

LOVE AT THE HEART OF THE STATE: HEGEL ON PUBLIC-SPIRITEDNESS, FAMILY AND POLITICAL LIFE

Laura Werner

Hegel's construction of the relation between the sphere of the family and the political sphere has, in recent years, particularly intrigued feminist philosophers and political theorists, including Luce Irigaray, Seyla Benhabib, Patricia Jagentowicz Mills, Judith Butler and Kimberly Hutchings. These thinkers have explored the question of the problematic relation of public and private, political and familial – above all through the figure of Antigone that Hegel refers to in *Phenomenology of Spirit* and in his later works on the philosophy of right. These feminist readings of the figure of Antigone, whether self-consciously Hegelian or not, all point towards an understanding of the conceptualisations of 'family' and 'state' as non-separate spheres that are at least contaminated through each other.¹

Although I will not engage directly with the feminist discussions here, I share the fundamental concern of questioning and widening the sphere of what is thought as 'the political'. Jean Bethke Elshtain has argued in *Public Man, Private Woman* that a differentiation between the public language of reason and the private language of sentiment has been a continuing feature in Western political thought. The distinction between public and private has always been a gendered analysis that has sought to protect politics from contamination by the private sphere.² In this article, I will challenge this view by examining the way in which Hegel conceived of 'family' and 'state' as dialectical,

non-separate categories in his works outside *Phenomenology of Spirit*. My particular interest is in what part the concepts 'love' and 'political sentiment' [*politische Gesinnung*] play within this relation. I will argue that if we look closely, we will find love at the very heart of the state in Hegel's system. Family love already expresses for him the structure of *Geist*— that of only first finding oneself in the other — and the state is simply a more universal expression of this relation. Patriotism, or political sentiment, performs the same function in the state as love does in marriage, although Hegel does not simply equate patriotism and love. Jean-Luc Nancy's work on Hegel's political thought provides a suitable framework in this context in that he indicates how 'love' functions as the 'truth of the struggle' in Hegel's mature work. In this way, Nancy presents views of the same kind as Merold Westphal and Tuija Pulkkinen in considering the state and the family as parallel categories.³ Their work, however, is not generally referred to by the feminist scholars challenging the separateness of the spheres of family and state.

It would seem logical to link the substantial principle underlying the state to the concept of patriotism that already had a long history before Hegel's time as 'love of one's country' or love of political institutions. Indeed, Hegel does give his own definition and treatment of patriotism in §§ 268–9 of *Philosophy of Right*. Several scholars of political philosophy commenting on his notion of patriotism have, nevertheless, emphasised that he did not consider 'patriotism' to be a feeling, and it thus could not be conceived of through the model of love as feeling.⁴ In the latter part of this article, I will show how the question of citizens' relations to the state and to each other is resolved through the inclusion and exclusion of 'love' in Hegel's conceptual scheme of social and political life.

The State And The Family As Ethical Communities

In an essay originally published in the 1980s, Merold Westphal points out that the way in which Hegel conceived of the state was in clear contrast to the tendency to view civil society [*bürgerliche Gesellschaft*] as its model. Rather than adopting a contractual model in which everyone makes a contract with everyone or with the sovereign, Westphal claims Hegel made the family the model of the state. Thus determin-

ing what 'family' meant to him would be the key to understanding the kind of community he understood the state to be. One defining feature of Hegel's notions of both 'family' and 'state' that Westphal emphasises is that, unlike civil society, neither could be grounded on contractual relationships.⁵

Hegel disagreed explicitly with Kant's theory of marriage as a civil contract for the reciprocal use of one another's sexual attributes. In *Philosophy of Right's* §§ 75 and 161 he describes Kant's theory as a 'crude' and 'disgraceful' notion, linking marriage and the state as institutions that could not be "subsumed under the concept of contract" (§ 75). There are three reasons for this: contractual relationships are first, abstract; second, contingent; and third, self-centred.

Firstly, Hegel maintains that contractual relations in civil society only concern 'the abstract personality as such' and not the substantial ties that link people together in families and political life. Substantial ties treat people in their whole, concrete human existence, whereas in the case of commerce, for example, the participants exist for each other only as the owners of property they are exchanging for the other's property, as a thin abstraction of their whole existence.⁶

Secondly, contractual relations are contingent in that they are based on the *Willkür* (arbitrariness or caprice) of the parties. In contrast, Hegel maintains that neither state nor marriage are arbitrary relations. There is something essential and absolutely necessary for him in being part of a family and a state that affects the whole being of the self-consciousness. Being a family member or a citizen is an 'internal relation' in contrast to 'external relations' such as contracts.⁷ It is "absolutely necessary for" and "the rational destiny [*Bestimmung*] of" human beings to live within a state, as he claims in the addition to § 75 of *Philosophy of Right*. Similarly, in § 162 he defines entering the state of marriage an "objective determination" [*Bestimmung*], and thus an "ethical duty". The objective determination or duty is based on people becoming fully themselves or being formed only through becoming part of a relation. As members of a family, individuals find something outside themselves as their essence [*Wesen*]. In the same way, citizens are members of the state rather than independent, abstract persons and it is only through being a member that an individual has objectivity, truth and ethicality. Referring to the state in § 258, Hegel defines 'union' or 'unification' [*Vereinigung*] as "the true content and end", and the destiny or determination [*Bestimmung*] of humans to live a universal life in these unifications.

Thirdly, contractual relations are self-centred, motivated only by a wish for personal gain. People enter into them only for the sake of personal advantage, not to share and find themselves with someone else nor to create a new reality larger than themselves.⁸ In contrast, for Hegel, neither family relations nor relations within the state are instrumental nor intended to serve the private ends of an individual. Although acknowledging that marriage begins with a point of view of a contract – that is, from the standpoint that the partners are individual, self-sufficient personalities – Hegel claims that marriage does so in order to supersede the contractual view.⁹ So too the notion of the state, as an organisation ultimately entered into in the interest of individuals (security and the protection of property and personal freedom), confuses it with civil society. On the contrary, the spiritual substantial unity of the state has to be seen as an absolute end in itself.¹⁰

Hegel's description of the state and the family as manifestations of ethical spirit highlights the way he contrasts the viewpoint of the spirit to that of civil society in *Philosophy of Right*. All three aspects of contractual relations – abstractness, contingency and self-centredness – describe civil society and thus make it into an abstract, selfish and external organisation of individuals: 'the external state'.¹¹ Civil society is divided into structures for the administration of justice, policing, regulating prices, education, administering anti-poverty programmes, and promoting the livelihood of members of voluntary organisations. In contemporary Western societies, of course, the state takes care of all these functions except the last, and only that one would be considered a concern of 'the private sphere' proper. It is important to note that Hegel's conceptual division between civil society and state is based on the differentiation of viewpoints – private, egoistic and individual contra ethico-spiritual and communal – and not on an *a priori* differentiation of functions.

'Corporation' is Hegel's term for the voluntary structures responsible for the last function of civil society, the promotion of the welfare of members of a chosen group. The corporation could be described as a "cross between a medieval guild and a modern labor union, assuring the livelihood of its members but also providing the recognition and respect that go with belonging."¹² Hegel's primary model for corporations is economically oriented, as befits the structure of civil society, yet the corporation forms a dialectical link between family and state: as its members join together in pursuit of their selfish particular

ends, these ends are at the same time expressed as a universal end of the corporation.¹³ The tradesman who wants to become a master in his trade is not a member of the association just for occasional, contingent gain, but “for the *whole* range and universality of his particular livelihood.”¹⁴ Thus, membership of a corporation becomes more than abstract and contingent, although it is still based on self-interest. Indeed, Hegel claims that the corporation assumes the role of ‘a *second family*’ for its members.¹⁵

He asserts in § 255 that the state has two ‘ethical roots’: the first one is the family, and the second one is the ‘root’ based on civil society, the corporation. What is crucial here is that he considered both family and the ‘second family’ of a corporation to be spiritual structures in which the individual finds his truth and being in a larger connection. Furthermore, both structures unite the moments of particularity and objective universality within themselves. In the family these moments are contained in “substantial unity”, but in civil society they are, at first, split between the particular needs and satisfactions of people and the universality of abstract legality, and then unified in the corporation so that “particular welfare is present as a right and is actualized within this union.”¹⁶

The idea of the family or marriage as a ‘root’ of the state is presented even more clearly earlier on in *Philosophy of Right*, where Hegel maintains that the “proper beginning and original foundation of states has rightly been equated with the introduction of *agriculture* and of *marriage*.”¹⁷ As he had argued twenty years previously in *The Spirit of Christianity*,¹⁸ he claims that agriculture changed the restless nomadic lifestyle – which he regarded as an indication of the inability to love land and nature – into one in which a lasting relation with the soil and the secure satisfaction of needs was created. Analogously, he also claims that the creation of the marriage bond and the restriction of sexual love to marriage transformed the sexual relation into a lasting and inherently [*in sich*] universal union. The institution of marriage also changed the private property acquired through agriculture into family property. In this way, the birth of the state is intimately linked to sexual politics and economy: a choice to settle down, the giving up of polygamous desire and a nomadic lifestyle, is needed to bring about patriotic attachment to a fatherland, private property and monogamous love.¹⁹

Hegel's reason for affirming in *Philosophy of Right* that agriculture and marriage were "the proper beginning and original foundation of states" was that the qualities defining these institutions, "security, consolidation, lasting satisfaction of needs, etc. – – are nothing but forms of universality and shapes assumed by rationality, the absolute and ultimate end, as it asserts itself in these objects [*Gegenständen*]." ²⁰ Thus, the reason he theorises marriage as the beginning and ethical root of the state is that the marriage relation and the family already realise the unification of universality and particularity that characterises the concept of the state. This unity is still immediate in the family, but in the state it realises itself in a reflected way. Civil society, which he situated between the family and the state in *Philosophy of Right*, is the moment of differentiation and loss of ethical life; it forms the level of appearance and semblance [*Stufe des Scheins*] at which the particular considers himself a self-sufficient and independent person. ²¹ The dialectical logic of movement in society is then from ethical unity in the family to differentiation as independent persons and the loss of ethical life in civil society, and then back to a now reflective union of particularity and universality in the state, the *Aufhebung* of both family and civil society.

Within Hegel's dialectical framework, we can see that the state expresses union in two different ways. Firstly, the state is spirit – that is, it actualizes the self-conscious, living and dialectical movement of thinking and being. As dialectical spirit, state first divides itself into family and civil society, two institutions functioning under opposing principles, and then unifies them under its concept. ²² In an interesting metaphor, Hegel compares the organisation of the state with the animal nervous system, which he describes as the "system of sensation", the "abstract moment of being with oneself [*bei sich*] and of thereby having one's own identity." ²³ However, Hegel claims that an analysis of sensation reveals two aspects within it, both of which appear as complete systems. The first of these is *sensibility*, the "abstract feeling or self-containment, dull internal movement, reproduction, inner self-nutrition, growth [*Produzieren*], and digestion", and the second is *irritability*, where "this being-with-oneself stands in opposition to the moment of difference or outward movement." ²⁴ He continues:

If we compare these natural relations with those of spirit, we must liken the family to sensibility and civil society to irritability. Then the third fac-

tor is the state, the nervous system itself [*für sich*], with its internal organization; but it is alive only in so far as both moments – in this case, the family and civil society – are developed within it.²⁵

Secondly, the state is a living principle of unification not only because it represents the unification of the family and civil society, but also because it is self-consciously ethical and spiritual. The principle of the state is a relation that is not abstract, contingent or self-centred: it is rather the opposite – one in which the self-consciousness finds itself in a ‘concrete universal’ and a relation of recognition with others. The structure of this relation is identical to the notion of ethical love as defined in the Addition to § 158 of *Philosophy of Right*:

Love means in general the consciousness of my unity with another, so that I am not isolated on my own [*für mich*], but gain my self-consciousness only through the renunciation of my independent existence [*meines Fürsichseins*] and through knowing myself as the unity of myself with another and of the other with me.²⁶

The Encyclopaedia philosophy of spirit makes explicit the structure that operates behind Hegel’s account of both family and state:

The State is the *self-conscious* ethical substance, the unification of the family principle with that of civil society. The same unity, which is in the family as a feeling of love, is its essence, receiving, however, at the same time through the second principle of conscious and spontaneously active volition the *form* of conscious universality.²⁷

In other words, Hegel clearly states that family and state both have as their essence the same relationship of unity or unification, although in a different form: in the family it is that of the feeling of love, and in the state one of conscious universality.

This homology of Hegel’s concepts of family and state is evident in many sections of *Philosophy of Right* as well. One example I think earlier scholars have overlooked is his treatment of divorce. As in his earliest works from his Frankfurt and Jena periods, in *Philosophy of Right* Hegel allows for divorce on the grounds of irreconcilable estrangement although he acknowledges the need for an objective third authority (the church or a court of law) to protect the ethical institution of marriage by distinguishing “the contingency of merely transient moods” from total estrangement.²⁸ Slightly surprisingly, in the

same paragraph he takes up the analogous question of the possible dissolution of the state: "Since marriage is based only on subjective and contingent feeling, it may be dissolved. The state, on the other hand, is not subject to partition, for it is based on law."²⁹ The fact that he brought up the question of the dissolution of the state in the context of a discussion of divorce shows that he must have continued to think that the concepts of marriage and the state were interrelated in a fundamental way – not only in the *Encyclopaedia* but also in *Philosophy of Right*.

This idea – that family and state are analogous in structure but have a different basis in feeling and the law respectively – is reiterated in several places of *Philosophy of Right*. In the Addition to § 158, in which Hegel defines 'love' for the first time in this work as the "consciousness of my unity with another, so that I – – gain my self-consciousness only through the renunciation of my independent existence [*meines Fürsichseins*] and through knowing myself as the unity of myself with another and of the other with me," he hastens to add that love is a feeling [*Empfindung*], that is, "ethical life in its natural form. In the state, it is no longer present. There, one is conscious of unity as law; there, the content must be rational, and I must know it."³⁰ One is led to wonder why he felt it necessary continuously to bring up the notions of the state and the law within his discussions of love, feeling and marriage. It is as if a constant reminder of the differentiation between the categories is needed not to confuse love and the law – and perhaps also to make a break with his early concept of love as the *Aufhebung* of the law in *The Spirit of Christianity*.

In his examination of the jurisdiction of the Hegelian monarch (1993), Jean-Luc Nancy takes issue with the question of the place – or rather the non-place – of 'love' in Hegel's construction of the concept of the monarch as the 'truth of the state' (in *Philosophy of Right* and the *Encyclopaedia*). It is on this construction that Nancy bases his discussion of the way right makes itself effective or actualises itself and, in a wider sense, of the question of political jurisdiction and the very concept of 'the political'.

Nancy points out the way Hegel conceives of social totality as an organism and of the state as the fulfilment and the final truth of this totality in *Philosophy of Right*.³¹ the state is defined as truth, and union or unification [*Vereinigung*] given as the "true content and aim" of this truth.³² In Nancy's view, the fact that Hegel defines 'union as such' as

the content of the state implies that, for him, the state actualises relationality *per se*. Moving beyond the context of Hegel's work, Nancy considers the state as an actualisation of the excess of the nature of human beings as political animals, an actualisation of the political relation that transcends the relations of mutual benefit. In a wider context, Nancy considers the philosophy of the political, whether formulated by Plato, Aristotle or Rousseau, as always being concerned with the logic of actualisation, of *Verwirklichung*; he suggests that "the concept of the political is just that of actualization": 'the political' is something that makes something happen, that actualizes a thought or an idea.³³

In a similar way as 'the state' is and *actualises* the truth of relation, Nancy points out that Hegel's 'monarch', in turn, is and *actualises* the truth of the state. Hegel's monarch is, for Nancy, the summit and truth of the truth of relation, in other words, 'union as such'. He insists that the monarch in Hegel's system is in no way symbolic – it does not represent or symbolise right or power as something outside itself, but rather actualises, incarnates and posits them. Although the monarch *has* virtually no power, it "is (and does not symbolize) the absolute position of power, the might of the people and of right – –."³⁴ The monarch, then, is and actualises the existence of social and political union. The question of how this union or social relationality itself is determined remains to be resolved.

Briefly examining another obvious candidate for conceiving of the basis of relationship in Hegel's work – the struggle for recognition – Nancy points to Hegel's argument in *Philosophy of Right* that this struggle and the relationship between lordship and bondage cannot form the basis of social relations and the state. The struggle cannot form a transition to social institutions because it is resolved in favour of a single subjectivity, and because the "community" arrived at would not be a community of freedom.³⁵

The struggle for recognition and its outcome, then, do not form the truth of relation in Hegel's state. Instead, Nancy makes the claim that the relation – of which struggle is the phenomenon – has *love* as its substantial concept. This is because love actualises relation, "the existence of the self by another".

Since Hegel's 'love' is a concept that actualises union, Nancy notes that "the monarch could perfectly well be, once again as a present, tangible existence, the true and unique possibility of union, the locus of political love."³⁶ Yet Hegel does not introduce the concept of 'po-

litical love' in his discussion of the monarch. Nancy is well aware of the fact that, although the same unity that is actualized in the family as the sentiment of love is the essence of the state,³⁷ Hegel does also claim that feeling disappears in the state.³⁸ Westphal, too, acknowledges Hegel's differentiation between unity in the family as feeling and unity in the state as law, but claims that his discussion of patriotism as 'political sentiment' in *Philosophy of Right* "complicates that distinction considerably."³⁹ Although neither Westphal nor Nancy examine Hegel's notion of patriotism in more depth, clearly it is worth looking into as a possible further point of analogy between family and state. If love is the principle of union within the family, would not patriotism in its traditional formulation of 'love of one's country' or 'love of political institutions' furnish a comparable concept of union and consciousness of the reality of oneself in something larger than oneself within the sphere of the state? This will be my argument in the latter part of this article.

Patriotism In Hegel's Political Philosophy

The main motivation behind Hegel's practical and political philosophy never really changed from his earliest works up to *Philosophy of Right*. His openly stated ideal in his early writings, the reinvention of Greek ethical life in the contemporary German context, permeated his work in his attempt to reconceive the principles he admired in Greek social and political philosophy in the more reflective and necessarily bifurcated context of modernity.

In connection with his admiration of Greek political life, the way in which political Romanticism conceived the state – as a living whole as opposed to rationalist and contractual accounts emphasising the benefits of the social contract to the citizens – had a profound effect on Hegel's political philosophy. Although he never conceived the state as a sexualised object of fervent patriotic love, as Rousseau, the poet Novalis and the German political Romanticist Adam Müller did, his thought does show traces of the Romantic organicist conception of love in the state as the principle uniting all oppositions in a living whole.

A criticism of the 'machine state' surfaces in Hegel's work even in texts from the 1790s.⁴⁰ In *The German Constitution* (1798–1802), he

criticises both Prussian absolutism and revolutionary French democracy for producing the political equivalent of modern atomism – fragmenting modern life to an ever-increasing degree and causing it to become “dreary and spiritless” in the modern machine state. He argues that the lack of freedom and of participation in universal affairs causes a crucial lack of vitality in these kinds of states. On the other hand, where the citizens have as much say over and responsibility for universal activities as possible, the lively involvement and support of self-confident people creates an all-powerful, indomitable and living spirit, which the hierarchical state has expelled.⁴¹

Although other German political writers of the time advocated patriotism as a way of revitalising a state seen as lifeless and spiritless,⁴² Hegel did not utilise the concept in the surviving text of *The German Constitution*. The first but little known references to the notion ‘patriotism’ in his surviving work are to be found in the historical and political studies from his Bern and Frankfurt periods, which are dated ca. 1795–98. Fragment 9⁴³ (fragment 8 in *Miscellaneous Works*) gives an ironic comparison between the passion of love for a woman, that a chivalrous knight might boast of, to the love of the Greek Aristides for his country. Hegel had Aristides answer the lover bragging of the beauty of his love object and the deeds he performed for her as follows:

I devoted my life to the fatherland. I knew nothing higher than its freedom and welfare. – I labored without any claim to distinction, power or wealth – I doubtless know of other Greeks who did more, who had greater enthusiasm, but I know of none who has achieved this height of self-sacrificial sentiment on which you stand. But what was the object of your exalted life? It must be infinitely greater and more worthy than the highest which I am capable of thinking, greater than fatherland and liberty.⁴⁴

It is worth noting that, from the first, Hegel compared and contrasted the Romantic and chivalric passion of feeling with patriotism as devotion to the freedom and welfare of the fatherland. Although patriotism did not reach the height of self-sacrificial passion Romantic love could seemingly attain, it is clear he did not consider ardour a measure of the value of the comparable sentiments. Love and patriotism are brought together on a more conceptual level in the second of the *Two Fragments on the Ideal of Social Life*. The latter of these, which was

LOVE AT THE HEART OF THE STATE...

written sometime before May 1801, is a short plan for a discussion that he unfortunately did not develop further in any of his surviving manuscripts, but which probably would have concerned the patterns of “living opposition” in society mentioned in the *Fragment of a System* of 1800.⁴⁵

The fragment in its entirety reads as follows:

- § a. Love of men [*Menschenliebe*]
Friendship [or misanthropy⁴⁶]
- § b. Doing the right thing
Revolution
- § c. Consciousness of having done one’s duty, guiltlessness
Fame
- § d. Gratefulness
Independence, freedom
- § e. Faith
Enlightenment
- § f. Family, happiness, Status
Social loyalty
- § g. Love
Patriotism⁴⁷

The plan starts with ‘love of men’ and its last pair comprises the terms ‘love’ and ‘patriotism’, but it is not clear whether Hegel intended to discuss the different stages of the plan as couplets, diametrically opposite contrasts, as quartets of social positions and attitudes, as H.S. Harris suggests,⁴⁸ or as a dialectical circle in which the first term is *aufgehoben* in the last. With the possible exception of the first couplet (the exact wording of which is unclear), the first terms of the pairs seem to concern ‘good citizens’ doing their duty, being grateful to God and having faith in the justness of the other world, while the second terms refer to revolutionaries who aim at the betterment of life, independence of thought from clerical domination, and spreading enlightenment. This opposition is also discussed in the first fragment *Der immer sich vergrößernde Widerspruch*.⁴⁹ In Harris’s view the last four terms express a form of religious consciousness according to which “the ideal of God’s love is the inspiration of patriotic commitment,” and he suggests that the whole series could be read as a ladder to the infinite

life of religious experience.⁵⁰ However, it seems to me more plausible to read the latter terms as consistently describing a more political attitude in contrast to the first ones describing a narrower bourgeois interest in religion, the family, and the *status quo*. Thus I suggest that the 'love' in the last pair does not refer to God's love as inspiration for patriotism, but rather to family love as a 'natural' feeling in contrast to 'patriotism' as a reflective political attitude of social loyalty.

Hegel gave no fuller treatment of the notion of patriotism until his lectures on natural right and political science, which started in Heidelberg (1817/18) and culminated in the published version of *Philosophy of Right*. The phrase he used to define patriotism in these works was *politische Gesinnung*, which is termed "political sentiment" by T.M. Knox and "political disposition" by H.B. Nisbet in their respective translations of *Philosophy of Right*. As this shows, *Gesinnung* is a difficult term to render into English. It describes the ethical outlook of a person, his or her *geistig-sittlich* convictions, spiritual-ethical attitudes or world view. The related word *Gesinnungsgenosse* would have to be expressed in English as something like 'comrade-in-ideas.'

Joseph O'Malley (1987) and Andrew Buchwalter (1992), examining Hegel's concept of patriotism, both emphasised that 'patriotism' was not a feeling for him, and therefore the earlier translation of *politische Gesinnung* as 'political sentiment' was misleading. They argue that Hegel's *politische Gesinnung* cannot be interpreted according to the Romantic model of family-like intimacy, as Westphal does, but must be understood as being cognitive, a form of reflective knowledge.⁵¹ Hegel's Heidelberg lectures on the philosophy of right in 1817/18 refer to political sentiment or disposition as the self-conscious individual's knowing "the state as its substance and the end and product of its activity."⁵²

In his Berlin lectures of 1818/19, Hegel described political disposition as the 'sentiment of the state' [*Gesinnung des Staats*] and 'universal sentiment' [*allgemeine Gesinnung*]. This sentiment was one of the two guarantees of the actuality of freedom within the organism of the state, and together with the 'mechanism of the state' [*der Mechanismus des Staats*], took care of the freedom's actualisation – a task that neither sentiment nor mechanism could accomplish alone. Hegel asserts that if the sentiment of the citizens [*Gesinnung der Bürger*] remained 'in the form of sentiment', not specified or focussed by objective public arrangements, its content would be merely abstract, an 'inactive and

ineffective' general patriotic willing. On the other hand, state 'mechanisms' also needed this sentiment to animate and enliven them, as only a unification of the two would create the living actuality of the state.⁵³

In the published *Philosophy of Right*, Hegel similarly describes the state as a unity of two 'modes'. The "unity of freedom which wills and knows itself" develops within itself in two ways. First, as *subjective* substantiality, it is the political disposition (patriotism), and secondly, as *objective* substantiality, it is the organism of the state, the political state proper and its constitution.⁵⁴ He defines political disposition or 'patriotism in general' as "one of trust -- or the consciousness that my substantial and particular interest is preserved and contained in the interest and end of an other (in this case, the state), and in the latter's relation to me as an individual [*als Einzelnem*]."⁵⁵

Buchwalter argues that the 'trust' Hegel wrote of must not be interpreted as a natural, affective disposition. The appreciation of the basis of individual rights in the state -- and of the action within it -- was based on the cognitive rather than the affective recognition of the universal interest as the citizen's own substantial spirit (§ 260).⁵⁶ Nevertheless, Buchwalter maintains that the fact that the political disposition is cognitive "does not preclude the affective, 'living' bonds characteristic of conventional accounts of patriotism."⁵⁷ Rather than undermining organicism, reflectivity allows for it. Political disposition expresses a relationship between individual and community that is cultivated rather than natural, the specific relation of "second nature" (§ 151, § 268 Z).⁵⁸

Far from vitiating the organic reality of the state, reflectivity is central to its very existence. Anything less than a reflective approach to patriotism is an 'abstraction,' a lifeless subordination of one part to another. Thus simple loyalty, not to mention unthinking love of country, while seeming to express a more intimate bond between individual and community, is -- no less than abstract cosmopolitanism -- an 'entity devoid of life' (*Unlebendigkeit*). A living concept of patriotism rests on "the *consciousness* that my interest . . . is contained and preserved in another's (i.e., in the state's) interest and end."⁵⁹

It would seem, then, that on the basis of Hegel's series of lectures on the philosophy of right, *politische Gesinnung* should be understood as the subjective side of spirit actualising itself as the state, whereas its

objective side is formed by the state institutions. Hegel's argument here is exactly analogous to his argument in *The Spirit of Christianity*, in which he contends that Jesus's love as such was not enough to form a community but needed necessarily objective externalisation in concrete forms, as in the Eucharist. It is also strikingly similar to his assertion in *Philosophy of Right* that marriage cannot be based solely on the subjective feeling of love, but needs the objective and *sittlich* form of a ceremony performed by church or state, and also the concrete externalisation of the unification of love in its 'third', *das Erzeugte*.

Consequently, I think that O'Malley and Buchwalter are mistaken in their dismissal of readings that note the homology of family and state as simply 'Romantic'. Noting the homology between family love and patriotism in the state does not mean confusing them with each other. It rather appears that O'Malley and Buchwalter operate with a false dichotomy between feeling and thought. Hegel does not conceive of 'love' in *Philosophy of Right* only as natural, subjective or unreflective feeling: "ethical love" in marriage rather turns the "natural union of the sexes" into a spiritual union and self-conscious love. He did not equate patriotism and love, but as we have seen, patriotism performs the same function in the state as love does in marriage, and the 'attitude' or logic it conveys is the same as that expressed in 'love'.

I suggest that Hegel's assertion in *Philosophy of Right's* addition to § 158 – that love as a feeling is no longer present in the state – should be read in the following way. The merely 'natural' feeling of love is not present in the state, although the same 'truth' it denotes, the consciousness of oneself in the other, is present in political sentiment. Love, the 'tremendous contradiction' of only finding oneself in the other, is a concrete expression of the spirit that also actualises this truth in the state. *Politische Gesinnung* should, perhaps, be best translated as 'public-spiritedness' in order to make clear the spiritual function it has in enlivening the state and expressing its fluid, non-mechanistic nature. It is reflective knowledge of the same kind as 'ethical love', which makes the natural, merely felt unity reflective through objective forms of spirit.

In addition to their inner structure or logic, what unites Hegel's *politische Gesinnung* or 'patriotism' and 'love' is the emphasis on *Lebendigkeit*, the enlivening, vital nature of both concepts. The association of patriotism with the enlivening principle within the social community links him to the tradition of Hamann and Herder, who saw patriotism

as love of one's country, a way of creating unity within a nation or people and in strict opposition to the view of politics as rationalistic and selfish calculation and the state as an inanimate machine. Still, Hegel differs from these earlier thinkers in one crucial respect: he did not suggest that the state remained a mechanistic construction alien to the 'spirit of a people'. Rather, his redescription of 'patriotism' as *politische Gesinnung*, a reflective expression of the knowledge of the truth of oneself in the state, allowed him to conceive of the state as an organism in which the objective 'mechanisms' of political institutions unite with the animating principle of patriotism to bring about freedom. For Herder, love of one's national culture was a natural inclination, a vital force that reason could only corrupt.⁶⁰ Within Hegel's philosophical framework, these kinds of natural inclinations had necessarily to be cultivated into a reasonable and reflective 'second nature' in order to be able to form a part of his philosophical system.

Apart from the need to differentiate his views of political philosophy from those of Hamann's and Herder's, I suggest there was another reason why Hegel did not conceive of patriotism through the language of 'love of country' in *Philosophy of Right*. It is to be found in his differentiation of the antique and the modern worlds. Whereas he admired the *Vaterlandsliebe* of the Greeks wholeheartedly,⁶¹ he saw modernity as fundamentally differing in that a direct, intuitive relation between individual and community was no longer possible. There is no room in modern philosophy and life for a non-reflective unmediated unity not touched by a difference in thinking. The lost unity cannot simply be reinstated – it has to be reconceived through the painful labour of philosophical thought.⁶²

Hegel's critique in § 268 of *Philosophy of Right* of the conception of patriotism as "only a willingness to perform *extraordinary* sacrifices and actions" also points to the need to confront his notion of patriotism as a 'habitual disposition' with the Romantic notion urging 'fiery and sublime ardour'⁶³ and fervent love towards the fatherland. Hegel argues that understanding only heroic deeds as patriotism is one way in which people exempt themselves from genuine political disposition, or excuse their lack of it. This criticism of a certain conception of patriotism is structurally identical with Hegel's criticism of the Romantic concept of love in his lectures on aesthetics. In his lectures he criticized chivalric and Romantic conceptions of love as privileging individual and subjective acts of heroism that had no objective jus-

tification, but simply functioned as proof of the subject's contingent affections and courage.

I have shown that although Hegel chose – in contrast to both antiquity and the political Romanticism of his time – not to define patriotism as *Vaterlandsliebe* in his mature philosophy of right, *politische Gesinnung* and *Liebe* share a similar structural place within the state and the family. He considered both the ‘public-spiritedness’ of *politische Gesinnung* and the spiritual relationship of family love to be not particular feelings but reflective knowledge; trust in finding the truth of the self only in a greater whole. As his comparison between divorce and the dissolution of the state in *Philosophy of Right* shows, however, he saw a crucial difference between the family and the state: the first could be broken up because the principle holding marriage together still retained some of the caprice and contingency of feeling, while the state could not be dissolved under any circumstances. The difference between the principles holding state and family together is not the difference between *Empfindung* and knowledge conceived of as irrec-
oncilably separate categories, however, but rather one of degree. Both ‘family love’ and ‘patriotism’ function as a mixture of self identification, trust, and knowledge to create an intimate, living bond between the universal and the particular. This also is the bond characterizing absolute spirit as such for Hegel.

What this structural similarity means is that Hegel's works outside *Phenomenology of Spirit* show in even more detail the contaminated relationship between family and state which feminist scholars like Irigaray, Mills, Butler and Hutchings have pointed out. Despite this blurring of categories, Hegel's explicit distinction between public and private spheres is, of course, extremely gendered: Women are, for him, destined to stay in the sphere of the family, never taking part in the dialectics of dividing their being between family and the civil society and then reconciling these oppositions as citizens of the state.⁶⁴ However, I believe that on the level of language and metaphor, Hegel's construction of the family and state as structurally and spiritually similar opens up also other fields of critical questioning. We not only need to see that the private is political, but also to recognize and evaluate the consequences of seeing the political as a sphere of emotions and familial structures.⁶⁵

LOVE AT THE HEART OF THE STATE...

NOTES

1. W3, 341; PS, 278; Benjamin 1991; Butler 2000; Hutchings 2003; Irigaray 1985; Mills 1996.
2. Phillips 1998, 4.
3. Nancy 1993; Westphal 1984; Pulkkinen 2000, 129.
4. O'Malley 1987; Buchwalter 1992.
5. Westphal 1984, 77–8.
6. Westphal 1984, 78; §40 W7, 98–100; PR, 70–72.
7. Pulkkinen 2000, 125.
8. Westphal 1984, 80.
9. §163, W7, 313; PR, 203.
10. §258, W7, 399; PR, 276.
11. §183, W7, 340; PR, 221.
12. Westphal 1984, 82.
13. §251, W7, 394; PR, 270.
14. §252, W7, 394; PR, 271.
15. §252, W7, 394; PR, 271.
16. §255, W7, 396; PR, 272–3.
17. §203, W7, 355; PR, 235.
18. W1, 277; ETW, 185.
19. §203, W7, 355–6; PR, 235–6.
20. §203, W7, 355–6; PR, 235.
21. §181 Zusatz, W7, 339–40; PR, 219.
22. §262, W7, 410; PR, 285–6.
23. §263 Zusatz, W7, 411; PR, 286.
24. §263 Zusatz, W7, 411; PR, 286.
25. §263 Zusatz, W7, 411; PR, 286.
26. §158 Zusatz, W7, 307; PR, 199.
27. §535, W10, 330; EG, 263–4.
28. §176, W7, 329; PR, 213.
29. W7, 330; PR, 213.
30. W7, 307–8; PR, 199.
31. Nancy is not, of course, referring to the early-twentieth-century conservative and/or totalitarian political theories of the state as an organism with which Karl Popper misguidedly associated Hegel in *The Open Society and its Enemies*. For a discussion on Hegel's 'state' as an 'organism' or an 'organic whole', see e.g., Pelczynski 1984; Ilting 1984.
32. Nancy 1993, 111–12; §258, W7, 399; PR, 276.
33. Nancy 1993, 117.
34. Nancy 1993, 120.
35. Nancy 1993, 122; W7/PR §57.
36. Nancy 1993, 127.
37. W10, 330; EG, 263–4.
38. W7/PR §158 Z; Nancy 1993, 127–8.
39. Westphal 1984, 88.
40. In addition to *Verfassungsschrift*, the 'Earliest System-Program of German Idealism' from 1796 (ETW, 156; MW, 110–12). Hegel was clearly influenced by the pre-revolution-

LAURA WERNER

ary political movement of the Hannoverians who had criticised the princes of Prussia and Austria for turning their states into 'machine states' in the 1770s, and by the French Revolution for the same reason. See Dickey 1999, xiii–xiv and Beiser 1992, 304–9.

41. W1, 483–5; PW, 25.

42. Vierhaus 1987, 101–4.

43. W1, 436–7; MW, 97–8.

44. W1, 437; MW, 98.

45. W1, 419; MW, 144.

46. The word is rendered *Feindschaft* by Hoffmeister and the Suhrkamp edition of Hegel's *Werke*, but *Freundschaft* by Kimmerle and Harris. See MW, 149n14.

47. W1, 444–45n6; MW, 147.

48. MW, 149–150n15–18.

49. W1, 457–60; MW, 145–7.

50. MW 150n18, cf. 149n15.

51. O'Malley 1987, 76–7; Buchwalter 1992, 565.

52. §123, Wa, 172; LNR, 222.

53. §118. Quoted in O'Malley 1987, 78.

54. §267.

55. §268, W7, 413; PR, 288.

56. Buchwalter 1992, 564–5; W7/PR, §260.

57. Buchwalter 1992, 565.

58. Riedel 1976, 137–8.

59. W7/PR §268, Buchwalter 1992, 565–6, Buchwalter's emphasis.

60. Viroli 1995, 124.

61. W4, 319; ETW, 326.

62. The figure of Antigone reappeared in Hegel's lectures on the philosophy of right in 1819/20 as an example of the difference between 'instinctive sentiment' and 'political virtue'. Contrasting family *Sittlichkeit* in the form of feeling that lay behind Antigone's actions, he depicted political virtue as "not a virtue of feeling, but rather a willing of the universal end insofar as it is thought and known." O'Malley 1987, 85n15; Buchwalter 1992, 563; PR/Hen, 208; cf. Recht, 154.

63. Rousseau 1987, 121, cf. Schmitt 1986, 125–7.

64. Werner 2006.

65. This article is based on research funded partly by the *Politics of Philosophy and Gender* research group of the Academy of Finland Centre of Excellence in Political Thought and Conceptual Change. I thank Jim Tothill and the anonymous referees of *Rediscriptions* for their helpful comments on the manuscript.

REFERENCES

Works by Hegel

EG: *Hegel's Philosophy of Mind. Part Three of the Encyclopaedia of the Philosophical Sciences (1830)*. Tr. W. Wallace & A.V. Miller. Oxford: Oxford University Press, 2003.

ETW: *Early Theological Writings*. Tr. T.M. Knox & R. Kroner. Philadelphia: University of Pennsylvania Press 1975.

LNR: *Lectures on Natural Right and Political Science. Heidelberg 1817–1818 with Additions from the Lectures of 1818–1819*. Tr. J.M. Stewart & P.C. Hodgson. Berkeley: University of California Press 1995.

MW: Stewart, Jon (ed.): *Miscellaneous Writings of G.W.F. Hegel*. Evanston: Northwestern University Press 2002.

PR: *Elements of the Philosophy of Right*. Tr. H.B. Nisbet. Cambridge: Cambridge University Press 1991.

PR/Hen: *Philosophie des Rechts. Die Vorlesung von 1819/20 in einer Nachschrift*. Hrsg. von Dieter Henrich. Frankfurt am Main: Suhrkamp 1983.

PS: *Phenomenology of Spirit*. Tr. A.V. Miller. Oxford: Oxford University Press 1977.

PW: *Political Writings*. Tr. H.B. Nisbet et al. Cambridge: Cambridge University Press 1999.

Recht: *Vorlesungen über die Philosophie des Rechts*. Berlin 1819/1820. Nachgeschrieben von Johann Rudolf Ringier. (Vorlesungen. Ausgewählte Nachschriften und Manuskripte. Band 14). Hamburg: Meiner 2000.

Wa: *Vorlesungen über Naturrecht und Staatswissenschaft*. Heidelberg 1817/18 mit Nachträgen aus der Vorlesung 1818/19. Nachgeschrieben von P. Wannemann (Vorlesungen. Ausgewählte Nachschriften und Manuskripte. Band 1). Hamburg: Meiner 1983.

W1: *Frühe Schriften (Werke in 20 Bänden 1)*. Frankfurt am Main: Suhrkamp 1994.

W3: *Phänomenologie des Geistes (Werke in 20 Bänden 3)*. Frankfurt am Main: Suhrkamp 1986.

W4: *Nürnberger und Heidelberger Schriften 1804–1817 (Werke in 20 Bänden 4)*. Frankfurt am Main: Suhrkamp 1986.

W7: *Grundlinien der Philosophie des Rechts (Werke in 20 Bänden 7)*. Frankfurt am Main: Suhrkamp 1986.

W10: *Enzyklopädie der philosophischen Wissenschaften III. (Werke in 20 Bänden 10)*. Frankfurt am Main: Suhrkamp 1986.

- Beiser**, Frederick C. 1992: *Enlightenment, Revolution, and Romanticism. The Genesis of Modern German Political Thought, 1790–1800*. Cambridge, Ma & London: Harvard University Press.
- Benhabib**, Seyla 1991: "On Hegel, Women, and Irony" in Mary Lyndon Shanley & Carole Pateman (eds.), *Feminist Interpretations and Political Theory*. University Park: Pennsylvania State University Press, 129–45.
- Buchwalter**, Andrew 1992: "Hegel's concept of virtue", *Political Theory*, Vol. 20 No 4, 548–83.
- Butler**, Judith 2000: *Antigone's Claim. Kinship between life and death*. New York: Columbia University Press.
- Dickey**, Laurence 1999: "General introduction" *PW*, vii– xli.
- Hutchings**, Kimberly 2003: *Hegel and Feminist Philosophy*. Cambridge: Polity.
- Ilting**, Karl-Heinz 1984: "Hegel's concept of the state and Marx's early critique" in Z.A. Pelczynski (ed.), *The State and Civil Society. Studies in Hegel's Political Philosophy*. Cambridge: Cambridge University Press, 93–113.
- Irigaray**, Luce 1985: *Speculum of the other woman*. Trs. from the French *Speculum de l'autre femme* (1974) by Gillian C. Gill. Ithaca, New York: Cornell University Press.
- Mills**, Patricia Jagentowicz 1996: "Hegel's Antigone" in Mills (ed.), *Feminist interpretations of G.W.F. Hegel*. University Park, Pennsylvania: The Pennsylvania State University Press 1996, 59–88.
- Nancy**, Jean-Luc 1993: "The Jurisdiction of the Hegelian Monarch" in *The Birth to Presence*. Tr. from the French by Brian Holmes et al. Stanford: Stanford University Press, 110–42.
- O'Malley**, Joseph 1987: "Hegel on political sentiment." *Zeitschrift für philosophische Forschung* 41, 75–88.
- Pelczynski**, Z.A. 1984: "Political community and individual freedom in Hegel's philosophy of state" in Z.A. Pelczynski (ed.), *The State and Civil Society. Studies in Hegel's Political Philosophy*. Cambridge: Cambridge University Press, 55–76.
- Pelczynski**, Z.A. (ed.) 1976: *Hegel's Political Philosophy: Problems and perspectives*. Cambridge: Cambridge University Press.
- Phillips**, Anne 1998: *Feminism & Politics*. Oxford: Oxford University Press.
- Pulkkinen**, Tuija 2000: *The Postmodern and Political Agency*. Jyväskylä: SoPhi.
- Riedel**, Manfred 1976: "Nature and freedom in Hegel's Philosophy of Right" in Pelczynski (ed.) 1976, 136–50.
- Rousseau**, Jean-Jacques 1987: *The Basic Political Writings*. Tr. from the French by Donald A. Cress. Indianapolis & Cambridge: Hackett.
- Schmitt**, Carl 1986: *Political Romanticism. Tr. from the German Politische Romantik* [1919] by Guy Oakes. Cambridge, Ma & London: MIT Press.
- Vierhaus**, Rudolf 1987: *Deutschland im 18. Jahrhundert*. Göttingen: Vandenhoeck & Ruprecht.

LOVE AT THE HEART OF THE STATE...

Viroli, Maurizio 1995: *For Love of Country. An Essay on Patriotism and Nationalism*. Oxford: Clarendon Press.

Werner, Laura 2006: "'That which is different from difference is identity' - Hegel on gender". *NORA: Nordic Journal of Women's Studies* vol. 14 (3/2006), 183-194.

Westphal, Merold 1984: "Hegel's radical idealism: family and state as ethical communities" in Z.A. Pelczynski (ed.), *The State and Civil Society. Studies in Hegel's Political Philosophy*. Cambridge: Cambridge University Press, 77-92.