

**On Becoming Ethical:
The Emergence of Freedom in Hegel's *Philosophy of Right***

Sally Sedgwick, University of Illinois at Chicago

Introduction

One of Hegel's principal objectives in the *Philosophy of Right* is to specify the conditions under which a particular will becomes "ethical." Becoming ethical, on Hegel's description, is not a matter of having our desires and attitudes molded in certain ways so that we are then inclined to perform the right kinds of acts. For Hegel, only the *human* animal can become ethical; and unlike other animals, the human animal is a *thinking* animal.¹ Although we are like other animals in that we have desires and seek to satisfy them, as *thinking* animals, we are in addition capable of reflecting upon our desires. In reflecting upon our desires, we can to some extent determine them. As thinking animals, then, we have the power of self-determination or free will.² Becoming ethical, on Hegel's account, is thus a matter of exercising our will in certain ways. We become ethical if our willing most adequately expresses our freedom (§ 33A).

Hegel adds further determination to this description when he tells us that a particular will is ethical if it *wills the universal*:

[T]he ethical character knows that the end which moves it is the universal . . . and it recognizes that its own dignity and the whole continued existence of its particular ends are based upon and actualized within the universal (§ 152).

As Hegel describes it here, the ethical character is moved or motivated by the universal; its particular ends are somehow "based upon and actualized within" the universal, as he says. Hegel conveys this general message in other passages, for example, when he writes that if a particular will is to enjoy the most adequate kind of freedom, its "personal individuality and its particular interests should "pass over of their own accord into the interest of the universal, and . . . knowingly and willingly acknowledge this universal interest even as their own substantial spirit, and actively pursue it as their ultimate end" (§ 260).³

But just how does Hegel think a particular will comes to acquire the right kind of inner disposition, such that it actively pursues the universal as its "ultimate end"?

Clearly, he holds that if this is to happen, certain external conditions – certain social arrangements and institutions – need to be in place. It is only in the *state*, in his view, that the “determinations of the will of the individual” “attain their truth and actualization” (§ 261A). So becoming ethical for Hegel is a matter of willing in appropriate ways; and we can only will in appropriate ways, in his view, with the support of various social and institutional arrangements.

Of course, this raises the further question: What features does Hegel associate with the right kind of institutions and the right kind of state? An important part of his complicated answer is this: The right kind of institutions must be institutions a particular will can *care* about. A central theme of the *Philosophy of Right* is that if a particular will is to become ethical, it must be able to find its ends and interests reflected in right. If a particular will does not find its interests reflected in right, it will experience the laws and institutions of a system of right as “alien” and “coercive.” When it suits interests to do so, the particular will will be inclined to do wrong.

From the sketch I have just provided, we might be tempted to conclude that Hegel’s portrayal of the ethical will is Kantian in essential respects. For both philosophers, a will is ethical – or in Kant’s case “good” – only if it possesses the right kind of inner disposition. Both argue that a will has the appropriate inner disposition and exercises its freedom in the appropriate way only if it wills the universal. And both philosophers agree that if a particular will is to care about the universal (that is, about universally valid practical laws), it must be able find its interests somehow reflected in those laws. It must experience them as non-coercive and thus be inclined to endorse them.

As is well known, however, Hegel departs from Kant in significant ways. He believes that Kant lacks a satisfactory solution to the problem of the coercive character of law. I will expand upon this point later, but very briefly, Hegel criticizes Kant on the following grounds: Kant is unable to solve the problem of the coercive character of law because of his particular understanding of the nature of the human will. For Kant, the supreme practical law derives from the pure will of the subject, and the pure will is the *universal aspect* of the will – the aspect that is capable of giving law, that is, of authoring

norms that are universally valid. Furthermore, Kant defines the universal aspect of the will as significantly different from the subject as a particular will, with aims and projects that distinguish it from other particular wills. Although Kant discovers the source of right and good in the subject, Hegel's charge is that there is a sense in which, from the perspective of the will as a particular, right and good retain their coercive character. Since the universal is taken to stem from the universal aspect of the will, and the universal aspect of the will is defined as significantly distinct from the particular aspect, there is nothing to guarantee that the particular will will find its interests reflected in the universal (§ 125). When its particular interests clash with the universal, it will experience the universal as alien or coercive.

I can now specify my task in this paper more precisely. The question I posed at the outset was this: Given that becoming ethical, for Hegel, is not a matter of being successfully conditioned in one's attitudes and behaviors but requires acts of freedom or willing; given, furthermore, that a particular will in his view can only be expected to will the universal if it finds itself reflected in the universal, how does a particular will on his account come to *care* about the universal, such that it "knowingly and willingly" pursues the universal as its "ultimate end"? As just noted, Hegel believes Kant's answer to this question is crippled by the dualistic psychology that draws a sharp line between the universal and particular aspects of the will. I will be arguing here that a key to Hegel's alternative – and thus a key to his account of how the will becomes ethical – lies in the way in which he replaces the Kantian dualistic model with a model of the will as an *organic unity*. On the organic model, as Hegel understands it, the relation between the universal and particular aspects of a will is a highly intimate one. On the organic model, it is not that one side of the subject assumes the role of self-sufficient lord or master, solely responsible the origin and legislation of law, and the other side allows itself to be guided by the law's determination. To understand the universal and particular aspects of the subject as standing to each other in a relation of organic unity is to understand them as *reciprocally conditioning* parts of a harmonious whole. The universal and particular aspects of the ethical will in this respect enjoy a relation of harmony or unity. The will that is ethical has shaken off the model of opposition; it no longer clings to what Hegel

refers to as the “abstractions” of the self as pure particular, on the one side, and as pure universal, on the other (§§ 7, 33).

These abstractions are most pronounced in the chapter “Abstract Right,” and this is where my discussion begins. If we can clarify the sense in which Hegel considers the particular will’s self-conception as well as its idea of the universal to be “abstract,” we will then be in a position to suggest how he thinks these abstractions are overcome in the will that is genuinely ethical. The particular and universal aspects of the will that is genuinely ethical enjoy the right kind of relation, a relation resembling that of a fully developed, healthy organism.⁴

I

Abstract Right

In this section, I am seeking answers to these questions: What is *abstract* about the particular will’s self-conception, considered from the standpoint of the system of right Hegel calls “abstract right”? What is *abstract*, furthermore, about the particular will’s idea of the universal, that is, its idea of right? To ask these questions in a different way: Why does Hegel consider the relation between the particular and the universal aspects of the will, in the system of abstract right, to be one of opposition rather than unity?

To begin, let’s consider the way in which Hegel portrays the will’s understanding of its particularity, in “Abstract Right.” As a particular will, it takes itself to be “something *determinate*”; it is a will set apart from other particular wills by its unique set of “contingent” desires, needs, and capabilities (§ 6). It is a physical animal; it inhabits a body and seeks the satisfaction of its physical needs. But it is also a thinking and thus self-determining animal (§§ 11, 57). According to the particular will at this stage, nature gives it the capacity of freedom as well as the right to express or objectify that freedom.⁵

As Hegel points out, the particular will of abstract right implicitly grants that it is not *just* a particular. It understands that the right that nature awards it to express its freedom derives not from the needs, interests and capacities that constitute its uniqueness, but from a feature it *shares* with other thinking animals, namely, its freedom. The particular will in other words understands that it is as a thinking, willing animal – and not

as a *particular* thinking animal -- that it is a bearer of right (or “person,” in Hegel’s terminology).⁶

But although the right of the particular will derives from a feature of its nature it *shares* with other particular wills, the particular will at this stage does not *care* about this shared feature. It has no interest in the universality or universal aspect of right. It thinks of right as a means of staking its own claims; it does not concern itself with the rightful claims of others. As Hegel puts it, the particular will of abstract right does not yet “will the universal as such” (§ 103). From its point of view, *it* is the bearer of right, and “*someone else* has the corresponding duty” (§ 155; emphasis added).

If we want to understand *why* the particular will of abstract right is unmoved by the universality of right, we need to specify more precisely its understanding of the idea of right. On Hegel’s characterization, the particular will at this stage experiences right as “abstract.” It experiences right as abstract, he tells us, because it understands the idea of right to imply complete “indifference to particularity” (§ 49A). From the standpoint of this system of right, that is, the idea of right is assumed to derive in complete abstraction from the needs, drives and desires of particular wills. For exactly this reason, there is nothing to guarantee that a particular will will see its particular interests reflected in the universality of right. The universality of right at this stage reflects the nature of the will not as a particular will, but as “abstract,” that is, as a “pure indeterminacy” (§ 5).⁷

Of course, Hegel argues that the system of abstract right is inadequate in that it fails to provide the conditions necessary for the realization of human freedom. The deficiencies of this system largely stem from two of its basic features. One is the motivational feature we have been considering. From the standpoint of abstract right, the particular will has no interest in the universality of right. The particular will willingly complies with right only when doing so suits the interests of its particularity. The second feature is situational. In abstract right, as Hegel portrays it, the will inhabits a natural condition, a condition outside a state. It therefore also inhabits a condition outside a state that is *ethical*, a state in which there are impartial laws as well as impartial and effective means of enforcing them. Hegel argues that, taken together, these motivational and situational features produce a toxic mix. They give the will ample reason to advance to a

more adequate system of right, one that better provides the conditions that need to be in place if its freedom is to be effectively realized.

The deficiencies of the system of abstract right become readily apparent as soon as particular wills assert competing claims. Given that each particular will at this stage recognizes only its own right, each will have no interest in granting the legitimacy of the claims of another, especially if those claims clash with its own. Given, in addition, that in this state of nature situation the particular will cannot rely on impartial laws and judges to resolve conflicts, its only recourse will be to resort, ultimately, to force. In the end, then, the state of nature Hegel describes in “Abstract Right” is anything but a state of freedom; it is instead, as he says, a “state governed entirely by force” (§ 93).⁸ The system of abstract right, on his characterization, is thus a system of “coercive right” (§ 94).

As I just noted, the inadequacy of this system of right may be traced at least in part to what is lacking in the motivation of the particular will. At this stage, the particular will is not moved by the universality or universal validity of right. We saw that the explanation for its lack of interest has to do both with its self-conception as a particular will and with its idea of right. In Hegel’s terms, the particular will of abstract right in effect thinks of itself as a *pure* particular. It does not sufficiently appreciate the extent to which both its understanding of its own needs and interests as well as its chances in actually satisfying them, are dependent on the social whole. At the same time, its idea of the universality of right is also pure or abstract. For the particular will of abstract right, as we saw, the universality of right implies complete “indifference to particularity.”

The system of abstract right therefore lacks conditions that must be in place if a will is to actively pursue the universal as its “ultimate end” and therefore become genuinely “ethical” (§ 260). The advance to the system Hegel’s calls “morality” is a step in the direction of meeting this demand.

II

Morality

The system of right Hegel refers to as “morality” attempts to address the motivational problem I just outlined. It recognizes that if a will does not find its interests reflected in right and therefore experiences right as alien and coercive, it will not be

moved to respect the universality of right. Hegel praises proponents of this system for insisting upon what he refers to as the “right of the subjective will.” In accordance with that right, in Hegel’s words, “the will can recognize something . . . only in so far as that thing is its own” (§ 107).

The system Hegel refers to as “morality” thus concentrates its attention on the inner disposition of the will. The “right of the subjective will” must be satisfied, and it can be satisfied only if the subject does not experience the universal as alien and coercive. Following Rousseau, Kant’s strategy for satisfying the right of subjectivity is to radically relocate the source of universally valid norms.⁹ Universally valid practical norms originate not in nature (understood as an external source of law), but rather in the will of the subject. The key insight here is that if the universal is understood to derive from the subject, the subject will identify with the universal and thus no longer experience it as coercive.

As much as Hegel applauds this effort of the part of the Kantian moral point of view to solve the problem of the coercive character of law, he believes that this system reproduces coerciveness in new form. In the system of abstract right, as we saw, the idea of right is taken to imply complete “indifference to particularity.” The idea of right is moreover understood to derive from nature, conceived as a system of laws originating wholly independent of the wills of subjects. On Hegel’s portrayal, the system of morality requires us to reject one of these assumptions but not both. Morality discovers the source of normative authority in the will of the subject rather than in the independent or external nature. But the laws or universals authored and legislated by the subject are still assumed to derive their validity by abstracting from particularity. The opposition in the system of abstract right between the particular will, on the one hand, and its natural rights, on the other, shows up again, in the moral point of view, as an opposition *within* the will of the subject. The subject knows itself as a pure particular, with contingent drives, interests and capacities that set it apart from other subjects; *and* it knows itself as a pure universal. In addition to its particular aspect, it possesses a pure will that is “not bound” by the ends of particularity, as Hegel says (§ 136A). According to the standpoint of morality, the pure will can generate universally valid norms *precisely because* it is not bound by particularity.

The defect of this system, on Hegel's diagnosis, is not its insistence upon the right of the subjective will to "recognize something . . . only in so far as that thing is its own." The defect (and abstractness) of morality derives instead from its failure to provide the conditions necessary for *actualizing* that right. The standpoint of morality in other words fails to provide a sufficiently non-coercive account of the source of universally valid practical norms. If the universal is taken to originate in the part of the will that is *defined* as "indifference to particularity," we should not be surprised, Hegel reasons, if the particular will finds nothing of its ends and interests reflected in the universal. Should the interests of a particular will clash with what the universal commands, the particular will will lack the motivation to heed that command. It will experience the universal as alien and abstract.

Perhaps we can better capture Hegel's understanding of this defect of the moral point of view if we bear in mind the fact that, from this standpoint, the particular will, qua particular, has no role to play in the generation or production of universally valid norms. As Hegel puts it in one passage, particularity at this stage is defined as "distinct from the good" (§ 133). Particularity is distinct from the good because the moral point of view determines what is good by *abstracting* from particularity, by consulting the *pure* will. At most, the particular or "subjective" will, as Hegel writes, "stands in a *relationship* to the good, a relationship whereby the good *ought* to be its substantial character" (§ 131). At this stage, however, the particular will is "not yet posited as assimilated to [the good] and in conformity with it."

To express this point differently, there is a sense in which the particular will considered from the standpoint of morality *is not* and *can never be* good. The point is not that the particular will as Hegel portrays it is incapable of allowing itself to be governed by the universal or of subordinating its particular ends to universal ends. The point is rather that the particular will can never be good in that it can never *itself* be the author of universally valid practical norms. The good can never in other words derive from it. From the moral point of view, the ends of the particular will, qua particular, can have no universal import or content. The particular will is "distinct" from the good, then, because it is a *pure* particular, and as such, absolutely different from the universal.

III

The Ethical Will

Hegel clearly holds that, in the development of the idea of right, the system of morality is an advance over the system of abstract right. Morality is an advance at least in part because it adds to abstract right's commitment to the freedom and right of persons, an explicit recognition of the "right of subjective freedom," the right of the "subject's particularity to find satisfaction" (§ 124).

As we have seen, however, Hegel also holds that the system of morality lacks conditions necessary for the actualization of subjective freedom. The right of subjective freedom cannot be actualized in the system of morality, because the system of morality is committed to a dualistic model of the human will. In defining the particular will as "distinct" from the good, the moral point of view reproduces the abstractions of the system of abstract right -- the abstractions, namely, of the pure particular and the pure universal. The commitment of both abstract right and morality to these abstractions dooms each system to disharmony or conflict, in Hegel's view. There is conflict in each system, because each lacks conditions that must be in place if the particular will is to "actively pursue" the universal as its "ultimate end" (§ 260). In other words, neither abstract right nor morality can supply what is required for a necessary versus merely contingent coincidence of the ends of the particular will, qua particular, with the ends of the universal. In both systems, the particular will experiences the universality of right as a limitation of its freedom, that is, as coercive.

We therefore do not yet have the conditions that must be in place if a will is to become ethical, on Hegel's account. It is worth emphasizing at this point that Hegel never proposes that becoming ethical requires us to *deny* the right of the "subject's particularity to find satisfaction." As he remarks in his chapter "Ethical Life," "[p]articular interests should certainly not be set aside, let alone suppressed" (§ 261). Rather than denied or ignored, the right of the subject's particularity must somehow be "harmonized with the universal," as he says. Particular interests should be "harmonized with the universal," in his words, "so that both they themselves and the universal are preserved" (§ 261).¹⁰ As he writes a few sections later,

What matters most is that the law of reason should merge with the law of particular freedom, and that my particular end should become *identical* with the universal (§ 265; emphasis added).

These remarks suggest that, for Hegel, the advance to ethical life requires us to think of the particularity of the will in a new way.¹¹ That is, the advance is possible only if the particular will no longer considers itself a *pure* particular that, in positing itself as determinate and finite, is absolutely distinct from the universal (§ 6). At the same time, we can only advance to ethical life, in Hegel's view, if we also adopt a new conception of the universal. This involves casting off the illusion that the universal is derived in complete indifference to or abstraction from particularity.

Although Hegel's alternative understanding of the particular and universal aspects of the will is difficult to pin down, we can at least say with confidence at this point that becoming ethical, on his conception, requires us to abandon the abstractions *both* of the pure particular and of the pure universal (§§ 7, 33, 184A). The will that is ethical is somehow a "unity of both these moments," as he writes. It is "particularity reflected into itself and thereby restored to universality" (§ 7).¹²

In my Introduction, I suggested that our efforts to grasp Hegel's alternative to the dualistic model of the will might benefit from considering his fascination with the idea of *organic unity*. What we want to understand is just how a will can be neither a pure particular nor a pure universal, in his view, but rather an "identity" or "unity" of both aspects. Whether Hegel is seeking an alternative to the "absolute opposition" of concepts and intuitions, of the particular and universal aspects of the will, or of the relation between an ethical state and its citizens, he relies on the model of organic unity. The idea of an organism, as he understands it, contains the key to the "identity of universal and particular."¹³

Hegel's fascination with the organic model is evident already in his 1802/03 essay "Faith and Knowledge" where he considers Kant's discussion of the idea of natural purposes or organisms in the *Critique of Judgment*. Hegel reminds us that an organism, on Kant's description, is a *structured* whole. The relation between the organism as a whole and its parts is *as if* designed or *as if* produced by what Kant calls a causality of purposes. An organism on Kant's conception is moreover a *self-organized* whole. Its

structure or organization is generated from within rather than imposed from without (as in case of an artifact). Finally, the parts and whole of an organism stand to each other in a relation of reciprocal determination. We think for example of a tree as an organic unity, in Kant's technical sense, when we suppose that there is a relation of two-way causality between the tree as a whole and its parts. On this model, the leaves of a tree are produced by the tree and thus depend for their "existence" and their "form" on the tree as a whole. At the same time, however, the leaves "sustain" the tree (CJ § 64 [371f.]); they reciprocally determine the tree as conditions of its health and growth (CJ § 65 [373]).¹⁴

What I am suggesting is that this model of organic unity is key to Hegel's portrayal of the structure of the ethical will. The will that is ethical has universal as well as particular aspects, but these aspects are not just different; they also form an identity or unity in some way. They form a unity or identity, for Hegel, because they are related to each other in the manner of the parts and whole of an organism: they stand to each other in a relation of two-way causality or reciprocal determination.

One of the lessons I believe Hegel intends us to learn from his account of the will's progressive journey from abstract right to ethical life is precisely this lesson about the structure of the ethical will – namely, that it is structured on the model of organic unity. Initially, the will considers itself a pure particular. Initially, too, it supposes that the source of right – of the universal – is an independent system of nature, a system entirely indifferent to its particularity. But with each advance in its journey towards freedom, the will increasingly appreciates that its conception of itself as a pure particular is an abstraction, and that the universal is not after all wholly indifferent to its particularity. With each advance, the categories of the pure particular and the pure universal increasingly lose their hold; the will is more and more aware of them as abstractions. When it reaches the final stage of ethical life (in the ethical state), the particular will recognizes that it stands to the universal in a relation of organic unity. And precisely because the particular will in the ethical state has the right self-understanding as well as the right conception of the universal, it no longer experiences right as alien and abstract, and thus actively pursues the universal as its ultimate end.

Although the description of the journey of the will I have just provided is itself quite abstract, it accurately highlights structural features of the progressions we have

been reviewing. My task here has been to highlight the conditions under which a will becomes ethical, in Hegel's view. I noted in my Introduction that a will becomes ethical, on his account, not by being conditioned or molded in certain ways but by expressing its freedom in certain ways. It becomes ethical if it wills the universal. As we have seen, Hegel holds that a particular will can be so motivated only if it finds itself reflected in the universal. This involves, among other things, waking up to a certain fact about itself, namely, that is not a *pure* particular. A particular will can only come to care about the universal, then, if it sufficiently appreciates the extent to which its aims and interests are intimately linked to the aims and interests of other particular wills. In Hegel's words, the will that is ethical recognizes "that its own dignity and the whole continual existence of its particular ends are based upon and actualized within the universal" (§ 152).¹⁵

This enlightened self-understanding is of course most lacking at the *beginning* of the developmental story, in abstract right. In abstract right, the will seeks the satisfaction of its particular interests, and it conforms to right only if doing so suits its particular interests. The particular will experiences right as coercive at this stage because it does not yet identify with right as a universal. It thinks of itself as a pure particular.

We also saw, however, that the particular will of abstract right cannot sustain this illusion about itself. That is, it cannot sustain this illusion if it is to escape the coercive nature of the state of nature and move forward to actualize its freedom. It cannot sustain this illusion, furthermore, if it is to be true to its own idea of itself. For even at the stage of abstract right, the particular will *implicitly* takes itself to be *more* than a pure particular. It considers itself to be a "person" or bearer of right. It therefore tacitly acknowledges that it is not *just* a particular will but shares with *all* wills the property that entitles it to right, namely, freedom.

As I noted, the advance towards freedom requires transformations not merely in the will's idea of itself as a particular but also in its idea of the universal. At the final stage of ethical life, the idea of right no longer stands for a pure or abstract universal absolutely opposed to the particular; it now stands to the particular will in a relation of organic unity. In the ethical state, the idea of right is thus understood to be in some way determined or conditioned by the particular (§ 184A).

I mentioned earlier that the system of morality on Hegel's portrayal goes part of the way towards overcoming the abstractness of abstract right. It does so by discovering the source of right in the will of the subject. But for the moral point of view, right derives from the "pure" part of the subject; and the pure part of the subject, from this perspective, wholly abstracts from the subject's nature as a particular. From the vantage point of the particular will at the stage of morality, then, the universal is still alien and abstract.

Our question now is this: In what way is the *universal* at the final stage of ethical life no longer alien or abstract? In what way is its relation to the particular will in the ethical state that of organic unity? To ask this question in another way, how is the universal not just different from the particular will, in the ethical state, but also identical?

Once again, the answer to these questions is suggested in the progressions Hegel outlines in the *Philosophy of Right*. Just as advances in the will's journey reveal its true nature as a *particular*, they also reveal the true nature of the *universal*. The progressions thus contain clues to how Hegel believes we should understand the nature and origin of universally valid norms.

I have been emphasizing the point that in its journey towards ethical life, the particular will gradually awakens to the reality that it is not a pure particular. It aims to actualize its freedom, and it learns at various points in its journey that its conception of itself as a pure particular undercuts that aim. It is noteworthy, however, that with each transformation in the particular will's self-conception, as Hegel tells the story, there is a *corresponding transformation in its idea of right*. As the particular will increasingly recognizes that it is not a pure particular but also essentially indebted to the social whole, as it more and more appreciates that its needs and interests are intimately tied to its relations to others, it eventually becomes conscious of the extent to which the universal is not alien or external but an essential part of its nature.

An important lesson of this progressive story, then, is that the idea of right *itself* evolves, on Hegel's analysis. And this evolution of the idea of right occurs alongside the evolution in the self-understanding of the particular will. The parallel transformations are not mere accidents. The particular will's self-conception is reflected in as well as reinforced by its idea of right and the institutions that embody that idea. But Hegel *also*

wants to convince us that the idea of right takes on its various shapes *in response to* the evolving demands of the particular will. The idea of right, then, is not fully determinate and settled from the start. Its multiple variations or expressions – which Hegel classifies under the general headings, “abstract right,” “morality” and “ethical life” – are to some extent *generated or conditioned by* the particular. That is, the idea of right and the institutions that embody it depend for their form and existence on the evolving demands and interests of particular wills.¹⁶

At the final stage of ethical life, the particular will has learned to appreciate this fact. It recognizes that the universal is an essential part of itself. It understands that, rather than derived from an external system of natural laws or from some supposedly “pure” part of itself that wholly abstracts from particularity, the universal derives from its “second nature” and is as such rooted in its particularity (§ 151). Precisely because it now recognizes that the universal is an essential part of itself, the particular will of the ethical state no longer experiences the universal as alien and coercive.

In my Introduction, I drew attention to Hegel’s remark that the “determinations of the will of the individual” “attain their truth and actualization” only in the state (§ 261A).¹⁷ I hope it is now clear that Hegel’s message here cannot be reduced to the claim that we become ethical only if our attitudes and behaviors are conditioned in the right kinds of ways by the right kinds of institutions. If I am correct in suggesting that Hegel intends us to understand the relation, in the ethical state, between particular wills and the idea and institutions of right on analogy with the whole and parts of a well functioning living organism, then it follows that he also intends us to understand that the institutions of ethical life owe their origin to the demands of particular wills. The actuality of the institutions of ethical life is in other words at least in part attributable to the fact that, at this stage, particular wills have learned to make the right kinds of demands. At the final stage of ethical life, the demands of particular wills express their now expanded desire to honor the rights and interests of all persons.¹⁸

¹ Animals have no will (§§ 11A, 44A).

² See for these points (§§ 4A, 11A).

³ The unabridged quote: “The state is the actuality of concrete freedom. But concrete freedom requires that personal individuality 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, one 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” (§ 260).

⁴ I have explored these issues in an earlier paper, “The State as Organism: The Metaphysical Basis of Hegel’s *Philosophy of Right*,” *The Southern Journal of Philosophy (The Southern Journal of Philosophy: Spindel Conference Supplement 2001)*: 171-188. For further discussion of the importance of the idea of an organism for Hegel’s account of the ethical state, see Michael Wolff’s superb paper, “Hegels Staatstheoretischer Organizismus: Zum Begriff Und Zur Methode Der Hegelschen ‘Staatswissenschaft’.” *Hegel-Studien* 19 (1985): 147-77. Reprinted in English as, “Hegel’s Organicist Theory of the State: On the Concept and Method of Hegel’s ‘Science of the State’.” In *Hegel on Ethics and Politics*, ed. Robert B. Pippin and Otfried Höffe (Cambridge, UK: Cambridge University Press, 2004), pp. 291-322.

⁵ “The free spirit consists . . . in giving itself an existence which is purely its own and free” (§ 57).

⁶ “Personality contains in general the capacity for right” (§ 36). “[R]ights of every kind can belong only to a person” (§ 40). “A person has the right to place his will in any thing” (§ 44).

⁷ Considered as “pure indeterminacy,” the will is “pure reflection into itself, in which every limitation, every content . . . is dissolved; this is the limitless infinity of *absolute abstraction* or *universality*, the pure thinking of oneself” (§ 5).

⁸ See also § 194 for Hegel’s remarks on the myth of the “noble savage.” See also his Heidelberg Encyclopedia of 1817/18, § 415.

⁹ I focus in this paper on Hegel’s treatment of Kant as a representative of the standpoint of “morality,” but Kant is not the only philosopher he has in mind.

¹⁰ See also § 270 where Hegel describes the “end of the state” as “both the universal interest as such and the conservation of particular interests within the universal interest.”

¹¹ One passage in which Hegel makes this suggestion is at § 29.

¹² The will that is the unity of these two moments is the will as “*Einzelheit*,” as “individual” or “singular” (§§ 5- 7).

¹³ See *Faith and Knowledge*, for example, where he characterizes “organic unity” as the “identity of universal and particular” (Cerf and Harris, p. 90; Suhrkamp, Bd. 2, 326). There are various references to organic unity in the PR. In a number of passages, Hegel describes the (ethical) state as an organism (see, e.g., §§ 258A, 259, 267, 269, 360). At § 31, he describes the developmental process from abstract right to ethical life as “dialectical” or “organic.”

¹⁴ Even Kant applies this model to a state. In a footnote to CJ § 65, he asks us to consider a “certain association” in which parts and whole stand to each other in a relation of

reciprocal determination. The whole determines its members' position and function, on the one hand, and members contribute to making the whole possible, on the other.

¹⁵ The complete passage: “ the ethical character knows that the end which moves it is the universal which, though itself unmoved, has developed through its determination into actual rationality, and it recognizes that its own dignity and the whole continual existence of its particular ends are based upon and actualized within the universal” (§ 152).

¹⁶ The point is that, as part of an organic unity, the universal must accommodate itself to the particular. It must recognize the right of particular to have its interests, its freedom, satisfied. (I take it this is why Hegel argues that there can be no right in ethical life without welfare.)

¹⁷ “The individual attains his right only by becoming the citizen of a good state” (§ 153A). The “*right of individuals to their subjective determination to freedom* is fulfilled in so far as they belong to ethical actuality” (§ 153).

¹⁸ For Hegel on the notion of expanded desires, see, e.g., *Encyclopaedia III*, § 435z. Thanks to Thomas Khurana, Christoph Menke, Frankfurt Workshop, December 10, 2010.