

HEGEL'S PHILOSOPHICAL SCIENCE OF RIGHT

Kevin Thompson

2352 N. Clifton, Suite 150.24; T: 2:00-3:00, and by appointment
773.325.4866 (office); 773.325.7265 (department); Email: kthomp12@depaul.edu

This seminar examines the central issues and ideas of Hegel's philosophical science of right—that is, his moral, legal, social, economic, and political philosophy—through a close reading and critical discussion of the *Elements of the Philosophy of Right* (1821) and related passages from the first edition of the *Encyclopedia of the Philosophical Sciences in Outline* (1817).

It focuses specifically on the set of concepts that constitute Hegel's unique contribution to moral, legal, social, and political thought: freedom, objective spirit, and ethicality. We begin, however, with a discussion of the methodology Hegel employs throughout his mature work as this lays the foundation for his distinctive approach to the central issue of the science of right: the sovereignty of the state. The ultimate task of the seminar is thus to come to an understanding of how this distinctive method serves to justify Hegel's normative claims regarding the institutional structure of a genuinely rational social order.

TEXTS

A. REQUIRED

G. W. F. Hegel, *Elements of the Philosophy of Right* (Cambridge, 0521348889)
_____, *Encyclopedia of the Philosophical Sciences in Outline and Critical Writings*
(Continuum, 0826403409)
Material on Electronic Reserve

B. RECOMMENDED

G. W. F. Hegel, *Hegel's Philosophy of Mind* (Oxford, 9780199593026)

REQUIREMENTS

One exegetical paper (1500-2100 words), due on October 11th (30%)

One thematic paper (3000-4500 words.), due at noon via email on November 28th (70%)

The critical edition of the *Elements of the Philosophy of Right* is available in a three volume set in the Rheinisch-Westfälischen Akademie der Wissenschaften edition of Hegel's collected works (Gesammelte Werke):

Georg Wilhelm Friedrich Hegel, *Grundlinien der Philosophie des Rechts*, ed. Klaus Grotsch and Elisabeth Weisser-Lohmann, *Gesammelte Werke*, Band 14, 1-3 (Hamburg: Felix Meiner, 2009-2011)

Meiner recently published a new version of their Philosophische Bibliothek edition of the text based on the critical edition cited above. I recommend it as a reliable and affordable alternative:

G. W. F. Hegel, *Grundlinien der Philosophie des Rechts*, ed. Klaus Grotsch, *Philosophische Bibliothek*, Band 638 (Hamburg: Felix Meiner, 2012, 9783787322466)

The older Suhrkamp edition is also available and still widely used:

G. W. F. Hegel, *Grundlinien der Philosophie des Rechts*, ed. Eva Moldenhauer & Karl Markus Michel, *Werke 7* (Frankfurt am Main: Suhrkamp, 1986, 3518282077)

RECOMMENDED SECONDARY SOURCES

I. GENERAL

Frederick C. Beiser, *Hegel* (New York: Routledge, 2005)
Stephen Houlgate, *An Introduction to Hegel: Freedom, Truth and History* (Oxford: Wiley-Blackwell, 2005)
_____, & Michael Baur, eds. *A Companion to Hegel* (Oxford: Wiley-Blackwell, 2011)
G. R. G. Mure, *The Philosophy of Hegel* (London: Oxford University Press, 1965)
Terry Pinkard, *Hegel: A Biography* (Cambridge: Cambridge University Press, 2000)

II. THE PHILOSOPHICAL SCIENCE OF RIGHT

Shlomo Avineri, *Hegel's Theory of the Modern State* (Cambridge: Cambridge University Press, 1972)
Thom Brooks, *Hegel's Political Philosophy: A Systematic Reading of the Philosophy of Right* (Edinburgh: Edinburgh University Press, 2007)
Dudley Knowles, *Routledge Philosophy Guidebook to Hegel and the Philosophy of Right* (New York: Routledge, 2002)
Frederick Neuhouser, *Foundations of Hegel's Social Theory: Actualizing Freedom* (Cambridge, MA: Harvard University Press, 2000)
Adriaan T. Peperzak, *Modern Freedom: Hegel's Legal, Moral, and Political Philosophy* (Dordrecht: Kluwer Academic Publishers, 2001)
Robert Pippin, *Hegel's Practical Philosophy: Rational Agency as Ethical Life* (Cambridge: Cambridge University Press, 2008)
David Rose, *Hegel's Philosophy of Right: A Reader's Guide* (London: Continuum, 2007)
Charles Taylor, *Hegel and Modern Society* (Cambridge: Cambridge University Press, 1979)
Kenneth Westphal, "The Basic Context and Structure of Hegel's *Philosophy of Right*," in *The Cambridge Companion to Hegel*, ed. Frederick C. Beiser (Cambridge: Cambridge University Press, 1993), 234-69.
Allen W. Wood, *Hegel's Ethical Thought* (Cambridge: Cambridge University Press, 1990)

READING SCHEDULE

SEPTEMBER

13: COURSE INTRODUCTION: HEGEL, SYSTEMATICITY, & SOVEREIGNTY

20: THE PHILOSOPHICAL SCIENCE OF RIGHT

Encyclopedia of the Philosophical Sciences in Outline [1817] (hereafter, Enz.): Preface, Introduction: §§ 1-11, & Preliminary Concepts: §§ 12-37

Elements of the Philosophy of Right [1821] (hereafter, GPR): §§ 1-3

27: FREEDOM

Enz. [1817]: The Philosophy of Spirit: §§ 299-305, C. Spirit: §§ 363-367, & (b.) Practical Spirit: §§ 388-399

GPR [1821]: §§ 4-29

[Recommended: *Encyclopedia of the Philosophical Sciences* [1830]: §§ 377-386, §§ 440-444, & §§ 469-482]

OCTOBER

4: OBJECTIVE SPIRIT

Enz. [1817]: §§ 400-401

GPR [1821]: §§ 29-33

[Recommended: Enz. [1830]: §§ 483-487]

11: THE MASTER ARGUMENT OF THE SCIENCE OF RIGHT

Enz. [1817]: §§ 402-429

GPR [1821]: Part I (Abstract Right): §§ 34-40, Part II (Morality): §§ 105-114, § 128, & Transition: § 141

[Recommended: Enz. [1830]: §§ 488-512]

EXEGETICAL PAPER DUE

18: ETHICALITY I: ETHICAL SUBJECTIVITY, ETHICAL SUBSTANCE, & THE FAMILY

Enz. [1817]: §§ 430-433

GPR [1821]: §§ 142-181

[Recommended: Enz. [1830]: §§ 513-522]

25: ETHICALITY II: CIVIL SOCIETY

Enz. [1817]: §§ 434-437

GPR [1821]: §§ 182-256

[Recommended: Enz. [1830]: §§ 523-534]

NOVEMBER

1: ETHICALITY III: THE STATE: CONSTITUTION, SELF-DETERMINATION, & HEREDITARY MONARCHY

Enz. [1817]: §§ 438-439

GPR [1821]: §§ 257-320 (esp. §§ 257-259 (Introduction), §§ 260-271 (A. Constitutional Law), §§ 272-274

(I. The Internal Constitution), §§ 275-286 (a. The Power of the Sovereign), & §§ 287-320 (b. The

Executive Power & c. The Legislative Power)

[Recommended: Enz. [1830]: §§ 535-544]

8: ETHICALITY III: SOVEREIGNTY, INTERNATIONAL LAW, & WORLD HISTORY

Enz. [1817]: §§ 440-452

GPR [1821]: §§ 321-360

[Recommended: Enz. [1830]: §§ 545-552]

15: SYSTEMATICITY & SOCIAL CRITIQUE

“Inaugural Address” [Public Address, Berlin University, 22 October 1818] [on reserve]

GPR [1821]: Preface

“Address on the Tercentenary of the Submission of the Augsburg Confession (25 June 1830)” [on reserve]

28: **THEMATIC PAPER DUE** [MONDAY, 28 NOVEMBER, 12:00 PM]

MATERIAL ON ELECTRONIC RESERVE

G. W. F. Hegel, “Inaugural Address” in *Hegel: Political Writings*, ed. Laurence Dickey and H. B. Nisbet (Cambridge: Cambridge University Press, 1999), 181-185.

_____, “Address on the Tercentenary of the Submission of the Augsburg Confession (25 June 1830)” in *Hegel: Political Writings*, 186-196.

A NOTE ON THE READING ASSIGNMENTS

The texts that we will be examining in this seminar all have a similar structure and it is important to understand this structure so that the assigned readings can be done properly.

In all three texts, there is a main paragraph (designated by an ‘§’ or ‘#’, and these are often no longer than one sentence in German), followed by a short elaboration, typically referred to as ‘Remarks’ in English (*Anmerkungen* in German). To these, the editors of earlier German editions have appended excerpts from student transcripts of Hegel’s lectures referred to as ‘Additions’ in English (*Zusätze* in German).

The reading assignments for this course refer *only* to the Paragraphs and the accompanying Remarks. You are *not required* to read the Additions. If you do choose to explore these passages though, I strongly advise that you examine them only *after* completing the assigned reading, otherwise the line of argument that Hegel is developing over a set of paragraphs may be lost, and that you do so with the recognition that, as student transcripts of oral lectures, Hegel did not compose these passages, and most importantly, did not prepare them for publication. Consequently, they cannot be held to be Hegel’s “official position” on any matters that they discuss.

The structure described above is clearly marked in the Wood/Nisbet translation (Cambridge) of the *Elements of the Philosophy of Right*. The main paragraph follows the ‘§’, while the Remarks are indented so as to distinguish them from the main text. Additions appear in smaller type and are prefixed with the word ‘Addition’ and either an ‘H’ [for Hotho’s transcript of Hegel’s 1822/23 lecture course on political philosophy] or a ‘G’ [for Griesheim’s transcript of the 1824/25 course] to identify the student transcript source for the Addition.

The Behler/Taubeneck translation (Continuum) of the 1817 *Encyclopedia* makes no distinction between Paragraphs and Remarks. As a general rule, if there are two English paragraphs under a German Paragraph number (designated by an ‘#’), then the second of the two is typically Hegel’s remark on the main (first) paragraph. Since this version was not published in the first collection of Hegel’s writings that appeared after his death, no Additions were appended to this text.

Finally, the Inwood revised version of the Wallace/Miller translation (Oxford) of Part III (Philosophy of Spirit) of the 1830 edition of the *Encyclopedia*, entitled *Hegel’s Philosophy of Mind*, clearly distinguishes between the Paragraphs and the Remarks. The German editor’s Additions are designated by the German term for them, *Zusatz*, however no transcript source is provided. Please note that there are very few Remarks in the section on Objective Spirit and that the German editor appended no Additions to the material in this section either. However, there are numerous Remarks and Additions throughout the section on Subjective Spirit.