¹ instead of as a subjective capacity, freedom must be, Hegel argues, taken as right. The essence of right for Hegel is freedom, where right is “the existence [*Dasein*] of the free will”¹². While the free, arbitrary will is subjective at a certain level, when it regards itself as its own object, this process of abstraction leads to it giving itself the form of right. Right is, Hegel advances, freedom taken as an actuality and as an object for the will.

The Practical Justification of Freedom in Kant's Moral Law

What we learn from Hegel's analysis of abstract freedom is that it is an insufficient response to the demands of its own truth as right; that one is never truly free when the freedom of the individual is not formalized as right (i.e., it is not right if it is only the right for individual(s)). Essentially, we learn through abstract freedom that we need a concept of right with moral content; a concept of freedom that is completed by the “idea of

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9 Ibid., §29

10As with a great work of art, freedom's form is its content and vice versa.

11 Ibid., §29

12 Ibid., §31

the good”.¹³ Yet, Hegel argues, the Kantian alternative of freedom as an autonomous causal power of the active subject governed by moral law (*Moralität*) can never be enough either, for it is never able to establish any kind of universally valid form of how people in society should be free in actuality together without relying on doctrines of duties for finite subjects. Hegel believes Kant’s positive freedom reproduces a dualistic conception of freedom and reason, and that his (Kant’s) practical philosophy presupposes a dimension of actual freedom, which Hegel seeks to render explicit as the realm of right *qua* the realm of the existence of freedom.

To quote Hegel,

“The crucial point in both the Kantian and the generally accepted definition of right (see the Introduction to Kant’s Doctrine of Right) is the ‘restriction which makes it possible for my freedom or self-will to coexist with the self-will of each and all according to a universal law’. On the one hand, this definition contains only a negative determination, that of restriction [...]”.¹⁴

Hegel sees the insistence on right being a restrictive phenomenon to only be sustainable when it is taken as something not immanently rational but as an external, formal universal. Hegel asserts that Kantian moral autonomy is

“...devoid of any speculative thinking and is repudiated by the philosophical concept. And the phenomena which it has produced both in people’s heads and in the world are of a frightfulness parallel only to the superficiality of the thoughts on which they are based”.¹⁵

While Hegel sees Kant’s formula of *reason=autonomy=freedom=morality* as a major breakthrough in philosophy, he thinks Kant leaves out something crucial, arguing that his conception of freedom lacks content – a problem which Hegel seeks to remedy. Further, the conception of freedom formulized by Kant, Hegel worries, risks the possibility of the subjective inclination being mistaken for universal rationality – wherein evil is mistaken for the good (though Kant would most likely argue that such an error would categorically fail to be a true transcendent judgment, in that case). Presciently, Hegel asks into the *content* of our moral duty, and what particular actions are to be derived from universal law – questions which Hegel does not see the categorical imperative to be

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¹³ Ibid., §33

¹⁴ Ibid., §29

¹⁵ Ibid., §29

capable of providing answers. While Kant's moral philosophy provides a rich array of normative principles, Hegel does not believe it adequately expresses what it means to actualize freedom and realize it as an object.

Actualizing Freedom through Failure

Hegel's way forward is to argue that by going through these two failed conceptions of freedom we learn about what is required to adequately actualize freedom, through a maneuver of retroactive progression – where, through a mediation of these two inadequate conceptions of freedom, we learn about the demands that the concept of freedom comes with for manifesting ethical life.

Hegel concludes the *Philosophy of Right* by developing a theory of *Sittlichkeit* (ethical life) – in part as an attempt to resolve this very problem of Kantian formalism. Hegel regards *Sittlichkeit* as ethical behavior grounded in traditions and customs, developed through habit and imitation within the context of the objective laws of the community. With Hegel's theory of *Sittlichkeit*, which is marked by the family, civil society, and the state, Kantian moral law (as a formal universal principle) and the content of any truly moral action (particular expressions, i.e., the content of individual freedom) are combined. *Sittlichkeit* attempts to describe the person within the context of the community, ultimately aiming to bridge the gap between subjective understanding and feeling and the concept of general rights. The normativity of *Sittlichkeit* is aimed at transcending the individual, in contrast to Kant's *Moralität*, which, while it may be both rational and reflective, remains at its core individualistic.

Hegel's philosophy of *Sittlichkeit* aims at moving past abstract dualisms, as with Kant's moral and legal subject or with his motives of duty and inclinations; aiming to assess moral action on the grounds of duty in a different sense. While Kant and Hegel both believe freedom is equivalent to rationality, whereas Kant provides an abstract sense of duty, Hegel argues that rationality already exists and persists within the modern social institutions that we partake in our everyday lives, and that the philosophical standpoint should thus not be of setting right as an ideal one submits to so much as something to be realized through a process of reflective recognition.

In everyday experience, Hegel argues, right is already the way in which free will exists in the world. And when right is taken as such, it cannot simply be understood as a restriction on one's freedom, but, on the contrary, a precondition of it.

The process of habit formation in particular plays an essential role in Hegel's social ontology. He argues that it is through the mechanical reproduction of habitual action that universality is in large part formed.

Through the formation of habit (and more broadly “second nature”), a reflective distance to habit is also always inherently present for Hegel, wherein one is free to decide whether to follow a habit or not.

In this dialectical way, Hegel’s philosophy of right aims to liberate one from abstract and dualistic conceptions of freedom to fundamentally change how one relates to the world and to others. For Hegel, the true resolution of the dichotomy of existence and essence, freedom and necessity, praxis and poesis, the individual and the species, is found when the inheritance of hereditary nature and knowledge is dissolved and in that dissolution is reconsidered through the sphere of ethical life in the form of “second nature.” Hegel explains in the *Philosophy of Right* that,

*“The basis of right is, in general, the realm of spirit [das Geistige]; its precise place and point of origin is the will. The will is free, so that freedom is both its substance and its goal, while the system of right is the realm of freedom made actual, the world of spirit [Geist] brought forth out of itself as a second nature.”*¹⁶

Or, as Nietzsche puts it, we “implant in ourselves a new habit, a new instinct, a second nature.”¹⁷ The formation of this “second nature” is the object of *Sittlichkeit*.

However, to turn the Hegelian dialectical screw a bit further, even Hegel’s *Sittlichkeit* is an inadequate conception of the actuality of freedom. Even at the end of the book, having moved through the three spheres of Abstract Right (*das Abstrakte Recht*), Morality (*Moralität*), and Ethical Life (*Sittlichkeit*), there is in the end no resolution, only heightened contradiction for the “will [*Wille*] that is free in and for itself”.¹⁸

Ultimately, as Hegel recognizes, it is world history and not philosophy that is ethical life’s ultimate “court of judgment”.¹⁹ The real movement which dissolves the present state of things and in that dissolution develops something new is, while immanent to the thinking of elements in their immediacy as both objects and relations – the will that is free in itself – is also participatory – the will that is free for itself. The dynamic of the historical process therefore entails the convergence of both concrete intervention and/or assent and (and through) a philosophy that anticipates the praxis of the future; a regressive–progressive moment that grounds us within the incessant chaotic flux of appearances. While *Sittlichkeit* is structured in such a way that freedom is actual and

.....
16 Ibid., §4

17 Nietzsche 2014 [1873–1876], p.76

18 Hegel 2008 [1820], §33.

19 Ibid., §341

concrete (as in the forms of the family, civil society, and the state), it describes the existence of freedom but the living actuality of freedom remains a movement of world history more generally. *Sittlichkeit* reveals the truth of freedom, but in the end it is not the state but people who are consciousness of freedom and who manifest that truth in living actuality. In short, the limits of Hegel's conception of ethical life (*Sittlichkeit*) is commensurate with the limits of philosophy itself.

*"When philosophy paints its grey in grey, then has a shape of life grown old. By philosophy's grey in grey it cannot be rejuvenated but only understood. The owl of Minerva begins its flight only with the falling of dusk."*²⁰

The retroactivity of philosophy, always arriving too late, applies just as much to Hegel's own philosophy as to any other. The "shape of life" that Hegel depicts in *Sittlichkeit* has, in the end, itself already grown old; it is already in decline as Hegel conceptualizes it.

The *Dasein* of Freedom

Even from this highly abridged summary, the relevance of *The Philosophy of Right* for us today is already apparent. The insistence on freedom being not only a capacity but also objectively tied up in the whole network of social and institutional relations with others (the state in its concrete, historical actuality) that inform right, throws the sufficiency of the commonly held notion of freedom as volitional self-determination – freedom of choice, freedom of religion, economic freedom, etc. – into question.

Hegel isn't opposed to abstract freedom, but instead aims to buttress it with a stronger logical foundation through an examination of its immanent self-contradiction. For Hegel, right normatively situates the context within which arbitrary freedom may be actualized in the first place. Right is not external to the self, but is precisely where "I" as a free being have my existence in the world.

Hegel's concept of right (the *Dasein* of freedom) therefore gives us a different account of how we should understand the relationship between freedom, restrictions, and demands, where, instead of taking freedom as a goal, it is taken as an immediate actuality, with the philosophy's task being, from a Hegelian perspective, for the owl of Minerva (i.e., philosophy) to play its part in bringing the period to an end by bringing its essential elements fully to consciousness and in so doing precipitating a situation of the free development of the world historical process in the dissolution and restructuring of those elements.

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²⁰ Hegel 2008 [1820], §Preface, p.16

But still, since the *Philosophy of Right* aims to provide a philosophical account of right and its realization in the world, what does it really take to be subjectively free in an objectively rational social order, taking into account the limitations of philosophy itself? In other words, how is a state of freedom, with full consciousness of the limitations of positive and negative freedom, actually formed?

Hegel's Philosophy of *Bildung*

Hegel's *Philosophy of Right* show how each and every attempt to formalize freedom in the form of right fails, in a determinate manner, and this even includes the conception of it that Hegel leaves us with at the end of the book.

Hegel's theory of modern ethical life attempts to identify the type of social world wherein a strong sense of individuality could be successfully integrated in civil society. Key to this is the formation of norms, traditions, customs, social laws, and so on. Yet these formations are ambiguous in relation to the good and the rational. The Hegelian subject remains contingent, historically specific, and structured by this or that epochal form of consciousness – the only constant being the dialectic itself. Yet is this ambiguity inevitable in the nature of freedom, or is there something we are leaving out?

In the *Philosophy of Right*, Hegel reflects on the process whereby subjective freedom is manifest in an objectively rational social order through the concept of *Bildung*. *Bildung* is a crucial concept in Hegel's account of the free will and selfhood in general. When attempting to understand the Hegelian account of the actualization of freedom, it is indispensable.

So what is *Bildung*? It is not easily translated into English. *Formation, cultivation, maturation, enculturation, education* – each term has its relevance and its limitations. There is neither consensus on the exact meaning by which Hegel uses the term nor on the significance of it in his philosophy.

It should not come as a surprise that Hegel, who is well known for his meticulous use of terminology, uses *Bildung* in a very precise way. For him, the term entails the formative self-development of spirit as both individual and universal; both the cultivation of persons in particular and the human race construed as world spirit in general. He portrays it as a historical process of spirit coming to know itself as spirit; a process of self-formation that is riddled by contradictions, as one might expect.

Bildung takes place as a self-driven process of cultivation as well as a social enterprise entailing the liberation from everything pre-determined and given. Immediately we can see here the essential role of abstract (negative) freedom at play. However, Hegel goes further, passing

through both negative freedom and the Kantian moment of practical formalism (positive freedom), by associating *Bildung* with the recognition of otherness – a distinctly Hegelian maneuver. Hegel writes,

“[T]he interest of the idea [of freedom], which does not lie in the consciousness of the members of civil society as such, is the process of raising their singularity and naturalness . . . to formal freedom and formal universality of knowing and willing, of forming (*bilden*) subjectivity in their particularity”.²¹

The dialectical core of *Bildung* entails the rising above one’s own historical-cultural context through its negation. Yet this negation is not an abstract negation, but a determinate (double) negation, with the result being reflective reconciliation. The process does not simply entail one being confronted by the other, but the understanding of the other as such, and in that, struggling for a higher, universal form of liberation – no longer simply immediate or natural, but spiritual at the same time. *Bildung* can be taken as the hard labor of liberation where the “subjective will itself attains objectivity within itself, an objectivity in which alone it is for its part capable and worthy of being the actuality of the Idea.”²²

In the process that is *Bildung*, one freely submits their own freedom and desires to the demands of ethical life, with members of civil society brought into relation with all others and learning to adjust their behavior to the wider set of norms than a self-cultivated individual would abstractly ever be willing to acknowledge, since *Bildung* is not a purely conscious process of free arbitration, but also an unconscious, involuntary process historically specific as this or that epochal form of spirit. *Bildung* for Hegel is in part an unconscious, involuntary process because the individual does not begin with a desire to be formed, but is forced to adapt through this process as an individual seeking to satisfy their basic needs in civil society. In this way, *Bildung* is capable of accounting for both substance and self; mind and matter.

Hegel even goes so far as to at one point define *Bildung* as the liberation of the subject through “hard work against the sheer subjectivity of behavior, against the immediacy of desire as well as against the subjective arrogance of feeling and the arbitrary will (*Willkur*) of pleasure”.²³ Subjective freedom in the participation of civil society is hence mediated by and retroactively based in the process of *Bildung*.

With *Bildung*, the apparent restrictive nature of habit (e.g. the denial of subjective desire, etc.) is taken as a precondition of formal, *ethical freedom*.

.....
21 Ibid., §189

22 Ibid., §187

23 Ibid., §187

However, that subjective freedom is only true freedom when it is not only taken as one's duty, but also as one's own subjective choice.

When the subject objectifies their own freedom, they are considering their own behavior from an impersonal, abstract standpoint. Yet *Bildung* cannot be reduced to simply the educational activity of the individual, for the development of the self as an abstract particularity disconnected from the social and historical-cultural world overlooks the link between an individual's self-development and their encounter with the world, transcending one's particular contextual cultural situation and entailing more concretely the self-cultivation of *Dasein* toward universality in general.

Freedom's Substance

*"Education is the art of making people ethical."*²⁴

In a striking passage, Hegel writes that "It belongs to *Bildung*, thinking as an individual's consciousness in the form of the universal, that I am grasped as a universal person, in which everyone is identical. The human being counts because he is a human being, not because he is Jewish, Catholic, Protestant, German, Italian, etc."²⁵

In other words, *Bildung* allows us to regard every human being as first and foremost a human being, and only secondarily as the member of some narrower community. In taking freedom as the essence of right, where right is "the existence [*Dasein*] of the free will",²⁶ the particularity of the individual is however not swallowed up, but instead becomes enriched through this process of reflective recognition and the appropriation of otherness. The process of *Bildung* directs one towards a subjective position that accepts contradiction as an inherent fact of every identity. There is no reconciliation with the other at the level of the individual, instead the contradiction of otherness is internalized and, through reason, transformed from a given into an object of inquiry (i.e., a problem).

By consciously appropriating the universal point of view, one does not reach a fixed, final perspective, but instead participates in an ongoing process of spirit's self-actualization – not as a predetermined necessity but a retroactive process of hard labor on behalf of the individual.

The essence and outcome of the process of *Bildung* is freedom because the "fixity" of the uncultivated (*ungebildeten*) individual is sublated, resisting the immediacy of desire and the arbitrariness of inclination – i.e., the restless spirit *par excellence*.

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24 Ibid., §151

25 Ibid., §209

26 Ibid., §29

Through the process of *Bildung*, we not only discover but also take into critical possession human culture – being the process whereby the individual is emancipated from their given context and opening up the possibility of the individual's participation in the development of world history through their own self-development and self-criticism. The actuality of freedom entails the self-cultivation of man (*Dasein*) toward universality – a process which constitutes the meaning of *Bildung* in Hegel's philosophy of right.

Against the by-and-large historically detached language of individual rights, individual choice, and the power of rights-bearing individuals, the idea of right as the basis of freedom in world history directs us towards the revival of a collective ethos of inclusive, participatory civic culture – at least beginning at the level of the reader's imagination; a civic culture in desperate need of being reimagined and rebuilt; a, if only imagined, locus where collective agents and critically engaged citizens are brought together.

Feuerbach was right when he said, to paraphrase, man can and should raise himself above the limits of his own individuality.²⁷ And it is precisely *Bildung* that is the practical-philosophical process that drives this development; a process not simply of informing, but of enforming²⁸ and enculturing as well. The role of *Bildung* is not to establish a state of affairs where reality is adjusted (i.e., it is non-utopian), but instead it is the critical habitation of the already existent movement that dissolves the present state of things in its illusory fixity; spirit as it is in truth and not only as a particular individual. The habits and more general “second nature” formed through *Bildung* produces individuals as “moments” of the social whole, while immanently and immediately negating the content and framework of that totality as well. Without guarantees or inherent necessity, *Bildung* comprehends the formation of “second nature” in terms of the good and the rational through its retroactive recognition of “the *in-self* as well as its *opposite*; or, what is the same thing, the relation of the *actual world* to the *in-itself qua a beyond* [...] as much a *negating* as a *positing* of that actual world.”²⁹ The individual as such is here understood at the same time to be a “moment” of and an exception to the social whole.

The premises underlying present-day society (in the form of “second nature” and as the product of *Bildung*) already form the (if only embryonic and potential) basis of universal right beyond the finitude of any means–ends dichotomy, where the constitution of new forms of power, education, production, communication, and other processes may be rethought, resolved, and further problematized through the speculative mode of cognition that Hegel develops so definitively in his *Philosophy of Right*.

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27 Feuerbach 1989 [1841], p.299

28 Self-fashioning; self-forming.

29 Hegel 2008 [1820], §559

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