

Six. GPL and Hegel's Logic

In the last chapter we discussed different elements from the history of GPL. We have presented a very short account of the accumulation of supplements: how all the minuscule moments of resistance, together, and in a series, contributed in the making of GPL, or rather, in the evolution of resistance that finally produced GPL. GPL grew as the envelope, as the father text of all the bastard texts of resistance in all those supplements. And then brought to life the context of FLOSS. So, this supplement-text-context was an example of a journey counter to the direction of the journey of Derridean deconstruction, as we suggested in chapter two. Through this journey the moment of differend and the moment of deconstruction were brought together. The differend resided in the hacker community's sense of betrayal and injustice. The primitive freedom and friendship that ruled there in the hacking world were being taken away by the rules of market and capital. And this hacker community of primitive FLOSS, long before the term 'FLOSS' was born, could not just sit there and do nothing. But what could they do? How could they eradicate an injustice that is not even discerned as injustice by the system of justice? But they tried, and tried, and went on trying. This long process of trial came up with GPL. GPL in action was a deconstruction of the whole discourse of state, transforming the very structure of state and all inner categories.

At last the differend could find the justice it was seeking. The logical break inherent within the categories created by GPL just rendered the earlier injustice impossible to happen. The text of GPL and the context of FLOSS finally achieved the goal: nobody could take away their freedom and cooperation any more. They were now guarded and protected by GPL. So, the moment of bringing together *differend* and *deconstruction* finally happened. The bastard supplements falling in line created a pattern. This pattern anticipated a father. This was GPL. The text of GPL then led some more supplements to merge into the pattern, this deconstructed the whole institution of state and gave rise to the context of FLOSS. And now, we derive any meaning of GPL from this context of FLOSS. So, finally the project of chapter two – exemplifying a counter-journey, from supplement to text to context is complete. But, and it is very important point, it was no *conscious* move. It was 'not conscious' in the sense that they did not have in their mind the theoretical implications of the repercussions of the philosophical categories generated by GPL. It happened more in a natural way, in the way of a biological evolution. All the pains of betrayal, all the resistance towards taking away of the primal freedom of primitive FLOSS – all these started accumulating in the series of supplements that we described in the earlier chapters. This process happened in the very real world of real computing with real machines. We have already described this process in details. Now we are going to analyze the theoretical implications in terms of Hegel's logic.

This makes GPL a text of an entirely different order, a revolutionary text. Through the accumulation of all the pain and resistance of real existence, GPL gave a twist to the very logical categories that this very real world deals with – categories that work within the institution of state and society. GPL tweaked and subverted the internal categories in such a way that the whole fabric – the institutions of law, civil society, market and state – changed from within. Now, to understand this very deep-acting subversion of all the inherent categories working within this institution, we need to go through some elements of Hegelian logic. To start exploring how GPL changed

the basic social categories on which history is built, we begin with a brief exegesis of Hegel's philosophy.

1. A Hegel of Our Own

This is a very simplified reading of Hegel. And, any simplification of a thought-process called Hegel, one of the highest specimens of human intellect, is bound to produce some distortions. Like any structure of human thought, potent to this order, there are actually many possible readings of Hegel. Like say, a very classicist reading of *true* Hegel, cross-referenced with Fichte and Schelling, by positing Hegel with respect to the stream of German Idealism in the decades after Kant. And there can be many variations on this basic theme of 'true' Hegel. Even there can be a possible *tour-de-force* reading of Hegel with respect to his romantic poetry connections like Hölderlin. There can be even more exotic and deviant readings. Like say, a psychological reading of his philosophy in terms of desire and drive, with respect to Hegel's adolescence heroes like Napoleon, in the context of war-torn Europe. But, let us be sure, this exegesis of Hegel here is not going to be anything like that. It is very much conditional and subservient to the necessities of this book. We are going to choose exactly those elements, and only those elements, that are absolutely necessary for our purpose to go into the intricate political and economic phenomena born out of GNU GPL.

Here, in this exegesis, we elaborate and simplify some of the logical turns and loops. This short discussion on some components from Hegel's theory is an absolutely conditional one. Hegel is not at all the point here: we are digressing through Hegel just to render our constructs elsewhere in this book clearer and simpler. This brief journey is going to suffer a problem, that of presenting some elements of hard philosophy to readers some of whom are outsiders to this discipline. So, we try to strike a route that is 'simple'. But, as we know, it is extremely complex to define 'simple'. In this case, we define simplicity as the other name of self-contained systems. We are going to round off and solve and tie out all the hanging ends of all the threads that are taken up within this book. It is Hegel on commission. So, we parry all kinds of responsibilities of representing a *true* Hegel, or following the exact chronology of development among components within Hegel. The time-line of Hegel's three major areas goes like this: *Phenomenology of Spirit* in 1807, *Elements of Philosophy of Right* in 1822 and the final revised version of *Science of Logic* in 1831. But, here, we will traverse a path exactly opposite to it. First we cite a few elements from *Logic*, Hegel 1975. Then we exemplify these elements from *Philosophy of Right*, Hegel 1962. At last, we compare this reading of *Right* with a little of *Phenomenology of Spirit*, Hegel 1990. We do it exactly that much that is necessary for this book.

One apology should be noted here. There will be quite a few cross-reference and cross-comparisons with Marx's logic, through this exegesis. Not all of these citations are quite obvious by the logic of this book. They are here, because, in the thought process that led to this book, or, before that, in the history of how that thought-process of mine was built, there is quite an overbearing presence of Marx. In the

history of our times in a poor country like India, and in my philosophical training too, Marx, maybe a bit too much of Marx, is very pervasively there. A lot of us here in this third world, just like me, arrive at Hegel through an extremely digressive detour of Marxist political practice. So, neither I, nor this book, is indifferent to Marx. But, obviously, as the later chapters will show, some of the conclusions are indeed very different to what Marx said. In this chapter, we arrive at a discussion of GPL vis-a-vis the concept of counter-hegemony of Marxist politics. Here we show that, the conceptual plane generated by the logic inscribed in GPL is a plane that Marxism cannot comprehend at all. So, in a way, these cross-references with Marx are exactly irrelevant.

2. Doctrine of Being

Let us start Hegel's philosophy with his Logic. Logic must start with a concept of 'is', or, 'isness', because, with nothing around, a philosophy cannot start. So, at least something *is*. Or, in other terms, there is 'being'. Here is an important point of cross-reference with Marxism. When Marxism starts delineating its own theoretical limits, it proclaims itself as *materialist*, considering the *material reality* around us as its point of departure. And in contrast, Marxism considers Hegel as idealist, because, Hegel's logic embarks on a philosophical journey that starts and ends in *pure idea*. Marxism underlines the Hegelian starting point of 'isness', the point of departure in Hegelian Doctrine of Being, as a *pure idea*. Marxism considers this the foremost difference of idealist Hegel with materialist Marx.

Hegel's 'isness' is a pure idea. After starting from this pure idea of 'pure being', through a logical procedure of 'negation', Hegel's *Doctrine of Being* reaches the concept of 'determinate being', with which the material world around us is built. Before going any further into *doctrine of being*, let us remind ourselves about the three very definitive stages in Hegel's logic. *Doctrine of being* is the first stage, that starts from the category of pure being, and proceeds on and on, till we logically reach the immediate reality around us, made of determinate beings. After this stage of *doctrine of being*, next comes the annihilation of this immediate reality to arrive at a philosophical reality above this immediate reality. This stage in Hegel's logic is *Doctrine of Essence*. When already the immediate reality is annihilated, Hegel's logic comes to the third and final stage. Here, in this stage, a mediated philosopher's reality is created, in terms of notions, and this is *Doctrine of Notion*. Any satisfactory discussion of Hegel, covering all these three stages, needs a far greater scope and length. But, as we said, we would touch only those things that we need for analyzing the categories in the realm of property rights in general, and in the interpretation of GPL in particular. We would just briskly flip through some elements of doctrine of being and doctrine of essence, keeping doctrine of notion almost untouched.

The category of *being* or a pure abstract *isness*, without defining and declaring the content of this *isness*, is an empty and void category. It is a *nothing*. So, here, we interpret these two categories, *being* and *nothing*, in terms of their content. When and while there is *being*, there must be an absence of it, and thus we get one more category – *nothing*. And with this two end-points given, *being* and *nothing*, there

must be a transformation between these two, by which *being* becomes *nothing*, or *nothing* becomes *being*, and thus there is *becoming*. With these three categories together, *being*, *nothing*, and *becoming*, we embark on our Hegelian journey.

We start from a pure and abstract concept of being, and so, this Hegelian *being* is a kind of being that includes all possible kinds of being. And this category does have the ability to become *nothing*, thus prefiguring *becoming* as a category. And once we get the category of *becoming*, other possibilities of being follow from it. It makes possible for *being* to become *something* – a change by which the category of pure *isness* or pure *being* negates itself to become a *determinate being* or *something*. A few words here may help us to emphasize a moot point here, important for Marxism. In contrast to the ‘idealist’ cannon of Hegel, this very category of *something* is the starting point in the ‘materialist’ cannon of Marx, because Marx starts from the immediate reality of *determinate beings*. This immediate reality for Marx is market, the space of commodity or “a thing outside us”, as Marx said. *Something* or *determinate being*, that we can determine with our sensory apparatus, is the starting point of Marx’s dialectical materialism.

Let us recognize the Hegelian way of constructing categories. We see how *being* leads to its negation, that is, *nothing*, and how the *pure isness* leads to its negation, that is, *determinate being*. And so, we can anticipate the next move, where this immediate reality is negated too, to reach a mediated philosophical reality over and beyond this immediate reality. This same kind of construct repeats all through Hegel’s logic. Hegel’s logic takes off from pure *isness*. Then it goes through different layers of *unity-difference-unity*-interplay. The journey starts from the pure idea of *being*, goes through the pure idea of *essence*, and finally reaches the pure idea of *notion*. And this journey spans over the three main areas of Hegel’s Logic: doctrine of being, doctrine of essence, and doctrine of notion. Hegel’s idealism starts and ends its journey in two pure ideas: pure *being* and pure *notion*. But, though the two endpoints in Hegel are pure idea, the trajectory of the journey includes the objective reality or the immediate reality, made of determinate beings. And so, Hegel’s idealism is called ‘objective idealism’, in contrast to, say, George Berkeley’s ‘subjective idealism’ which never deals with anything from the realm of immediacy.

As we were saying, Hegel’s immediate reality is made of determinate beings, determined by the sensory order. The sensory organs mark out the space and time of existence of the determinate beings. The next job in hand for logic is that of categorizing all these determinate beings that come together to construct this immediate reality. As common sense goes, the very primary categorization, that grows in this immediate world of determinate beings, is a division between the near and the distant ones – the categories of *this* and *that*. All the near ones are *this*, and all the distant ones are *that*. Hegel is always using more than one, usually a series of, qualifiers for each category constructed within his logic. So, this category of *this* or immediate is also called *reality*, for which Hegel uses the technical term *being-by-self*. And for *that*, also called *negation* or *negation of reality*, the technical term used by Hegel is *being-for-another*.

Let us chip in a bit of our conjectures here, about these Hegelian categories, in

context of the coming discussions on GPL. This very division of the immediate reality of determinate beings into the two compartments of *this* and *that* seems somewhat arbitrary to us, and the division between them seems tentative and uncertain, and a bit fuzzy too. How to actually distinguish between Hegelian *this* and *that*: what exactly is the difference between them? Why *this* is not even a small bit of *that*? There is no exact and distinct demarcation between these two categories in Hegel. If we reformulate these Hegelian categories of *this* and *that* as flux or field of force, we can expect some overlapping between them. Hegel says nothing. Or, if we use the psyche of a child as our model of understanding, commonsense tells us, the mother will be *this* to the child, and others will be *that*. But then, how will we depict the father? Later we will see that, GPL induced and prompted some new categories to ooze out from the fuzzy areas around the Hegelian division between *this* private property and *that* private property. As we will see, GPL made one set of entirely new categories to emerge, but that does not exhaust the possibility horizon. There is a fuzzy region in Hegelian logic. Hegel forced the whole thing into a dichotomy. GPL pushed this mythology of forced dichotomy hard enough to yield a set of new categories, maybe there are more, waiting for surfacing, when and where politics pushes it hard enough, like GPL did.

Hegel's philosophy is dividing the world of determinate beings into two broad categories: *this* or *reality*, or technically speaking, *being-by-self*, and *that* or *negation*, or technically, *being-for-another*. Let us take an example of a forest. Though, let us know from before, this will be an inadequate example. As we will see later, Hegel's Logic can successfully be elaborated by examples strictly from the social space. But, for that, we have to wait till the discussion of Philosophy of Right. For now, let us use this not-so-good analogy. In the forest, the tree very near to the observer is *this*. The reality of 'this tree' is negated by another tree. While the first tree is *this* or *being-by-self* or *reality*, with respect to it the second tree is *that* or *negation* or *being-for-another*. But this status of the second tree remains like that just for the moment. The *reality* of the second tree again gets negated by another tree, a third one, as we are looking further into the forest. This time the second tree takes the status of *this* or *reality* or *being-by-self* and the third tree becomes *that* or *negation* or *being-for-another*. This process of chain negation now goes on and on, *ad infinitum*. This ceaseless chain of negation is termed as 'bad infinity' by Hegel. Hegel thinks it bad because it does not allow us to arrive at or discover any category: because it helps us reach nowhere.

To reach a category, Hegel brings in the concept of a *leap* into a category that includes both *this* and *that* within its domain of definition. This leap enables the naming of a new category. This naming creates a new category *being-for-self*, a category that includes within the *name*, within the category thus generated, both the earlier *being-by-self* and *being-for-another*. This action of leap is called in Hegel's philosophy as 'labeling' or 'naming'. Let us pursue our forest-metaphor a little bit further. Through the action of naming, through a leap, a new category can be generated and it can be named 'tree'. This new category of 'tree' negates both the earlier entities *this* and *that*, and now the label or name 'tree' includes both 'this tree' and 'that tree' within the higher category above both the lower categories of *this* and

that. Let us remember one important point, the *name* or the *label* of the category thus created is quite arbitrary, though the category is not at all arbitrary. This point of arbitrariness becomes more important when reading Hegel in the context of Ferdinand de Saussure's theory of linguistics, Saussure 1966. The *name* or the *label* of this higher category can very well be 'wood' or something in place of 'tree', though the category itself, including all the entities that it includes within it, is never ever arbitrary. This category remains unchanged whatever be the final *name* or *label*, 'tree' or 'wood' or anything.

So, in Hegel's logic, the first category *this* gets negated by *that*, and then *that* gets negated by *that'*, and then *that'* gets negated by *that''*, and so on ..., this – that – that' – that'' – ... Hegel calls this as 'bad infinity' and says that it leads to nothing. Hegel thinks, a leap into a new category, that includes both *this* and *that* with a new label or name, gets us outside this loop of 'bad infinity'. And this categorization, the rise of this new category, is not arbitrary. It is contextually determined. The process of naming/classification of categories, and all these names and categories, are part of a whole chain of logical events that are contextually determined by everything around us, by the reality surrounding us. Our process of cognition proceeds like that, through negations, through a process of difference, a chain of negation. The ruddy countenance of an overbearing British Lord is different from, and hence negated by, the scarlet pimpernel of French Revolution. This again is different from, say, the color purple that represents both pain of violation and divine beauty of flowers in Alice Walker's novel or the Spielberg movie 'Color Purple'. And all these different colors get together to generate, and thus reside in, the color called 'red'.

The color red again stands out by being different from the color blue or green or yellow or something like that. Red is the name of that color that is – *not blue, not green, not yellow* ... it proceeds like that. But this chain of difference through negation cannot go on *ad infinitum*. It has got to stop, where it requires a leap to create another label called 'color', the *being-for-self*. But, here, this very point actually marks a serious breach of logic in Hegel. How we know that the *being-for-self* does really exist? Or, how do we know that the existence is necessarily and sufficiently well-defined for the definition of the category itself? Within the very body of the inclusion-exclusion mechanism lies hidden some undeclared value-system, that glorifies some differences and undermines some other. There is a precise break of logic here. Into the label 'red' we are now battering down all possible differences between any two shades of 'red', while overemphasizing any difference between any shade of red and any shade of any other color. The label 'red' is suppressing all the differences between all the shades of red. So, in a way, the very name, category, or label becomes a mechanism of suppression, and a proclamation and propaganda about something that it is not. All the categories and concepts, thus generated, therefore, in some cases, may very well carry some blind spots around them, some dark crevices in between the categories. And from these untold and unchronicled shadows ooze out new meanings in new situations with unforeseen contexts, where the force field has sufficiently shifted. Exactly this thing happened in case of GPL, but we are coming to that later.

So, this Hegelian *being-for-self* of a category is the entity that unites *this* or *being-by-self* and *that* or *being-for-another* in our material world of determinate beings. *This* and *that* are different. So, from the series of endless differences and diversities that constitute the material world, *being-for-self* generates a unity on a higher plane. In the world of human being, we see a lot of differences. Like, say, A Saxon is different from a Celt, or a Celt from a Balkan. Then synthesizing all the differences between all the individual identifiers, emerges the category or label of 'man'. And thus, the *label* 'man' becomes the *unity* or *one*, by being the *being-for-self* of all these differences. *Man* now includes each and all, it includes *this* man and *that* man, it includes both *being-by-self* and *being-for-another*.

The moment this category called 'man' emerges from among all the differences, it generates a new category, *quality*. This is the quality of being man, say *man-ness*. This quality of 'man-ness' is the thing that unites *this* and *that* all into *being-for-self*, into the category called 'man'. At the level of *difference*, they were 'this man' and 'that man'. Now, the quality of *man-ness* unites them into the category of *qualitatively one*. *Quality* is the thing that makes *difference* into *one*.

In the material reality, now, *one* gets represented as different kinds of *one*, and so, *one* becomes *many*. And this *many* represents *quantitative difference*. Presence of different quantities of the very *quality* that unites *difference* into *one* now represents *one* as *many*. And, thus, *difference* gets constituted by the presence of different quantities of that *quality*. Man is found in reality as *many* men. The *quality* called *man-ness* that unites them all into the category of 'man' is present in different quantities in different individual members of *many* men.

Now this quantitative difference among many men calls for a measure. If we say that there is a quantitative difference, obviously we have got a scale to measure the difference among different quantities. So *measure* is always already there in the world of many men. So, the quantitative difference of *quality* that stands for *one* leads to the concept of *measure*. Once we arrive at *one*, the difference in quantity of the *quality* that unites *difference* into *one*, leads to a measurement of *many* into big/small, plenty/scanty, or so on. Abundance in quantity of the *quality* that transforms *difference* into *one*, makes something large. And want of it makes something small. Abundance of *man-ness* makes a particular man a big man, and dearth of it makes a small man.

So, to put it another way, *difference* generates *one*, through the *quality* that is common to them all, and thus, *one* leads to *measure*. And *measure* creates a homogeneous space. A space where we can place, map and rank *many*. So, *one* constitutes an ordered homogeneous space that includes many determinate beings, which can be ranked in terms of *measure* as high/low, more/less, large/small and so on. We achieved *one* through a process of *naming*, so *measure* was always already implicit within the process of *naming*.

There is a hidden catch here, not obviously pointed out by Hegel. Where Hegel was beholding Equality, this equality was masking a deeper inequality behind it. Maybe we can remember from chapter one, the discussion on the inequality hidden behind

Hegel's equality. It seems that the market equality of the emerging capitalism in feudal Germany was celebrated by Hegel. He overlooked the inequality and it would take a Marx to point it out. The process of *naming* that provides us with *one*, is a process of inclusion. *One* includes both *this* and *that*. This inclusion, in the true sense, actually stands for a 'Power Relation' behind it. This inclusion creates a ranked space of *many*. So, this process of inclusion, is, implicitly, a process of ranking. For Hegel *many* was just variety: diversity and difference. But, as we see, there is always already a notion of *measure* implicit in *one*. And hence, the variety signified by *many* in Hegel's system is more than variety, it can be ranked, and thus it signals inequality. And there are two steps involved here. First, as we have already pointed out, the process of inclusion is a process of exclusion too. The category called 'man' includes some *determinate beings*, and by the token of that inclusion excludes some other *determinate beings*. Second, the very inclusion that includes all *difference* and creates *one*, actually makes them ranked, and hence is not any more equal. *Measure* implicit in *one* makes them unequal.

Let us summarize this Hegelian logic of *one/many*. *Being, becoming* and *nothing*: these are the three basic categories in Hegel's logic, the starting point. Then through the negation of pure 'isness' of *being* we arrived at *something*, that is, *determinate being*. This world of *something* produced the categories *this* and *that*. From these *this* or *being-by-self* and *that* or *being-for-others*, we got *being-for-self* as a synthesis of the earlier two, and this synthesis is *one*. In place of the endless chain of negation into 'bad infinity', this category *one* is an *infinity*. Because, within *one* we get *many*, or, in other words, everything is held within *one* as a part of it, and so, to hold every finite thing within it, *one* itself must be infinite. While the chain of negation does not reach us anywhere, to reach the truth we have to make a leap, a leap into a higher category that includes *this* and *that* and everything. This higher category is *being-for-self* or *one*. Every *being* is *being-by-self* to itself, and the category that includes everyone's self is *being-for-self* or *one*. From *one* we get *quality*. From the difference in the quantity of *quality* we get *measure*. *Measure* leads to different quantities of *quality* of *one*. Thus we get *many*, the collection of all the finite parts of *one*, the infinite *one*.

Now, the point is, the journey of logic does not warrant some one-only point of departure. In place of Hegel's *being*, as we said, Marx's logic starts off from the category of *something*, or, *determinate being*. In the same way, the journey could commence from *becoming* too. *Becoming* represents a flow of transformations. A flowing river, or the flow of time, can be an example of *becoming*. There can be readings of Nietzsche which assume *becoming* as the starting point of his logic. Even *nothing* could very well be the starting point of logic too, in place of *being*, as in Hegel. Some strands of the Buddhist thought starts from *nothing*. For Hegel, the starting point is the category of *being*, and the other possibilities get suppressed. But not that they die altogether. We are pushing through this extremely unconventional presentation of Hegel's logic to get a feel of the tweaking of these categories and playing with them. Later, in the context of GPL, we will see, how in a real life context, in the context of working with software, the very Hegelian categories get tweaked, readjusted and transformed. We will see how GPL pushes *being* itself into a

constant state of *becoming*. Hegel does not take up the full potential of his logic, or try out all the different possibilities, and hence the category of *one* that finally emerges in Hegel's logic, is, in the true sense of the term, a broken *one*. This broken *one* flourishes into a broken many. The category of 'man' that we reach through Hegel's logic is a broken man, with a broken equality in his broken world. Like, *Broken idols broken heads/ People sleeping in broken beds* in Bob Dylan's *Everything is Broken*. And as we will see, the category of 'property' that we reach through Hegel is a broken 'property' too, but it took a GPL to point it out, and breed newer and unprecedented categories out of the fractures, cracks and gaps of this broken 'property'.

3. Doctrine of Essence

We said, Hegel's logic has three major parts, doctrine of being, doctrine of essence and doctrine of notion. Doctrine of being starts with the concept of *being* and ends with the discussion of *measure*. Doctrine of essence starts with the discussions of uniting *unity* and *difference*, and goes on elaborating the interplay and opposition of *unity* and *difference* in consecutive layers. In the light of this theme, when interpreted as a constant opposition and interplay between *unity* and *difference*, all the steps that we traversed in presenting doctrine of being, can be restated a bit differently. Here, we start with a primary notion of *unity*, and then produce a primary *difference* out of it, and then again a higher level *unity* from this primary *difference*. And the circular path goes on and on, again *unity*, again *difference*, and so on. This interplay of *unity* and *difference* goes on till we reach *idea*, the *terminus*, or the final and terminal point of Hegel's logic. Hegel's logic has set out to explain this world, that is, its existence, or in other words, its *being*.

Hegel's starting point is *pure being*. Then, as we see, this *pure being* negates itself to become *determinate being*. *Determinate being*, or *being* with a specific qualitative determination, is defined by what it is (*reality/being-by-self/this*) and what it is not (*negation/being-for-another/that*). Now Hegel's logic looks for a unifying principle that connects *this* determinate being (*being-by-self*) and *that* determinate being (*being-for-another*). This higher unifying principle emerges through a leap into a higher category: *one* or *being-for-self*. This category *one* makes all different *this* and *that* beings qualitatively one, leading to a concept of *quality* that is common to all these beings. Then, as we see, different quantities of this *quality* generates *many*. So, now, all the *determinate beings* flow from *one* in the form of *many*. So, the primary *unity* of *being* logically leads to *difference* in the world of *determinate beings*. Now, *difference* in this layer logically leads to *unity* in an upper layer, that *unity* is *one*. This *unity* once again generates another *difference* in the form of *many*, which is implicit in the concept of *quality* and *measure*, as we have already said.

So, beginning from a *unity* (*pure being*) we reach *difference* in the world of *determinate beings*. This world of *determinate beings* presents itself as *difference*: categories of *being-by-self* and *being-for-another*. From here we reach a higher level *unity* in the category *one* that once again leads another level of *difference* in the form of *many*. So, the category of *one* appears as *many*. The reality that we encounter

around us, does represent itself as both *one* and *many* together, both *unity* and *difference*. At first sight, these two are opposite and contradictory categories, but, in the reality around us, they represent the one and the same reality. This means, obviously, that over the apparent layer of reality where they are different, they are forming another higher level of *unity*, a *unity* of *unity* and *difference*. Hegel calls this higher *unity* as *ground*. And this higher unity of *ground* has its two moments: *unity* (*one*) and *difference* (*many*). As moments of this higher unity of *ground*, the categories of *unity* and *difference* are now named as *positive* and *negative*, respectively.

Now, this higher level unity of *ground* that unites the two level unity and difference of *positive* (*unity* or *one*) and *negative* (*difference* or *many*), is called as *essence*. *Essence* is the soul or substance that has the ability to hold *unity* and *difference* together. The category of *unity* gets expressed as *positive* and that of *difference* gets expressed as *negative* in the light of the category of *essence*. But *essence* does not readily present itself, it does not get expressed as *essence* – the shining face of essence is *appearance*. *Essence* appears as *appearance*. *Essence* appears in existence, in the form of entities that exist, that is, *existent-s*. The world of *existent-s* is *appearance*. *Appearance* is the appearance of *essence*, and hence it is the “shining forth” of *essence*, as it is known in Hegelian literature.

There can be two different ways of understanding *essence*. One, discarding *appearance* altogether, the attention can be focused solely on *essence*, considering *essence* and *appearance* as two watertight compartments. Two, *appearance*, the world of *existent-s*, cognizable with the sensory organs, can be considered as an interim step to go beyond the sensory organs to reach, comprehend and understand essence. In this second approach, *appearance* becomes a tool to comprehend and reach *essence*. Here, from *appearance* to *essence* is just a journey, and there is no sharp dichotomy between the categories of *essence* and *appearance*. In this second approach, *essence* is *appearance*.

The world that we are catching and registering with the sense organs, the external material reality of *appearance* is a surface phenomena, just an exterior of *essence* or the essential truth, in Hegel's logic. And if that is a surface phenomena or just an external world, this external reality must be grounded somewhere, it must have an internal kernel. All through doctrine of essence, Hegel's logic is searching for this *ground*. And in Hegel's logic, that ground must be a *contradictory ground*, building around a constant opposition and contradiction between *unity* and *difference*, as we have witnessed through all the steps. And it is a ‘shifting ground’ too, constantly shifting through different layers of interplay between *unity* and *difference*: *unity/difference/unity/difference* ... and so on. In this continuous interplay of opposition, the category of *ground* is getting reflected in every layer, and shifting through every layer of interplay.

Let us exemplify *one* in the form of computer. We are seeing this *one* as *many*: many computers are before us, and we are recognizing all of them as instances of *computer*. And so, there must be a concept of *computer* somewhere, on which all these instances are grounded. This ground is holding all these instances as different

instances of *one*, that is, *computer*, reflecting itself in each of them. This *ground* is reflecting itself as many computers, which are all *existent-s*.

We always get one *existent* as many *existent-s*, and all of them, as we have already said, are flowing from a higher unity, and *essence* is this higher unity. So, the unity of *essence* is getting reflected in a world of *difference*: where it is appearing in the form of *existent-s* or *thing-s*. It is *essence* that is containing and carrying the highest and ultimate *unity* in this world of *difference*. What we are getting around us in the material world is the appearance taking the form of many *existent-s*. So, if *appearance* is really the appearance of *essence*, these many *existent-s* should get united somewhere, and to get united they must be connected and related to one another in some way. And if the *existent-s* are all interrelated and connected, they must be constituting and creating a totality, where each one of the *existent-s* will be a part of this totality. And if there is a totality, its nature will depend upon the interrelationship between the *existent-s*.

Now we come to another very important step in Hegel's logic: the question of a *totality*, and if the totality is *contingent* or *necessary*. The connection or the interrelationship between the *existent-s* can be of two kinds: one, *necessary* or *permanent*, and two, *contingent* or *temporary*. In case of *necessary* or *permanent* totality, the connection between the *existent-s* bring them into such a combination or collective that outside this collective the *existent-s* cannot exist at all. And in case of *contingent* or *temporary* totality, the connection among *existent-s* builds another kind of a group or combination or collective that is entirely contextual. Outside this context this group does not exist, but the group ceasing to exist does not mean a cease of existence for the member *existent-s*, and so the *existent-s* can very well exist before or after the *contingent* or *temporary* totality starts or ceases to exist.

For both *necessary* and *contingent* collectives of *existent-s*, the collective builds and generates a kind of a *totality*, and we call it a *whole*. Within this *whole* every single *existent* becomes a *part*. What kind of *part* one *existent* is, depends on the nature of the interrelationship that makes a whole any one of two kinds, *necessary* or *contingent*. And accordingly, the *whole/part* relationship does undergo a change between these two possibilities, *necessary* or *contingent*. The significance of the *necessary* or *contingent* nature of whole and its relationship with a *part* will become clear when we start giving examples. We are coming to that in a bit. So, when in a *whole*, there is some internal something that is held in common by all the *existent-s*. All the *existent-s* together are generating a *whole*, from where now are flowing all the *existent-s*, as *part-s* of this *whole*. So, once a *whole* is there, the *existent-s* are nothing but its expression, and therefore, they represent the *form*. And the *whole* is the *content* which is getting expressed in the *form*.

As we said, for every *whole* the relationship between *whole* and *part* can be of two kinds, *necessary* and *contingent*. If the interrelationship between *existent-s* is of a permanent and unavoidable kind, that is, a *necessary* one, Hegel's logic names this kind of *necessary whole* as an *actuality*. In the opposite situation, when the *whole-part* relationship is not permanent, but of a contextual kind, conditional to some particular situation, that kind of *contingent whole* is named as a *possibility*. And this

actuality, when philosophically represented in terms of concept or *notion*, we call it an *universal*. And because *universal* embraces everything, every *being*, as a *necessary part* of the *whole*, it is *universal* that finally is something that is no more an *insufficient ground*. *Universal* is *Sufficient Ground*.

Now, let us elaborate this whole-part discussion with examples, without which this discussion is getting progressively more esoteric and perplexing. Let us take the example of a club. Combining the members as the constituent parts, this club is a whole. Some members, by being and remaining members of the club, are holding the club, or the *whole*, together. But the membership is changing. Some members are going away, while some new ones are getting membership. Therefore the constituent *part-s* are changing. So, the relation between *part* and *whole* is not of a permanent kind. So, this *whole* is a *possibility*. Now take our society as another example. Society is a *whole* outside which we cannot go. Even this discussion ceases to exist outside society. And not just this one, any and all discussions cease to exist outside the reality of society. And hence, the *whole-part* relation is *permanent* in this case. Society is an *actuality*. A *whole* that exists in today's acts and remains active in tomorrow's acts, remains like that everywhere and everyday, is an *actuality*.

While proceeding through the discussions around doctrine of essence, we said, *ground* remains moving through layers, and hence we called it *shifting ground*. At the level of the *shifting ground*, the logic of its becoming *ground* was incomplete and insufficient. Through all the primary layers of the interplay and opposition between *unity* and *difference*, we are seeing this insufficient *ground* getting reflected in the world of the *existent-s*. From this world of *existent-s* we derive the *whole-part* relationship. And, if and when this relationship is of a *permanent* kind, we are at last getting *sufficient ground*, which we are calling as *universal*. This category of *universal* is an *actuality* and *actuality* is getting represented in terms of *notion* or concept. Note this point, the idealism of Hegel is coming to a full circle. The journey that started in the pure idea of *pure being* is reaching its finality in *actuality* which is again pure idea.

When we come to the layer of *actuality*, the interplay of *unity* and *difference* that was showing up in terms of *whole* and *part*, now gets represented in terms of *universal* and *particular*. When *whole* is becoming *universal*, a component *part* is becoming *particular*, a *particular* of the *universal*. So the new layer of *unity* and *difference* is made by *universal* and *particular*. *Universal* is stable in the sense that it is sufficient *ground*, and hence, it is no more shifting. But it is not static, *universal* is dynamic. According to Hegel's logic, *Universal* evolves over time, it has *moments* of its own, through which it goes on developing, and these *moments* are hierarchical – *universal* moves from a lower *moment* to a higher.

Universal itself is a unity of *unity* and *difference* of *whole* and *part*. And therefore, it is a *contradictory unity*. And *universal* evolves over time through these contradictions. It goes higher and higher through its *moments*: from lower *moments* to higher ones. Through these *moments*, finally *universal* reaches a point from where no more development is possible. Hegel calls that stage as *ideal* and this is the endpoint of history, the "*terminus*" as he calls it. For Hegel, this terminal point of

history is capitalism – the emergence of which in Germany Hegel was witnessing around him. And if Hegel's *ideal* of capitalism is the highest moment of *universal*, one of the lower moments universal has passed through earlier in its time-path is feudalism. We would come back to this discussion of 'end of history' later, after we complete our discussion on Hegel's Philosophy of Right, in the context of the concept of *counter-hegemony*. Let us have one more cross-comparison here, with the Marxian version of this terminal point in history. While Hegel was perceiving *end-of-history* in capitalism, Marx displaced it to communism. But the concept of *end-of-history* was corroborated by both of them. And as we will see, maybe GPL could make our vision able enough to go beyond this collective myopia of Hegel and Marx. The concept of *end-of-history* is nothing more than a wish-fulfilling fantasy for a lot of us who are not pertinent enough to believe any more in binary breaks, treading a bit tiredly through the days of ours in an unending procession of a double funeral, after both god and devil have breathed their last.

4. Philosophy of Right

In this section, and the next, we are now going to illustrate, with Hegel's Philosophy of Right, and Phenomenology of Spirit, the basic steps of Hegel's logic that we discussed in the two earlier sections. And this is in a way reading Hegel self-recursively. If GPL is our final destination, this is bound to happen. GPL is the thing that made the day for all the self-recursion present there in the self-recursive acronym GNU, GNU's-Not-Unix, by becoming and remaining the biggest self-recursive social action till date in the shape of the GNU-Linux movement or FLOSS. GPL, by cooking up the brilliant ploy of 'Copyleft', threw Hegel's logic of property into an unending self-recursive loop, pushing the *being* of 'private property' into a continuous and ceaseless process of *becoming* through a self-recursion of the laws of private property. But to understand the trick of this self-recursion, now we have to talk a few things about Hegel's Philosophy of Right. Let us start with the steps from doctrine of being once again, illustrating it this time with Philosophy of Right.

In place of the pure idea of *pure being*, let us start from the immediate reality made of *determinate beings*: *beings* with specific determinate characteristics. This world of determinate beings has two primary categories, in the form of *this* or *being-by-self* or *reality* and *that* or *being-for-another* or *negation*. As we have already seen, the *reality* of *this* gets negated by the *negation* of *that*. Now to get the meaning of these categories of *this/that* in the context of Right, let us start with the world of a child, with the child's problem of resolving its right on something or the lack of that on something else. Whatever are there as the child's own, whatever belong to him – the child thinks them, those things, be it a toy or something – as *this*. *This* is near to him. He uses and plays with *this* whenever he wants. For him it seems: *this* is mine. In opposition to *this*, everything else is *that*. All other things that are used or played with by others are represented by *that*. For him it seems: *that* is not mine, that belongs to others.

So, even for the child, *this* has an in-built limit: he does not and cannot own everything. And hence *this* is always already inscribed with a concept of limit, *this* is

a finite and limited *this*. And beyond that limit resides *that* which belongs to others, and thus *that* negates *this*. Now, exactly the way we discussed in case of doctrine of being, logic needs a leap here to reach *being-for-self*. And in this case, that higher category is 'private property', that includes within itself both 'this' property and 'that' property. And note the drama of this category: the very moment we are reaching at this new category 'private property', the very earlier meanings of *this* and *that*, the child's meanings, are getting transformed. They are not anymore just *mine* and *other's*. They are now *this* private property belonging to me, and *that* private property belonging to others. Before arriving at and understanding the category of 'private property' we were calling the *determinate beings* as 'this' thing and 'that' thing. Now we are calling them as 'this' property and 'that' property. The concept 'private property' has very much a meaning and significance of its own, outside the realm of the personal qualifiers like *mine*, *yours* or *other's*, precisely because it is a higher category, as we discussed in the context of doctrine of being.

As we have started from the determinate beings, our starting point was 'this determinate being' belonging to me (*being-by-self*) and 'that determinate being' belonging to others (*being-for-another*). These two got united in the higher category of 'private property'. So, this category 'private property' is the *being-for-self* or *one*. As we saw earlier, this higher *unity* of the higher category named as 'private property' or *one* manifests in the *difference* of *many*. So, in the immediate reality before us, made of determinate beings, we get 'private property' as *many* private properties. All these private properties are *one* in terms of being 'private property'. As we saw, the moment we derive *many*, some *measure* gets inscribed within it. On the criterion of being 'private property' they are *one*, so another criterion will be there that makes them *many*. All these properties are different in terms of being big/small property, more/less property – in terms of the quantity of some specific criterion present in them. This specific criterion must be the *quality* that made all of them 'private property', some quality that must be common to all 'private properties'. So, in other words, we derive some *measure* imbibed within all properties. And that is price. All properties are measured in terms of their price, their monetary value. Properties become many different properties by the different quantities of this quality of 'monetary value' present in all of them. Monetary value signifies the quantitative difference of all private properties.

One thing, once again, must be reminded here. This depiction belongs to our reading of Hegel, a justified interpretation of Hegel. Hegel does not introduce 'price' as the common feature of private property, he talks in terms of 'value' and the common ground is explored through the process of *contract* taking place between different owners of different private properties at their own will. Hegel is very clear about what he means about the 'contractual relationship' between two owners of *private property*. Let us quote Subsection §74 from the Section called 'Contract' from Hegel's Philosophy of Right. This depicts how different instances of *private property* come to the same plane of their oneness in being *private property* through the mediation of *contractual relationship*. This *contractual relationship* happens between two different willing individuals owning two different *private properties*. This is crucially important for us, because we would return to this concept of

‘contract’ while analyzing GPL in terms of logic. Here, on the plane of contract, where owners of private properties are willing to ‘give up a property’ and ‘take up another’, the value dimension of the properties come into play, from Hegel 1962.

This contractual relationship ... implies that each, in accordance with the common will of both, ceases to be an owner and yet is and remains one. It is the mediation of the will to give up a property, a single property, and the will to take up another, i.e. another belonging to someone else; and this mediation takes place when the two wills are associated in an identity in the sense that one of them comes to its decision only in the presence of the other.

Only because these private properties are different, only because they have *difference*, it is meaningful for the owners to want to give up one and take up another. And because, on another plane, or the plane of ‘value’, they are the same, that is, they have *unity*, one can be given up and another can be taken up. And whenever ‘value’ is there as a ‘quality’ of *private property*, we get the ‘measure’ that measures *difference* among different instances of *private property*. So, it is precisely on the plane of ‘contract’, where one is given up to take up another by both the participants in the contract, we come into a *unity of unity and difference*. So, the contract gives us the primary *being-for-self* for *being-by-self* of ‘this’ private property and *being-for-another* of ‘that’ private property. Hegel mentions ‘value’ as the agency of ‘contract’ in §77, Hegel 1962.

Since in real contract each party retains the same property with which he enters the contract and which at the same time he surrenders, what thus remains identical ... is the value, in respect of which the subjects of the contract are equal to one another whatever the qualitative external differences of the things exchanged. Value is the universal in which the subjects of the contract participate.

From this small digression about *contract* as the *being-for-self* for *this private property* and *that private property*, let us return to the main thread. So, now we see both *unity* and *difference* of *one* and *many* of the private properties, we see the category of *private property* as many quantitatively different private properties. So, it is time now to posit a higher level unity that holds both these *unity* and *difference* simultaneously together. This higher level unity holds together the *one* of *private property*, and the quantitative difference among *many* private properties, each of them privately known as ‘my property’.

Everyone beholds and guards everyone’s own private property as ‘my private property’. Everyone has everyone’s own private property. But, that everyone has everyone’s own private property, means that, each of these individual private properties is identifiable on its own. And to identify every private property as different to every other private property, we need a concept of ‘limit’ in-built to the sense of *private property*. Any private property is always already inscribed with this limit just by being anyone’s own private property. The sense of *private property*

always already carries the sense of a predefined boundary within itself – some boundary within which *this* private property remains *this* private property, and beyond which boundary it ceases to remain like that. Beyond this boundary *this* private property becomes *that* private property belonging to someone else. And, by the very fact of being a private property, all private properties are in-built with this boundary. The concept of *private property* does already have this limit inscribed within it, because everyone has everyone's sense of *private property* that everyone beholds and guards.

Now, all these individuals' sense of *private property* merge together to generate an all-pervading 'private-property-sense' that is common to everyone, a property-consciousness that is shared by everyone. Everyone knows it for sure that obeying this *limit of private property* is all-pervasive. If someone disobeys the limit of private property of someone else, the same thing can strike back, someone else can disobey the limit of his own private property too. This property-consciousness is the thing from what emerges the social sense of morality. Morality means obeying *limit of private property*, for both of own private property and private property belonging to others. With our experience of Hegel's logic we know, the emergence of the category of *morality* means the emergence of its negation too, and hence, we get *immorality*. *Immorality* is disobeying or violating *limit of private property* and this is a crime that should be punished. State is the authority, and so it is the duty of state to punish the crime of violation of *limit of private property*. It is the role of state to make everyone uphold and obey *limit of private property*, and thus to protect everyone's private property from any intervention that violates *limit of private property*. And so, for the Hegelian state, punishment for immorality is no coercion. State punishes for the fulfillment of its duty of protecting *limit of private property*. This property-consciousness resides in every heart. And so, the principle on which state works, is internal to the citizen: every citizen becomes a representative of Hegelian state. When we catch and punish a thief, we are doing it on behalf of state, because the thief is violating *limit of private property*. As Hegel's logic views an *object* as the embodiment of an *idea*, the Hegelian version of *object-idea* interrelationship is very much present here. Because everyone has everyone's right on *private property*, *private property* is nothing but an expression or embodiment of the abstract idea of *private right*.

This abstract concept of *right on private property*, or *abstract right* is nothing but *essence* or *ground*, and *essence* is getting expressed in the *positive* of *private property*. The category *private property* is then generating the *negative* in the form of *many* private properties, in the form of my property/your property. This *essence* or abstract concept of right is appearing and shining forth in the category of *moral man*. Moral man is defined as the person who honors and obeys *limit of private property*. And the category *moral man* does not reside alone, it is always found in association with many moral men, creating a collection of moral men. This collection of moral men becomes a *whole* and one single individual moral man is a *part* of this *whole*.

One single individual moral man does not deal with the abstract and thus universal principle: Universal Morality Principle, UMP. UMP is formulated, codified and

written down in the form of constitution of state. Constitution of state is the container that actualizes the contradictory *universal morality* in the concreteness of the state apparatus. *Universal morality* is obviously contradictory, in the sense that, *universal morality* holds and contains the morality of every single *moral man*. Every individual moral man's sense of 'my property' and the dignity towards 'my property' gets manifested in *universal morality*. And every single individual moral man's 'my property' is limited in itself, and thus contradicted by everyone else's 'my property'. This mutuality of limit within every two 'my property' creates a contradictory interaction between them, and thus creates the contradictory relation between all individual rights. And then, this contradictory *universal morality* gets its bodily form in the pages of state's constitution. Constitution is the embodiment of UMP.

When a single individual violates or dishonors *universal morality*, state has got to punish. Constitution of state, or the formulated and codified and recorded UMP, makes that imperative. So, to say it another way, within the category of *private property* state was always already there, in the form of a sleeping process, in abeyance say, to wake up whenever it is necessary. In Hegelian terms, state is imbibed within private property. That sleeping process of state gets awake, actual and explicit in the pages of constitution. And so, whatever maybe the form, constitution under attack implies that the whole mechanism of state is endangered, its balance is pushed. To bring back the balance to its equilibrium, we have the machinery of police, military and judiciary, all woven and built around constitution of state.

State carries within itself different orders and kinds of moral men. And the space of personal action, in which all these different kinds of moral men operate and pursue their individual personal objectives, is called Civil Society. This is a theoretical space within which moral man practices his individual right in order to achieve his self-interest. Market is an example of civil society.

In Hegel's logic, society is such a *whole* where *part-s* are attached to it in a necessary relationship, where the relation between an individual and the collective is never something temporary, transient and alterable. It is an intrinsic relation that binds an individual to the collective. So, as we see in Hegel's logic, the categories like *state* and *society* are not something that are thrown upon the individual. Every citizen carries UMP internally. Citizens carry these abstract principles, universal to all the citizens. These principles then actualize into the concrete form of state. And Hegel's logic arrives at this final form by starting the journey from the category of *being*. So, every citizen in state or society of Hegel's logic carries these categories in the deepest layer of *being*. Hegel's state and society are internal to the citizens, not something external to them. A comparison between the reading of Hegelian state presented here and reading by Partha Chatterjee in "Nation and its Fragments", Chatterjee 1993, can be interesting.

One or two historical conjectures may not be entirely pointless here. It was the time of Hegel when capitalism just started to emerge in Germany. And a lot of those changes during the time of development of capitalism were directly products of state intervention. State had an active role there. Old social formations and older forms of oppression, prevalent during the feudal times, were breaking down. Capital and

capitalism, under the guardianship of state, had indeed a very active and progressive part in this change. Hegel's theory, most probably, carries footprints of those times, being a reflection of that historical experience. In Hegel's logic, state is held and carried in the container of civil society. For an individual citizen, civil society is the space for pursuing self-interest and exerting 'my right', that is, right over 'my property'. And state is the collective of all those individual versions of 'my right'. So, in Hegel's society, a citizen is not just a self-centered entity pursuing self-interest. His self and morality carry within them the principles that represent state in an implicit way. So it is Hegel's state that unifies *unity* and *difference*. Here, *unity* implies equality, equality in the eye of law, equality as citizens of state, and *difference* implies freedom to pursue self-interest in the space of civil society. Here ends, in an extremely over-simplified nutshell, Hegel's Philosophy of Right.

5. Phenomenology of Spirit

Maybe the way Philosophy of Right carries a reflection of the historical experience of emerging capitalism in Germany, Hegel's Phenomenology, Hegel 1990, carries traces of the then war-torn Europe, particularly during the days of Napoleon, the hero that cut very deep impressions in the young mind of Hegel. One of the most important categories in Hegel's Phenomenology of Spirit is *desire*, and *desire* is defined in terms of *other*. *Desire* is the tendency to demolish and annihilate *other*. For a subject its *other* is a collection of objects, and this subject considers these objects as belonging to himself. This subject is always already marked with this belief that all these objects are his 'own'. This subject in Hegel's Phenomenology of Spirit is primarily a vaguely defined I, or *I*.

I sees around itself its *other*, and *I* cannot stand *other*, and hence wants to demolish and annihilate *other*. And through this process of annihilation of its other, *I* starts to know and define itself. Through the process of making the objects 'my own', *I* starts interacting with the objects. This process generates the cognition of both the objects and *I*. And thus, *I* starts getting defined and finally becomes I: the vaguely defined *I* becomes a well defined I. Hegel's Phenomenology of Spirit starts its journey from this vaguely defined *I* and its *other*.

I immediately demolishes *other* and hence *other* does exist no more. The moment *I* finds a fruit hanging from a tree, it appropriates and annihilates the fruit, and hence the fruit does not exist any more. The only thing that exists and persists is an unending *desire* to appropriate more fruits. When *I* appropriates a fruit, the relation is unidirectional, from subject to object. *I* can appropriate a fruit, but a fruit cannot appropriate *I*. But when *I* wants to appropriate another human being, *desire* gets bidirectional. It results in *war*, a life-and-death struggle. One wins while the other loses. The winner becomes *lord* and the defeated becomes *slave*. And thus is born the famous *lord-slave* relation in Hegel's logic. And the vaguely defined *I* gets well defined in the form of either *lord* or *slave*.

From the moment lord-slave relation is born, lord sees slave before his eyes, and slave is no human being, slave is just another object in the series of many objects that

lord has demolished in the process of ceaseless desire and appropriation. In lord's eyes, slave is no human subject. Lord thinks slave as just an extension of the material world made of objects, an inert entity in the form of a servant, depending in every possible aspect solely on lord. For lord, slave is just a *transient* phenomenon of the material world, exactly the way a fruit grows from a branch of a tree. So, lord's *other* is made of entirely inert objects, slave is one of them. This whole material world is object, object for the subject called lord. Lord faces this *other* and hence cannot understand anything of the freedom he himself enjoys.

Note the logical loop here: slave is lord's *other*, who is inert, and hence lord's freedom becomes freedom of interacting with captivity, and hence, lord's consciousness remains inert too. Lord sees only captivity around himself in the form of the inert material world, and because he does not have any process of labor that generates consciousness through a dialectical interaction of the subject with the world of objects, lord remains inert too. And so, lord cannot understand freedom. Lord's freedom, by virtue of becoming unbound and seamless, is undone as freedom. Lord's freedom makes him captive in terms of consciousness. Lord consumes freedom but does not know the meaning of it. He desires, consumes, appropriates, but never learns to question anything. So, in Hegel's logic, lord and lord's consciousness do not evolve and develop, and lord continues to remain a primeval human being, the same savage that he was in the beginning.

But the primary explosion that happened among the different \mathbb{I} of savages, the process of war, the life-and-death struggle, that resulted in lord-slave relation, now generates different ends of rainbow for different protagonists. Lord continues to remain a savage, but slave gets divided into two aspects, *subject* and *object*. The *object* aspect is quite direct, at the plane of active reality, where slave is an object of lord. And the *subject* aspect emerges in the form of a potential one, at the plane of possibility, in the realm of consciousness. This dichotomy, this division between the *object* and *subject* aspects, is the most elementary precondition of the knowledge of self on part of slave. It is his first step into the realm of consciousness, the realm that remained unreachable for lord.

Slave becomes conscious of freedom, he goes on watching lord before his eyes, and lord is the walking embodiment of freedom, so slave watches freedom. He goes on watching his *other*, the freedom of lord, from a distance, from the other side of the pathos of self-consciousness. In Hegel's logic this knowledge of self comes through knowing *other* and hence slave's consciousness is always already marked with sense of freedom. And lord, slave's *other*, is not *transient*. Lord is *permanent* and given and unchanging. And everything around slave, in the material reality, is slave's realm of labor. Slave builds everything. Slave builds lord's palace, the field full of crops, the arms and armors that keep a slave a slave. And slave knows all these by heart – they are all product of his own labor. Through the process of labor, slave knows all of them, and this goes on germinating and expanding his consciousness. Labor goes on unfolding slave's consciousness, unlike lord, who gives no labor, just goes on consuming objects, and hence remains savage.

The subject aspect of slave's consciousness now goes on unfolding through three

definite stages. One, the *Stoic* stage. At the very introduction of self-consciousness, when slave just starts to grasp what freedom is, a terror strikes him, A terror of impending war – understanding freedom means striving to actualize it. And any such attempt of actualizing freedom would obviously lead to a war with lord, another life-and-death struggle. Unable in learning to live with this terror, slave now discovers another freedom, freedom in the realm of thought. Even after lord has plundered every object and every freedom, this freedom remained untouched and untainted: slave can think whatever he wants. Self-righteous slave now walks the roads of this new-found land of freedom and equality. On the plane of thought, there is no slave or lord, everyone is equal there. As a thinking animal, with this abstract power of thought, slave gets freedom, and in this freedom-land everyone is equal. Slave with this freedom in the realm of thought is called *Stoic* in Hegel's logic. This is stage one in slave's consciousness, the stage of stoicism, where slave explores the realm of thought and thus comes in terms with the material world. Without a lot of affects, here slave continues to be and remain a slave.

Two, the *Skeptic* stage. Progressively slave gets doubtful. He starts interrogating his new-found freedom in the realm of thought. Stoic slave starts becoming Skeptic. First he delved into a deeper sense of freedom, deeper than the material reality around him, and now he starts realizing an even deeper captivity. He senses that, he can become conscious of freedom, know it, practice it on his plane of thought, but can never actualize it. Slave now starts considering this material life as void and blank, where he can never actualize the freedom that he knows and understands so dearly. In Hegel's logic, this pure Skeptic thread of thought leads to only one conjecture and judgment: life is entirely pointless.

Three, the stage of *Unhappy Consciousness*. Though life is entirely pointless, slave does not commit suicide, and tries to strike a midway between stage one and two. This life is pointless and it lacks any freedom, but there is a heaven: in the next life, after this one ends. In that heaven everyone is equal and free. Stoic slave already knows the freedom in the realm of thought, which is rejected by Skeptic slave. Now comes slave with unhappy consciousness: that there is a heaven, that there everyone is equal. And the important point here is that, slave inherits the heaven while lord does not. Slave now dreams about this heaven and goes on living around these dreams. But he carries the unhappy consciousness: that this life is *not* heaven.

Now, in the material world, there are slaves and slaves. They all have their own versions of heaven, and not that all these versions add up together like pieces of a jigsaw puzzle. There are contending and contradictory versions of the dream of heaven. Everyone wants to establish everyone's own dream of heaven. Hence follows another war, between contending dreams of heaven, between contending versions of consciousness of freedom and equality. Savage men, devoid of consciousness, fought over objects of desire. Now they fight once again over their different versions of consciousness of freedom and equality. Then Hegel's logic proceeds in demonstrating how all these contending consciousness come together into forming state. State is the embodiment where anyone's and everyone's consciousness of freedom and equality get actualized, the discussion that we have

already covered in the last section on philosophy of right.

6. GPL and Hegel's Philosophy

We have discussed a lot about the evolution of FLOSS tradition, and how history reached GPL through millions of smaller steps, that we called supplements, and how all of them fell together to create an epitome, a high-point of this whole process, as if it was the destiny of the whole thing, while it was actually the result of this whole chain of events. But now, the fact that finally GPL can become the as-if destiny, in the form of a father to these bastard supplements, is something that GPL itself has to rationalize. The something without which in it, the text of GPL cannot become this father, and cannot generate the context of FLOSS, the very context of reading GPL.

The whole significance of GPL emanates from the fact that GPL generated a kind of entirely new category in the form of *private property*. We call it *property* too. This *property* is a kind of category never known in the history of human society. This is a category that can never be explained within the traditional logical space. It calls for a space of overdetermination, the kind of thing that we talked about in chapter one of this book, where the traditional linear essentialist cause-effect relation between two entities is replaced with a new kind of space where one entity is constituted and determined by the other entity, thus replacing the linear relation with a mutual both-ways determination, which we call as overdetermination.

Now let us proceed into the reading of GPL within an overdetermined space. We have discussed many details related to the aspect of 'copyleft'. We said, during our discussion of Hegel's logic, GPL actualizes some forgotten meaning in the crevices and fractures around the Hegelian categories. Hegel's logic forgot to mention these dark areas, maybe did not understand them at all. And now it was the turn for GPL to bring them up and employ them in an unending self-recursive loop through copyleft. This loop works in such a way that the very Hegelian category of *determinate being* in the form of *private property* is pushed into a permanent limbo of *determinate becoming*. This is something absolutely unanticipated in Hegel's logic or human social history. And the important point is that the people who were working towards GPL did not know it at all. Categories of hard logic was the last thing in focus for them. They were trying, and as the earlier chapters show, trying it hard like anything to get some ploy to cope up with the *differend* of justice that we discussed in chapter two. GPL emerged through all this: trying to live in this world where where father's rule was taking away what the community of primitive FLOSS had already created.

Through these trials and toils, something clicked. From the viewpoint of the people involved in it, this something was entirely from the world of real existence. It was a survival strategy in the face of the aggressive empire of monopoly capital in the world of software and computing. This click was something really revolutionary in the sense that, it generated some entirely new meanings for all the known things, through the chain of events that it initiated. This click was the only thing that could resolve that *differend* of justice, as we will see shortly. Let us now judge the full implications of GPL in terms of the Hegelian theory that we discussed in this chapter.

This will establish our opinion that GPL generated an entirely new kind of right beyond Hegel's philosophy of right at the level of potential. And this new kind of right was then actualized in the real process of FLOSS. The context of FLOSS, from the point-view of which this book is reading GPL, is nothing but the real life actualization of these categories held within the logical break inherent in GPL.

Hegel's philosophy of right is concerned with *abstract right*. This is the Hegelian way of logically positing things and thoughts. Schemes from Hegel's philosophy begin with a pure idea and ends in another. And as we have already seen, time and again, just like any Hegelian scheme, this pure idea of *abstract right* is a void category. The next step in Hegelian scheme is to reach a determinate category after starting the journey from the void category of pure idea of *abstract right*. In case of philosophy of right, this modified starting point is the concept of *determinate right*. Let us iterate once again the dialectical steps through the different moments of *determinate right* in Hegel's philosophy of right. We start from the concept of *determinate right* and then trace the route of development of *being-for-self*.

Starting Point: determinate right – individual's right to his own property

Thesis – being-by-self – individual's right to property

Antithesis – being-for-another – other's right to property

Synthesis – being-for-self – contract

These dialectical steps are quite familiar to us now. The starting point of Individual's right to property is *thesis – being-by-self*. This is dialectically opposed by other's right to property or antithesis – *being-for-another*. This dialectics of *determinate right* creates *synthesis* in the form of *contract* or *being-for-self*. As we went through Hegel's philosophy of right, we saw that, through layers of practice in civil society, we reach the Hegelian state as an embodiment or codification of UMP, *universal-morality-principle*, in the form of constitution of state. The judiciary looks after the practice of *morality-principle*, through the practice of laws given in the constitution. The police and military prohibit any kind of infringement on UMP, motivated from inside the geography of state, or from outside it.

As we discussed earlier, GPL is a license. As a license it is nothing but a list of rights and wrongs, or lack of rights, for the user of the software over the software. When we are talking about right or lack of right, it means, obviously right or wrong in terms of some specific thing. And this specific thing in this case is the law of state. This law of state, again, flows from constitution. That constitution is, in its turn, the codification of UMP. So, as it has happened in cases, if someone violates the list of rights and wrongs, one can raise a complaint through the judiciary, and the court then decides according to the law whether it was a right or wrong.

We have already said that, law and judiciary are part of state apparatus, all of which flow from constitution, the codified UMP. So, the right and wrong listed in the license are just some special moments of *abstract right* codified in constitution. There can be many versions of rights and wrongs listed in many licenses, and each

one of them is a special moment of *abstract right*. UMP is, in that sense, a superset of all such possible special moments. When and if someone violates the list of rights and wrongs written down in a license, the matter can be taken to court. It can be taken to court because a violator of the special list of rights and wrongs, by violating the special list, has actually violated the superset or the UMP codified in constitution. And the violation is then judged and punished by law. This law is the law of *private property*, a part of the whole discourse of law, which is the sole guardian to judge and punish any violation of *abstract right*.

And exactly the same thing happens with GPL and the law of *private property*. The law, as usual, protects right on *private property*, and thus feeds the institution of *private property*. But, unfortunately, the category of *private property* is not exactly *private property* any more for things under GPL, they became *private property*. So, law or codified *private right*, in case of GPL, is protecting *private right* which is not *private right* anymore. Under GPL, the very category of *private right* is undergoing a change. It is pushed into a state of continuous shift. This shift is making it impossible to define *private right* any more in the traditional way. The very *being* implicit in *private right* is now getting defined as a *becoming*. And in no way this shift is one-time and piecemeal. All the minuscule shifts, in properties under GPL, are accumulating in the form of FLOSS tradition. And this accumulation is getting doubly strong due to the 'offspring' stipulation attached with GPL, by which all the derivatives of a particular software under GPL is automatically getting under GPL too. But, to understand it fully well we have first to understand how GPL made this shift happen.

As we saw, The Hegelian framework depicts *being-by-self* as self's right to property and *being-for-another* as other's right to property. These two are the *thesis* and *antithesis*. The struggle between these two dialectical aspects of the category of *determinate right* leads to a *synthesis* – and we get the category of *contract*. This category of *contract* includes both *thesis* and *antithesis*, 'self's right on property' and 'other's right on property', as its different prior moments. GPL is actually changing these prior moments. As we said, GPL is using *law of private right* to protect 'self's right on property'. But, this 'self's right on property' is now 'right to keep the property permanently and persistently within the public domain'. So, 'self's right' always already includes here 'other's right'. So, here, *law of private right* is protecting and feeding *private right* that is no more *private right* and always already includes *other's right* within it. So, *private right* is a *public right* itself. This is one strange loop. It comes to happen precisely due to the self-recursive use of *law of private right* to protect *private right*. This *private right* has ceased to remain just a category of *being*. It is now a category of *becoming*, through itself and its derivatives, permanently and persistently. This *private right* is something more than *private right*. And so, by protecting *private right*, GPL is actually protecting something more – GPL is protecting *public right*.

So, this *private right of self*, the 'being-by-self' in the *contract* of GPL license, is not any more contradictory to *private right of others*, the 'being-for-another'. And hence they are no more *thesis* and *antithesis* that they were. They have changed from

within, as the *being* of private right has become a continuously shifting *becoming*. The very moment any intellectual property is being born within 'self's right', by GPL, it is becoming 'other's right'. And if the *thesis* and *antithesis* have changed, the *synthesis* has changed too. It is now an overdetermined concept of *public right* and *private right*. Both *self's right* and *other's right* are now overdetermined categories. Both of them are product of overdetermination between *public right* and *private right*. GPL has made these two, *public right* and *private right*, overdetermine each other. This situation is not only strange, but absolutely unknown in the history of human property. The category of *self's right*, from time immemorial, is something opposed to and negated by the category of *other's right*. For the first time GPL made them mutually overdetermine, that is, determine and constitute each other. Note the very novelty of the situation. Even in a field where all newly generated values and properties have undergone the transformation through GPL, say like FLOSS, there are still 'my property' and 'other's property'. A has created software a, and B has created software b, both of them under GPL. So, for A, a is my property, and b is other's property. But, the interesting thing is that, both a and b are an entirely new unforeseen kind of property, created through the overdetermination of 'my right' and 'other's right'. So, they are neither private property, nor public property. Both a and b are public property protected by private rights. And all the offspring that may come out from a and b will carry on the same nature of property. So, all the value thus generated, all the properties formed this way, the whole repository thus created, they all represent this peculiar nature of being an entirely new kind of property. This we will call in the next chapter as *property*. We will deal there, how this *property*, thus generated in FLOSS world, permeates into every strand of working capital, thus transforming the hegemony of capital from inside.

Two things worked in tandem here. The 'copyleft' aspect threw *law of private right* into that strange loop, and the 'offspring' or 'derivative' aspect sustained the loop. In a Hegelian mode of speech, the FLOSS tradition that we have discussed so thoroughly through this book, as we see now, is nothing but an embodiment of this loop, incarnated through GPL. GPL is the text that was achieved through the accumulation of all the resistance against the taking away of primitive FLOSS. And this text now created the lost freedom and cooperation of *public right* once again, in such a way that nobody can take it away any more. As we have shown, the process of reaching the loop started to act even before anyone knew about it, during the turbulent periods of student movement and anti-war movements in America in the late sixties. Against this context of resistance, the hackers, the activists of primitive FLOSS, started their own resistance. And through the supplements of this resistance, this loop started to materialize. GPL was the materialized shape of this loop. The FLOSS activists of today, are all acting out this loop, without ever knowing about it. We will discuss this point a bit more after we clarify the FLOSS position *vis-a-vis* the concept of *counter-hegemony*, in the next chapter.

This loop now goes on working, having a legal body of its own, nested in the very institution of market and state, in resistance to which it evolved. And this loop goes on regenerating the tradition of primitive FLOSS in an entirely new way. The way the hackers community, the primitive FLOSS before the word 'FLOSS' was born,

before the coming of GPL, was working, 'copyleft' and 'derivative' aspects were always already there, but never explicitly and consciously in an articulated way. It was an automatic conscientious gesture on part of those hackers. We discussed earlier, in chapters four and five, how the empire of father power of capital and market struck them in ways that were quite unexpected to them.

The way Peter Sallus described the history of birth of Linux from the tradition of Unix, and the way Stallman describes the Gosling event that we reported in the last chapter, and many other documents of this time show one common sentiment – a sense of betrayal. And this 'sense of betrayal' is actually the point here. Why this sense of betrayal? The agencies in question all worked according to the grammar of capital and market, and so? The point is, they never knew they believed in the implicit sense of 'copyleft' and 'derivative'. They assumed it to be always already there, and all of a sudden the rules of capital and market brought the reality very rudely back, and they got disturbed with the shock. In terms of the rules of capital and market, there was never any wrong or injustice committed anywhere. Only these people, the hackers, who implicitly believed in the tradition, were in the wrong, and now the only possible task before them was to rectify this wrong by tweaking the very category of 'right'.

Then came the epic effort in the form of GNU and FSF, and we have already thoroughly reported, how all the trials and tribunals there, unknowingly, were going towards a scheme of accumulation into the text of GPL. GPL is the thing where all these sentiments found their envelope. GPL is the text where the implicit assumptions of FLOSS tradition will get written for the first time. Then came the major confluence of the Linux kernel and GPL, which we have shown already, was the only historically possible alternative for which all the years, nineties through sixties, of hacking history prepared unknowingly. And when GPL came, and the possibility of GPL exploded through this seminal confluence of Linux kernel and GPL, the FLOSS tradition, as we know it now, came into being. So, GPL as a text, at last, actualized the possibility that was inherent in the whole process all this time. And this possibility was of an entirely new order of thought about property, capital and social order. We are going to that discussion with respect to the existing ways of formulating *counter-hegemony* in the next chapter.

Now, let us return to GPL. As we said, GPL, like any license concerning intellectual property rights, applies to the domain of law. Thus ensuring that it follows the constitution of any country, all countries. But, by the very mechanism of 'copyleft' and 'derivative', it tweaks the category of *determinate right*. GPL uses constitution to ensure the sanctity of *determinate right*, and so, in a way, reemphasizes the role of state, unlike the revolutionary politics of the Marxist and some other genera. But, the resistance remains elsewhere, within the very innermost kernel of the categories, where they are already transformed from within. Not just the category of *determinate right* is tweaked and transformed by GPL, the whole structure of state and its apparatus gets transformed by this very tweak. GPL, the surrogate father of the FLOSS tradition, now sets the molecules of social bonds rolling.

As we have already shown, the whole institution of state is actually an embodiment

of *abstract right*, codified in constitution, interpreted by judiciary and protected by police and military from inside or outside attack on this right. Now, the very *being-by-self*, or the category of 'determinate right' has undergone a change, and so, the whole structure that breeds on it, in layers after layers of *unity* and *difference*, is now dealing with changed categories. And so, the whole of it is transformed and tweaked. So this new *whole* of state is transformed and tweaked too, with all its *parts* being transformed and tweaked. For the time being, this tweak is taking place only in the realm of software, but, obviously there are very general implications too. We are coming to that in the next chapter. But, for the time being, let us get it clear that, the resistance towards the rules of market and capital that was there within the hackers tradition, now gets more than represented through this ploy called GPL in the very body of state. So we know, GPL did at least more than what it was supposed to do. The very FLOSS tradition with respect to the body of which we now interpret GPL is a product of GPL itself. So, at last, the project of chapter two of this book is fulfilled. We have exemplified a text that has inverted the context-text-supplement hierarchy of reading a text. The only other parallel to the scale by which GPL accomplished this task is 'The Communist Manifesto', Marx and Engels 1848, that generated a social history that served the context of reading that very text. But it is even more dramatic in the case of GPL, which is not even a text meant for reading the content on its own. It is a subsidiary text, only to be read when some legal aspect of the piece of software is in question.

But, now the question is, how all it was done that was done? How GPL could bring in such a change, literally, of the deepest order, into the very categories of social existence? When describing the categories of *this* and *that* in the context of Doctrine of Being, we talked about the fuzzy region between *this* and *that*, as a comment about the very basic categorization in Hegel's logic. We said that, we consider the very division of the immediate reality of determinate beings into the two compartments of *this* and *that* as arbitrary, tentative, uncertain, and fuzzy. We said that there is no real definition of how to distinguish between *this* and *that*. If we reformulate these Hegelian categories of *this* and *that* as flux or field of force, we said, there should be some overlapping between them. Hegel kept mum about it. In the last chapter we will once again come back to this discussion of Hegelian categorization.

In context of the concept of 'leap' creating a new category in the form of *being-for-self*, we talked about the forced nature of inclusion-exclusion mechanism. Within the category generated through the leap, some entities are included, and some others are excluded. We said that, the label 'red' is suppressing all possible differences between any two shades of 'red', while glorifying any difference between any shade of red and any shade of any other color. And this is suppressing all the differences between all the shades of red by virtue of the label 'red'. So, this new category after the leap, becomes a mechanism of forceful suppression. And every force creates an area of oblivion, where the excluded now resides. So, the new category thus generated, in some cases, may very well carry some blind spots around them, some dark crevices between the categories. And we said that, from these unchronicled shadows may ooze out new meanings in new situations, when the force field has sufficiently

shifted. Exactly this thing happened in case of GPL.

All categories, names/labels/words, are kind of a bridge between their reality and the depiction of this reality in terms of logical categories. Events happen in real life and theories narrate about them. So these categories relate between the real world of existence and the narrated world of language. This is self-recursively true too. That is, the last sentence described the things that we did in the last sentence. We can never get out of this loop, we can never get real while depicting the reality. If we depict and narrate, it is narration, and hence it becomes an interplay of some categories. These categories are some freeze shots that we all share. There are lot of theories about this. But, the crux of the whole thing is that, things happen in-between, in the interstices between one freeze shot and another, and hence meanings happen there, in the interstices. And in some cases, some texts may capture new meanings oozing out through this interstices, new meaning generated by very deep contortions in real existence. In fact, many path-breaking pieces of text capture some form of new and unexpected meanings between freeze shots of categories. All the events that were happening there, nineties through sixties, events that were falling like pieces of a jigsaw puzzle and creating a pattern, events that we reported in chapter four and five of this book, actually represent such a very deep contortion and wriggle in the body of the category called property, and this got reflected in the text of GPL. Prior to GPL, everywhere around were *this* property and *that* property. But, there were some new and unexpected meaning of *property* hidden there in the interstice, and GPL found that out, a meaning that would get actualized through the FLOSS tradition. And the process of actualization worked through the unfolding and emergence of an entirely new kind of *property* unforeseen in human history, a public property falling under the jurisdiction of *private* property law, and so, it is neither *public* nor *private*.

And this new kind of *property* came with such a biological strength through the 'derivative' aspect that can be described with only one qualifier: 'viral'. Like colonies of virus, this new kind of property started generating offspring, through generations, and a whole load of biological strength was set in motion. And this all came through those two aspects, 'copyleft' and 'derivative', in GPL. We have seen the FLOSS thing become an institution in itself before our eyes, making the changes in the philosophical interpretation of the categories persistent and permanent. But, we are going to the discussion of the impact of GPL on the rules of capital and market, later, in our next chapter. There are more things to be said about the philosophical interpretation of the category of *property* before we can go into that.

Let us explore the implication of the tweak and transformation of the category of *determinate right* a little bit further. As we have seen, the watertight compartment like the division between *this* and *that* got marred a little, when the new kind of *determinate right* did emerge from the fuzzy region between 'my property' and 'other's property'. Now, we will see this transformed *determinate right*, tweaked by GPL, to commit some more philosophical tasks. The very first of them is that, no more the categories of 'self's right on property' and 'other's right on property' are in that contradictory relationship, in what they belonged till now. The war between

them is over. In civil society one individual citizen pursues his self-interest and earns properties. And his own morality, which flows from *Universal Morality Principle*, tells him that, these two are absolutely watertight domains, 'self's property' and 'other's property'. And every citizen pursues 'self's property' and accumulates more of it, while always knowing the limit of it, and where the limit ends and starts the field of 'other's property'. So, from the very start it is a competitive space, a morally guided competitive space, and this morality flows from the primal rights of owning property. So, everyone's field of 'my property' competes here with everyone else's 'my property'. This is the grammar of the competitive market and property.

Here, as we are getting a tweaked *determinate right*. It is opening up, as we said, an overdetermined space between 'my property' and 'other's property', because, obviously, the properties created under GPL within the FLOSS tradition belong to neither of 'my property' and 'other's property' as per the sense of market morality. So, in this new space of tweaked *determinate right* that generates a new kind of property that is neither 'my property' nor 'other's property', we see a new kind of space to unfold where a new kind of friendship and community can take place beyond all age-old divisions of 'my property' and 'your property'. We call this ~~property~~ in the next chapter of this book. In the next chapter, after the discussion on *counter-hegemony* we would go into more details about the full impact of GPL on the standard grammar of capital and market.

As we have mentioned, the whole journey of philosophy of right traverses through multiple layers of *unity* of contradictory *unity* and *difference*. And so, the whole journey now gets transformed, because, the very primary *unity* has undergone an absolutely unforeseen kind of change. This change in the system, this wiping out of *war* from the very primal *unity* can be demonstrated in terms of Phenomenology of Spirit too. Hegel's phenomenology of spirit starts from a paradigm of war. This paradigm was static in the sense that the real passage of history, in terms of time and its impact on reality and consciousness of the participants, is not included within this model. If we redefine it in a dynamic way, with these changes of time on consciousness and reality incorporated into it, maybe we can make room for GPL there too.

Let us recapitulate, very briefly, what we said about Hegel's Phenomenology of Spirit. Two human beings see an object, a thing outside them. They both fight for the object. One wins and the other loses. One becomes *lord* and the other becomes *slave*, owned by *lord*. After becoming slave, slave now sees lord or the embodiment of freedom as his *other* and develops through three layers of consciousness that we reported earlier. The consciousness of *slave* develops through slave's dialectical interaction with reality through the process of labor and his consciousness of his own lack of freedom. And lord remains inert because his *other* is the world of objects, where he only consumes, and slave is a part of this object world for lord. We have already discussed about the three layers of evolving consciousness of slave, *Stoic*, *Skeptic* and *Unhappy Consciousness*.

Now let us deploy this same model with a real passage of time and marks of this changing time included within it. A history-conscious human being knows, reads and

thinks about all the wars in history. Now he knows that he cannot win all wars, and if he goes to war intermittently and endlessly, eventually it may bring death to himself. And so he does go into war in some cases and share some objects with friends in some other cases. So, it becomes a story of war in some cases, and communion and friendship in some other cases. This is a self-conscious story, because it is self-consciousness that goes above and beyond war and talks back on history.

Maybe GPL is just such a ploy by which slave wants to end the process of endless war. He wants to create a space beyond all wars, a space where 'my right' and 'other's right' can peacefully coexist. The unlimited nature of desire from Hegel's phenomenology of spirit, here gets curbed into a limited desire. Maybe slave has learned from experience that the endless struggle of acquiring 'my property' has got a sense of *limit* attached with it. He has realized that this endless desire is self-defeating, and so, he decides not to go on acquiring 'my property' endlessly. An endless pursuing of 'my property' is bound to lead to wars, because everyone goes on pursuing the same desire, and one or other of these wars is going to bring slave's own annihilation. So, now, slave, with a consciousness changing with time and history, tries to create a space beyond wars of 'my property'. None of the ideas here is new, we have got it proclaimed by so many people in so many ages. But, for the first time, GPL gives a weapon in the hand of slave to end all wars, not just in terms of theory, but in terms of real existence, in terms of a friendship between the two entities: 'self's property' and 'other's property': two real entities operating on the plane of real socio-economic space are now coming into a relation of friendship. And so, maybe GPL is generating a new kind of phenomenology of spirit, not in terms of war, but in terms of an overdetermination between war and friendship, where *private right*, the space of war, and *community right*, the space of friendship, start to coexist and overdetermine. At last we get a phenomenology free from the prejudices of war.

In chapter two we wrote down our project of exemplifying the philosophical possibility of going from supplements to text to context, in the reverse direction to the one depicted in Derrida's theory of deconstruction. We said, GPL is an example of that, how it becomes possible, by bringing in the two concepts of 'differend' and 'deconstruction' together. And at last, that example is complete. The differend, in case of GPL, resided in the fact that in taking away the primitive FLOSS, the rules of capital and market were committing no 'wrong' in any legal sense. So, there was no 'injustice'. But there was, the hackers, the activists of primitive FLOSS, were all experiencing the pain of this injustice. Now, it was the turn of GPL to deconstruct the very discourse of property, market, law, and state. GPL deconstructed this whole discourse in such a way that the age-old categories of property, market, law, and state, were all transformed from within. And this was all legal, and so, protected by the very institution of state. And hence, no one can take it away any more, and in fact, more than that, this regenerates the FLOSS tradition in such a way that, by this very legal framework of the institution of state, this tradition can go on accumulating, the details of which we will take up in the next chapter.