

**The Right and Wrongs  
of the Universal –  
Reading Notes on  
Hegel's Philosophy  
of Right**

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**Abstract:** The present article presents a discussion about the relation between the right of the universal and the universality of rights departing from Hegel's Philosophy of Right. It tries to find in Hegel's thought a path to think the crisis of universality that pervades our contemporaneity. It outlines some lines of thought that may contribute to further reflections on Hegel's view on the tragic dialectic between the particular and the universal and to possible attempts to overcome it.

**Keywords:** truth, rational, right, philosophy, state

Hegel's *Philosophy of Right* [1821] is a "*Grundriß*", an outline, a sketch to a philosophy, and more precisely to a philosophy of right. It aims to present the fundamental lines, the *Grundlinien* to the task of giving a philosophical fundament to right, indeed, of accounting philosophically for the right of right. In the *Preface* not only, this outline is presented but a philosophy of the outline is also outlined. Currently outline means a line by which a figure is delineated, but in Hegel the prefix "out" is subtly emphasized when the outline is brought closer to the image of a thread being woven and interlaced, mythologically associated to Penelope's web. Thus, as Hegel's points expressively out, at stake in this work, which is a work of philosophy, is its ephemeral character, "ephemeral as Penelope's web, one which must be begun afresh every day"<sup>1</sup>. Relating to Penelope, Hegel implicitly reminds us that in order to begin afresh every day, the woven must be unwoven every night. Insofar as philosophy puts together a work that is as ephemeral as a weaving that weaves by means of unweaving – Penelope's web – this work has the feature of an outline. Besides the idea of ephemeral work, defined as weaving through unweaving, the philosophical outline to a philosophy of right is also described as 'amplification', [*Ausdehnung*], an amplified compendium. If such a work can still be called a "compendium" or a "manual", it is because, as Hegel observes, it amplifies previous "remarks", originally intended to be a "brief compass to indicate ideas", a working material for the lectures that constitute the *Encyclopedia of the Philosophical Sciences* [1817]. This amplification aims to occasionally clarify "the more abstract parts of the text" and take "a more comprehensive look at current ideas widely disseminated at the present time"<sup>2</sup>. Moreover, following closely the text of the *Preface*, what most distinguish the philosophical outline from an ordinary compendium is above all its method, which "constitutes its guiding principle" [*das Leitende*]. The presupposition "here", meaning "in this book", is that what defines the "philosophical" method of an outline

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1 Hegel 1970. From now on cited as Hegel 2008, p. 3.

2 Ibid.

is the mode of progression [*Fortschreiten*] from a matter to the other and the scientific path of demonstration, when “scientific” [*wissenschaftlich*], the means to demonstrate the speculative way of knowing in this progression. It is the speculative way of stepping [*schreiten*] forward and of demonstrating, in the speculative way of knowing that defines the philosophical way of knowing, that shows how philosophy is “essentially distinct from any other way of knowing”. Philosophy is the insight not merely into this difference but “into the necessity of such a difference”. Furthermore, as Hegel insists “here”, only the insight into this necessity of knowing differently from any other way of knowing “can rescue philosophy from the shameful decay [*schmählichen Verfall*] in which it is immersed at the present time”<sup>3</sup>. This philosophical outline exposes the way philosophy is an ephemeral work [a s the web of Penelope], how it clarifies the abstract content of the former text, how it expands and amplifies current ideas, and how it steps from a matter to another forward, demonstrating its scientific mode as the whole speculative way of knowing, from out an insight into the necessity of knowing differently from any other way of knowing is presented, since this is assumed to be the only way to rescue philosophy from its shameful decay. This philosophical outline exposes the proper of philosophy, its property, indeed how philosophy can be done in the right way – it delineates the right – in the different senses of the word, justice and correctness - of philosophy.

The Preface of the *Philosophy of Right* is an outline of the Right of philosophy. In the following essay, I intend to follow this outline, in times as ours that expand which was already very much at stake in Hegelian time: the wrongs of philosophy, its unright or injustice, its insufficiency and inadequacy. Philosophy sounds today, politically incorrect. Not only in the sense that Marx has tried to correct philosophical alienation, when denouncing its idealism<sup>4</sup>, but for what renders philosophy a distinct mode of knowing, namely its claim of universality. Along centuries and even for Marx critique, the revindication of universality has defined the philosophical attitude as distinct from other forms of knowing and as the remedy for unknowing and naivety, and in Modernity for philosophical decay. Each modern philosophy has presented a diagnosis of philosophical decay and a remedy, that either in terms of critique or of dialectics, is fundamentally based on the vindication of universal claims. The series of vindications written in Modernity, of the Rights of Man, of the Rights of Woman (Wollstonecraft)<sup>5</sup>, indeed, of the Rights, are vindications of the value of the universal. At stake today, in our today, is

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3 Ibid., pp.3-4.

4 See Calvez 1956; Calvez 1964.

5 Wollstonecraft 2008..

however more the condemnation of universality as source of the wrongs of the world. Today the right of universality does not equal the universality of rights, rendering the universal, universality and universalism a critical point in which theory and praxis are confronted. It is in regard to this actuality which is “ours” that I propose the following outline of a reading of some lines of Hegel’s *Philosophy of Right*, focusing on the question of the right to universality in times where the universality of rights is overall at play.

In the *Preface*, Hegel speaks of the “shameful decay” of philosophy, in times when “the rules governing knowledge that is attainable by the understanding [*Verstandserkenntnis*], have become recognized as inadequate for speculative science; or rather their inadequacy has not been recognized, it has only been felt”<sup>6</sup>. It is from out the disregard of reasoning that Hegel begins his critique of philosophy at his time. He emphasizes how these rules of reasoning have been thrown away because they have been considered mere “fetters” [*Fessel/n*] and chains, when the strive has become the one of speaking from the heart, from imagination and incidental intuition. His critique is a critique of the romantization of philosophy and the corresponding despise of philosophical logic, which is the logic of the spirit<sup>7</sup>. Nevertheless, since “reflections and relations of thought must also enter the scene”, unconsciously or not, whether one wishes or not, even when one speaks from the heart and imagination, to despise deduction and reasoning would be mere blindness. Hegel does not see much need to expand too much on this because if the reader does not forget that this work is a work of philosophy, it will become clear that as such its whole and the formation of its parts “rests on the logic spirit [*dem logischen Geist*]<sup>8</sup>. As a work of philosophy, what is being searched is the rational ground of rights beyond the mere feeling that something is right or wrong. The oldest philosophical “truth” about truth is its universality, universality that more than going beyond, *exceeds* the plurality of particular views. Hegel is a modern philosopher, and as such he is a writing philosopher, a philosopher in the medium of writing and written lines. He knows that there is a writing of philosophy addressed to a public and that philosophers are active members of the public sphere, being therefore committed with public recognition and validity. This is also a decisive point of depart for Marx’s critique of Hegel and of philosophical alienation since for Marx one of the hugest problem of politics at his times is how it has been pervaded by philosophical alienating idealism<sup>9</sup>. Hegel attacks

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6 Hegel 2008, p. 4.

7 Denis 1984.

8 Ibid..

9 See a. O. Marx’s German Ideology and the Critique to Hegel’s Philosophy of Right.

the writers on philosophy for assuming as the main philosophical task the discovery, the statement, and the dissemination not of the truth and sound concepts but of *truths* in plural. For him, this is merely the “superfluous labour of a busybody”, which warms up again and again the same old stew and serves it round to everybody<sup>10</sup>. Plurality of truths does not rescue philosophy from its decay but is its decay – thus for Hegel in this plurality that only “warms up again and again the same old stew” truth loses its right. The decay of philosophy has to do with the loss of the right of truth. The “crush of truths” discovered, stated and disseminated in philosophical writing shows considerations oscillating “formlessly” from this to that, and no one knows if there is something “enduring” [*etwas Bleibendes*] which is neither old nor new. Only philosophical science is capable to discern the truth that exceeds this crush of truths – and account for the right of truth and of its universality. The *Philosophy of Right* is committed with this account; it is this philosophical account.

Hegel departs that there is a “truth about right”, as there is a truth about ethical life [*Sittlichkeit*] and the State which are as old as their exposition and recognition in public laws and public morals and religion. How does this old truth about right, the truth of right gives itself? Hegel states that its truthfulness is given by a discontentment from the thinking mind which not content to possess this truth as something closest to us requires to be “grasped in thought”. The given truth of right, being so close to us, being so known demands to be grasped in thought, to be recognized. For Hegel, this closeness of the truth of right appears in its “rational content”, indeed as the very core of rationality, which requires to win “the *form* of rationality”. The truth of right, which cannot be separated from the right of right is the rational as such; as such the rational truth of right is already the right of rational truth, and a philosophy of right is therefore the right of philosophy. These tautological formulae express one of the fundamental laws of philosophical science, according to Hegel, which is the essential bound between content and form<sup>11</sup>. The truth of right – and of ethical life and of the State – is old and the closest to us; it is given as the very core of the rational, meaning that the truth of right is the truth of rationality as well, which is not only for Hegel but since millennia of philosophical thought the truth of free thinking. Free thinking, rationality, insists Hegel, is the one that “does not stop at the given”, whether by external authority or by inward feeling. Free thinking is on the contrary the one that starts out from itself and “demands to know itself as united in its innermost being with the truth”<sup>12</sup>. This is the

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10 Hegel 2008, p. 4

11 “What we have to do with here is [philosophical] science, and in such science content is essentially bound up with *form*”. Hegel 2008, p. 4.

12 Ibid., p.5

ground from which it becomes possible to distinguish and discover in an infinite *variety of opinions* [*verschiedenen Meinungen*] what is universally recognized and valid. Thus, what is universally recognized and valid is according to Hegel the very substance of right and the ethical. And in so far as the State and ethical life are the concrete forms of universal recognition and validity, their commands – *Gebote* – build substantial right. Any claim of free thinking is a claim for the indissociable bound between universality and right, for the universality of right and the right of universality. To defend the freedom of thought as freedom to diverge from what is universally recognized and valid and invent for itself something particular is therefore to pervert the right of philosophy into its wrong.

The way Hegel analyzes the despise of philosophy in his times is not merely a description of how each individual lets emerge from the heart, from imagination and enthusiasm each own truth, and thereby claiming that truth cannot be known. What Hegel also attacks is how philosophy has perverted itself, and how difficult it becomes to distinguish philosophy from non-philosophy when “governments have proven their trust in those scholars who have devoted themselves to philosophy”. The more philosophy becomes institutionalized, proven by governments, so that “professorial chairs of philosophy have been retained only as tradition...”, “allowed to lapse”<sup>13</sup>, the more philosophical difference becomes undifferentiated knowledge. The difficulty lies in that all thoughts and topics are reduced to the same level<sup>14</sup>, and all distinctions are abolished; the more the particular is claimed and acclaimed against the universal, the more the particular is abolished. Hegel insists in a levelling process as result of the divergence of the universal. “The result of this levelling process is that the concepts of truth and the laws of ethical life likewise become nothing more than opinions and subjective convictions. The maxims of the worst of criminals, since they too are *convictions*, are put on the same level of value as those laws, and at the same time any object, however bare and particular, any material, however dry, is given the same worth as that which constitutes the interest of all thinking people and the bonds of the ethical world”<sup>15</sup>. Divergence from universality, that is, subjectivation results in putting all positions, thinking people and criminals, those who construct the bounds of the ethical world and those who destroy them, the democrat and the fascist – if we would translate Hegel to our today – on the same level of value. When the principles of rights and duties are such a serious matter – as much as in Hegel times as in ours – the thing, namely the question of the truth of right and the right of truth, indeed the necessity of a philosophy

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13 Ibid., p.11

14 Ibid, p.12

15 Ibid., p.13

of right that converges with the right of philosophy has to be actualized. If the core of the question is the one about the universality of right and right of universality, then this must be unfolded out from the relation of philosophy to actuality.

Philosophy is “the exploration of the rational” and “it is for that very reason the comprehension of the present and actual”<sup>16</sup>. The link between the rational and actual is for Hegel a central maxim of the *Philosophy of Right*, which formulates one of Hegel’s most proverbial sentences: “What is rational is actual and what is actual is rational”<sup>17</sup>. Not even Plato’s *State*, Hegel claims, which is commonly considered an empty ideal is nothing but an attempt to seize the nature of Greek ethical life. The task of rationality is not to seize a beyond, supposed to exist, but the present and the actual. Thus “the important thing, then, is to recognize in the semblance of the temporal and transient the substance which is immanent and the eternal which is present”<sup>18</sup>. The rational is actual because it is nothing but its actualization, its effectivity. As Jean-Luc Nancy has clearly shown, Hegel’s rationality is infinitude actualizing itself, indeed the infinity of actualization, of coming into existence. Thus, “the act of the infinite is anything but a given” [*Mais l’acte de l’infini est tout sauf un donné*<sup>19</sup>]. Nancy puts in his own words Hegel’s words in the Preface that say: “for since rationality (which is synonymous with the Idea) enters into external existence [*Existenz*] simultaneously with its actualization, it emerges with an infinite wealth of forms, shapes and appearances”<sup>20</sup>. It is not about how a form is the mirror of a rational idea but how rationality is nothing but the coming to form, something that can however only be seen – that is, thought – after it has come to form. Philosophy is always late, and epigonal as the owl of Minerva which spreads its wings only at the falling of the dusk, the grey in grey, seeing the coming to form withdraw when form has been formed.

Hegel insists that the question he addresses in this Outline is the philosophical question of the right, of the State, of ethical life. He is engaged with a “work of philosophy”, with thinking the rational as the actual, and that is why “it must be removed as far as possible from any attempt to construct a state as it ought to be”<sup>21</sup>. In which sense, the question is about the actual and about the state? It is the question of the State as the very stand of the right of the actual. This can only make

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16 Ibid

17 Ibid., p.14

18 Ibid.

19 Nancy 2018, p.44; Nancy 2002, p.25

20 Hegel 2008, p.14

21 Hegel 2008, p.15

sense if the metaphysical and the political senses of the word “State”, the metaphysical sense of a position or stand, and the political of a constituted form of government, supreme civil power, and organization of a country are not dissociated. The State is the establishment in which the established appears as what establishes, a concentrated word for Aristotle’s extensive definition of essence, as *to ti ên einai*, τὸ τί ἦν εἶναι<sup>22</sup>, “that what was being”. The State is the objectivation of the law of the actual as the one of being an actualization that can only be seized as actualization in an epigonal mode, i.e. when already actualized, as “that what was being”.

The actual is in Hegel’s words “what is”, *was ist*. What is is a “state” of affairs, to use a post-hegelian expression. The task of philosophy is to comprehend the actual, *what is*, because what is is reason. It is absurd to think that philosophy can or should transcend its contemporary world. “Here is the rose, dance here”, quoting another passage from the *Preface*. The fundamental law of free thinking – the right of philosophy – is to recognize “reason as the rose in the cross of the present” [*die Vernunft als die Rose im Kreuze der Gegenwart*], thus only this recognition is capable to reconcile to actuality, those in whom “there has once arisen an inner voice bidding them to comprehend”<sup>23</sup>, and not only to preserve and persevere in their subjective freedom. The cross of the present gives the image of the “what is” as transient and transitory, of the restlessness of the actual, as Jean-Luc Nancy emphasized so adequately, thus what is, the actual, is not the point or position in which the past and the future meets but the passing from one to the other – the passing that can only be seized as already past and still not come, a passing that has no language except the language of the nostalgia of forms or losses and the one of the utopias of futures or foundations – “the beautiful Greek city” and “the organic State of constitutional monarchy”<sup>24</sup>. These are, as Nancy formulated, mere margins of the restless present, which opens up itself between the dawn of a plenitude [the Greek] and the imminence of an emergence [constitutional monarchy]. As the vision of the owl of Minerva, philosophy sees the actual, i.e. what is, as what was being, and as such as an actual whose act of actualization escapes from the view precisely when being seized as actual. Philosophy can only see the actual *après-coup*, *nachträglich*, to use a Freudian concept, the never seen before, the actual, as what has already been seen, a “*déjà-vu*”. Thus, the actual, what is, is an actualization and in question is how to seize an action *in actu*, since an action is not something that acts; in fact, something that acts

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22 Aristotle 1935, 1029b

23 Hegel 2008, p.15

24 I am following here Nancy’s considerations in the chapter “Present” of his Hegel 2018, pp. 43- 51; Nancy 2002, pp. 25-31.

is what comes out from the very process of actualization. That is why the actual, what is, is for Hegel the “naked openness of history”, recalling an expressing by Nancy, when, in a sudden instant, this movement – of seeing the coming after it has come – called history, shows itself as the cross of the present, and therefore as an “act of negativity”<sup>25</sup>. The way the owl of Minerva sees, *après-coup*, *nachträglich*, what is, is very far from a metaphor or image; it is a central key to Hegel’s philosophy.

From this view on what is, on the actual, it becomes clearer why the actual is in itself a movement. Not firstly a movement from the past toward the future, but the movement proper to an actualization, to a manifestation. What is, is not merely what is there; it is what manifests itself, what appears. Phenomenology is a central term in Hegel’s thought. Manifestation is a movement; what is, manifests itself. One of the most thought opening paths of Jean-Luc Nancy’s readings of Hegel lies in his interpretation of the movement of manifestation of what is, of the present and actual. Thus the main concern is not the apparently most evident, namely that what is manifests itself to consciousness, but this intentionality belongs to a larger movement taking place at the core of what is. It is the movement in which what is, the present and the actual relates to what is not, i.e, to every other what is and thereby to the what is as such. In Nancy’s words, to say that what is manifests itself is to say that manifestation manifests manifestation. If philosophy is a thought of what is, of the present and actual, is because the what is, the present and actual are the remainder, *das Bleibende*, rather than the eternal enduring, or the eternal enduring is the remainder of this movement. What philosophy seizes in what is, in the restless of the present and actual is its movement, its passage which is at once, with Nancy’s words, “self-affirmation and restless of the other”<sup>26</sup>. What is is therefore in itself passage into otherness. In this sense, what is, manifesting itself as something, as each thing, is a vitality, showing that each thing, the particular is in itself a toward another – the each-ness of each thing touches in itself the each-ness of another thing, of what it is not. Whatever “particular” precisely in its particularity touches another particularity as what it is not, and hence what exceeds the particular, namely, the universal. In this sense, what is, the thing gives itself as this thing, as each thing. Here lies what Hegel called “the factum of physical or spiritual... vitality”<sup>27</sup>, or rather the physical or spiritual vitality of the factum, of what is. Nancy clarifies this vitality saying that “vitality is the character of bearing itself out of itself”, “manifesting itself it is in relation. It singularizes itself. Every thing is

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25 Nancy 2018, p.47; Nancy 2002, p.28.

26 Nancy 2018, p.46; Nancy 2002, p.27.

27 Hegel 2010..

singular”<sup>28</sup>. What is, the present and actual insofar as it is this negativity – of touching in itself other than itself, what is not – of bearing itself out of itself, touches the core of the dialectic between the particular and the universal. It touches transforming it since the particular emerges as the wrong and perverted philosophical meaning of the singular, in which the singular is reduced to the closure of a “being itself”, without relation, identical to itself, a view on what is as what is separated. To think what is, the present and the actual – to think in the sense of the difference that philosophical speculative thinking is – means to “see”, with the eyes of the owl of Minerva, that “the self is what does not possess itself and does not retain itself, and is, all told, what has its “itself” in this very “not” retain itself: nonsubsistence, nonsubstance, upsurge, subject”<sup>29</sup>. If the language of separation says: what is, is in itself for itself, it has already seen with the eyes of the owl the “for itself” as a relation and hence how the “itself” does not possess itself. Nancy draws Hegel’s thought to its extreme, letting Hegel emerge as the philosopher of the skin of things, a thinker of what we could call the *skinship* of things rather than of their kindship. Thus, rather than the dialectic of the gender and species through which each thing is seized as particular kind, as separated and closed in itself, the negativity of the self at the core of Hegel’s thought reveals itself as a thought of each thing manifesting itself as the skin of a limit. The skin of a limit is, like a leaf or a coin, like a voice or a touch, an inside already outside, a bearing itself out of itself that can only be seized *après-coup*, *nachträglich*.

To render the particular to the sense of its singularity is the task of philosophy, and very specifically the task of the philosophy of right which endorses the right of philosophy. This is so because this sense of singularity opens another sense of the universal. Even if not dealing explicitly with the question about the right of the universal, Nancy’s readings give significant hints toward it. The singular as the skin of a limit is a self-liberation. Nancy proposes that this self-liberation of the singular is a liberation of freedom itself, since it liberates from every determination attached to it. Thus, liberated from itself, the singular is, following his interpretation, exposed to every other what is: it is itself being exposed to every other and everyone. In the restlessness of what is, Nancy finds the paths of his thought on “singular plural”. In Hegel’s language, we could say a *singular-universal*, which is manifestation manifesting itself. For Nancy, that is what Hegel names “the spirit of the world” [*Weltgeist*]<sup>30</sup>. A passage from the final part of the *Philosophy of Right*, reinforces this reading when Hegel says that the spirit of the world,

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28 Nancy 2018, p.55; Nancy 2002, p.33

29 Nancy 2018, p.58; Nancy 2002, p. 58

30 Nancy 2018, p.60; Nancy 2002, p. 37

which is also called “universal” spirit arises out [*sich hervorbringt*] of the dialectic of the finitude of spirits, manifested in their deeds and destinies in their relations to one another<sup>31</sup>. Hegel does not affirm that the spirit of the world emanates or manifests itself in particular forms, i.e, states and peoples but that it arises out from their relations to one another. The universal spirit, which is the very spirit of the universal arises from relations rather than is defined as an eternal external spirit which causes particular forms of existence and shapes their relations. Having in mind Nancy's readings, the speculative way of knowing that according to Hegel, philosophy names, proposes a right to the universal when the wrong of an abstract dialect of the particular and universal orients concepts and ideas about the universality of rights.

But still a question – of course among many others – remains, namely the question of the reason of this philosophical wrong, that marks the history of western philosophy, and further the history of Modernity, the philosophical wrong of reducing the singular to the particular and abstracting the universal and its universalism, isolating it from the force of what is. This question can only begin to be asked departing from the relation between wrong and right – a question that is quite central in Hegel's outline of a *Philosophy of Right*.

In his studies on the tragic in Hegel's *Philosophy of Right*, Jean-Louis Vieillard-Baron insisted that it rests on the necessity of evil and of wrong for the sake of actualizing the possibility of the idea of right<sup>32</sup>. No right without wrongs; it is because “(to err is human; to forgive divine)”, recalling the poetical parenthesis of the American poet e.e. cummings<sup>33</sup>, that it is human to have the truth of right as the oldest and closest to the human. That would be the tragic “law” of Hegel's dialectical philosophy of right. Hegel's thought exposes the tragedicity of dialectic. Wrong, unright,

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31 Hegel 2008, p.315.

32 Ce tragique consiste spécifiquement en ce que la possibilité de la réalisation effective de l'idée du droit implique la nécessité de son contraire, le mal. Hegel 1999, p.34. See also Vieillard-Baron 2007, pp. 43-66.

33 Cummings 2016.

“why must itself up every of a park  
anus stick some quote statue unquote to  
prove that a hero equals any jerk  
who was afraid to dare to answer "no"?  
quote citizens unquote might otherwise  
forget(to err is human;to forgive  
divine)that if the quote state unquote says  
"kill" killing is an act of christian love.  
"Nothing" in 1944 AD  
"can stand against the argument of mil  
itary necessity"(generalissimo e)  
and echo answers "there is no appeal  
from reason"(freud)—you pays your money and  
you doesn't take your choice. Ain't freedom grand”

[*Unrecht*], is presented in the *Philosophy of Right* in three different kinds: it can receive “the form of a semblance” of right, “when right is something particular and therefore manifold in contrast with its intrinsic [*an sich seiend*] universality and simplicity”<sup>34</sup>. Wrong as semblance of right has to do with the positing of the essence as something self-subsistent, without relation. A second kind of wrong is the fraud, in which a semblance is created to deceive the other. In fraud, Hegel says, “right is in my eyes only a semblance”<sup>35</sup>. It is right that appears as semblance, from the point of view of wrong, which is again the point of view of the particular, “my” point of view. The third kind of wrong, of unright, is coercion and crime. Here, the wrong is desired and intended without any semblance of right. Wrong, unright or injustice – *Unrecht* – can be non-malicious and malicious; a wrong can be done without negating universal right but solely the particular will. Hegel’s example places the discussion in the realm of simple predications: “a rose is not red”, the phrase can be wrong, but it still says right, namely that a rose has a color. In relation to a right, non-malicious wrong arises when the particular holds that what s/he wants is right. In this first kind of non-malicious wrong at the core of “civil injustice”, albeit two parts may have opposed interests and take the own right to be right, the truth of right is not denied. That is why it is possible to turn wrong into right by means of the acceptance of a *Sollen*, an ought to be right<sup>36</sup>. Fraud means in its turn the more substantial wrong of reducing the universal to a mere semblance by the particular will, denying the universality – and as Hegel says, the simplicity – of the truth of right. In coercion and crime, which is wrong “in the full sense of the word”, “there is no respect either for right in itself or from what seems right to me”, here both sides, the objective and subjective, are infringed<sup>37</sup>. Hegel’s discussions about wrong [*Unrecht*] points toward the tragic impossibility to avoid evil, an impossibility which is metaphysically anchored on the inexorability of finitude as condition for the actualization of infinite possibility. Hegel’s tragic dialectic has deep Christian roots, and it is not to surprise when he refers to Jacob Böhme in the *Encyclopedia* as the one who “...conceived selfhood [*Ichheit*] as pain and torment and as source of nature and spirit”. This is the tragedy of freedom, the tragedy of the infinitization of the infinite, only actual through its finitization, thus life is in death. A quote from Hegelian Georges Bataille sums up well this sense of tragic in Hegel’s thought, when he affirms “Life will be lost

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34 Hegel 2009, p. 94

35 Ibid.

36 See here Marquard 1964, p.103

37 Hegel 2008, p.97

in death, the rivers in the ocean, the known in the unknown”<sup>38</sup>. The tragic necessity of finitude, of wrong and evil for the actualization of the truth of right emerges in different dimensions in the *Philosophy of Right*. Poverty and the rabble, a topic of the *Philosophy of Right* that received recently the most illuminating reading and discussion by Frank Ruda<sup>39</sup>, are tragic elements in the truth of right. Further tragic elements are religious fanaticism, the singularity of the states that engenders the necessity of war and the contingency of war. In Hegel’s account for these different levels of wrong, the tragic knot lies in the dialectic of the particular or contingent and the universal.

To see the singular as particular, to do wrong to it philosophically would obey the tragicity in Hegel’s thought. Thus, singularity as self-liberation of freedom itself is manifestation and actualization appearing in its own movement afterwards, *après-coup*, *nachträglich*, as what has posited and established itself as something separated in itself, as particular. The philosophical task according to Hegel is to think with the vision of the owl of Minerva, to assume the negativity that constitutes the tragic way the actualization of the actual gives itself, withdrawing in the given while being seized, demanding of the speculative way of knowing a language capable to apprehend in the actual the movement of actualization, and try to say it, even if in an anti-language – Hegel’s language, in the sense Adorno called Hegel’s text an anti-text<sup>40</sup>. The task is to seize in this tragic movement the passage from one to another, from the actualizing to the actual, from the coming to be to what is giving itself as what came to be, the passage from theory to praxis, from the singular to the universal, as one and the same, as the skin of a limit, as a sheet of paper. Maybe a way to do right to Hegel’s *Philosophy of Right* in times as ours when the right of the universal suffers the wrong of the universality and universalism of right, and thereby to find a path to give right to philosophy is to rethink the discussion that opens the last section of the book that handles World history. Hegel speaks of the three ways universal spirit exists: art, religion and philosophy. Each of these forms or ways exists out from respective elements: universal spirit exists in art in the element of intuition and imagery, in religion it exists in the element of feeling and representation, and in philosophy, universal spirit exists in the element of free and pure thinking<sup>41</sup>. A suggestion would be to understand art, religion and philosophy, when considering the former reflections about Hegel’s singular universal, as three ways to experience a view of

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38 "La vie va se perdre dans la mort, les fleuves dans la mer et le connu dans l'inconnu", Bataille 1952, p.119

39 Ruda 2011.

40 Adorno 2003, 1993.

41 Hegel 2008, pp. 315, 316

the actualization in the actual, of the movement of manifestation in the manifested, of action *in actu*. Three forms of seizing the withdrawal of the movement in the moved, which indicate a way of dealing with the difficult question about the relation between theory and praxis. Thus, each one of these forms – art, religion and philosophy – when considered from the viewpoint of their elements can be seen as passages from theory to praxis and from praxis to theory. Not praxis without or beyond the wrongs of theory, not theory to correct the wrongs of praxis, not theory on praxis or the praxis of theory, but a thinking sensibility and sensible thoughts on the passage of one to the other, a passage that can only be “seen”, “felt”, “thought freely” *après-coup, nachträglich*. In times as ours, dealing with so many philosophical wrongs due to a civilizational blindness for the singular-universal, an universal that should better be called plural as Nancy proposed, maybe what can turn these wrongs into right is a view that seizes the *passage* from theory to praxis *while passing*, in art, religion and philosophy. At least in the attempt to understand why Hegel opened up a thought on the singular universal departing from a owl-view on the tragic dialectic of the present and actual, of what is, now.

To “finish” this outline of a reading of Hegel’s *Outlines to a Philosophy of Right*, I would like to quote a poem by the Brazilian poet and theoretician of translation, Haroldo de Campos, who composed a poem with Hegel’s own passages and words from the *Phenomenology of the Spirit*. This poem “by” Hegel can be read as an outline to Hegel’s thought on the right of the singular-universal which perhaps is nothing but what is, now.

### **Dialectic of the now – 1**

the now  
which is night  
is pre-  
(sus-  
pensive)  
-served  
that is  
is treated  
as that  
by which  
to us it  
gives itself:  
like an ex-  
sistent  
but to us it first  
shows itself much

more as a  
non-ex-  
sistent

the now  
itself  
surely  
conserves itself  
but like that  
which is not  
night:  
in that it also  
is conserved  
as equal as  
the day  
that now  
it is  
like that  
which  
is not day nor  
like a  
negative in  
general

this  
- which conserves itself –  
is not  
now  
therefore an  
im-mediate  
but yes, an  
inter-mediate  
because it is  
in the way of one  
which is maintained  
and conserved  
by determination  
crossing  
that is:  
because an other  
- the day and the night –  
is not

thus, here as  
it is

as always  
- so simply  
as before –  
now:  
and in this  
simplicitude  
equivalently  
in-differently  
to that  
by its ground  
is at play:  
as well as  
night and day  
none of which  
is their being  
nor  
is it  
night and day:  
by this its  
being-other  
does not let itself  
be affected:

a simplicitude  
just like  
which is  
before the  
negation  
- not being this  
nor that –  
a not-this  
equivalently  
in-different  
to being this or  
that  
we name it a  
universal: the  
universal which is  
because  
in fact  
the true of the  
sensible  
certainty<sup>42</sup>.

.....  
42 Campos 1997

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