

## **On Hegel, Women, and the Foundation of Ethical Life: Why Gender Doesn't Belong in the Family<sup>1</sup>**

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Feminist philosophers are right to criticize Hegel's prejudices against women. In many of his works, Hegel reduces women to their physiology as means of explaining why they occupy a subordinate role in nature and in society.<sup>2</sup> Such treatment seems arbitrary at best, for the gendering<sup>3</sup> of roles disrupts Hegel's dialectical approach to spirit without any meaningful gain. Despite this defect in Hegel's work, what is positive in Hegelian social and political philosophy remains intact.

In this paper I argue that the sexist claims that Hegel makes about women are irrelevant to his theory of the family in the *Philosophy of Right*. Therein, Hegel outlines three components that are necessary for the completion of the family: *marriage, property and assets*, and the *raising of children*. Hegel also includes a description of the different roles occupied by family members and divides these roles along gender lines. Given the three components that are essential to the family, I argue that there is no *necessary* basis for familial roles to be divided by gender.

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<sup>1</sup> I would like to thank Omar Dahbour for his guidance and thoughtful comments.

<sup>2</sup> See: Hegel, G. W. F., *Phenomenology Of Spirit*. Trans. A. V. Miller. Oxford UP, 1977; and: Hegel, G. W. F., *Elements of the Philosophy Of Right*, ed. Allen W. Wood. Cambridge UP, 1991; and: Hegel, G. W. F., *Lectures on the Philosophy of World History, Volume I: Manuscripts of the Introduction and the Lectures of 1822-1823*, ed. Robert F. Brown and Peter C. Hodgson. Oxford UP, 2011.

<sup>3</sup> In *Thinking About Gender*, Julie Nelson provides a definition of the traditional view of gender that I believe is similar to the notion of Hegel used. She argues that gender has traditionally been used to pick out qualities that can be attributed respectively to males and females. This concept introduces a biologically-based, oppositional hierarchical dualism deeply entrenched in our cognitive faculties--one that associates biological sex differences with the respective male and female social roles (Nelson, Julie A, "Thinking About Gender." In *Hypatia*, 7:3 (1992): 138-154. p. 138). Though this view conflicts with our modern understanding of gender as a social construct, it was likely Hegel's view of the matter. "Gender" will refer here to this hierarchical dualism.

The paper is divided into three sections. The first section addresses the motivation behind Hegel's conception of ethical life, emphasizing the family's place in Hegel's portrayal of the modern rational state. The second section concerns various feminist critiques that arise due to what seems to be an arbitrary inclusion of biological gender in his social and political philosophy. The final section presents an Hegelian concept of family life that emerges when we remove this notion of gender. It becomes apparent that the family, its *purpose*, and its relationship to civil society need not be understood in purely patriarchal terms. I shall seek to present a Hegelian concept of the family as part of a concept of an ethical state free of gender discrimination.

### **The Significance of Ethical Life and the Family**

In the *Philosophy of Right* Hegel portrays a rational social order championing aspects of liberal thought while retaining a sense of community that liberal theories traditionally lack. In this respect, his social and political theory is not merely distinct from its predecessors, but is a significant step forward in the characterization of ethical life.

The three main institutions of ethical life--family, civil society, and state--work together to educate those participating in them to endorse laws as expressive of their own rationality. Humanity has developed to a point where rational reflection is necessary to ensure that our actions, previously performed through custom and habit, are the right actions.<sup>4</sup> In this respect, Allen Wood argues that Hegel's characterization of ethical life is distinctly modern: a reflective and subjective life mode that previous ones, such as are

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<sup>4</sup> Hegel, G. W. F., *Elements of the Philosophy Of Right (PR)*, ed. Allen W. Wood. (Cambridge UP, 1991), §147.

found in Greek antiquity, could not have attained.<sup>5</sup> Hegel sees the progression from custom-based harmony to modern harmony as a development in which the human spirit deepened knowledge of itself.<sup>6</sup>

Hegel's contrast of the Greek polis to modern ethical life serves to differentiate important elements of the three institutions of ethical life. Though the Greek polis was harmonious, Hegel regarded this harmony as immediate and unreflective. Citizens of the Greek polis were moved by their own particular desires without any accompanying will to assign to their actions any universal character.<sup>7</sup> Thus the Greek polis is a *natural* form of ethical life, akin to *familial piety*. This reveals the family as ethical life in the form of *immediacy*.<sup>8</sup>

What the Greek polis lacked was *civil society* linking family and state.<sup>9</sup> Only civil society, only production for the market, can transform the wholly particular desires of the family into more universal desires within the harmony of the modern state. This absence of civil society in the original form of the family, however, in no way discredits the family's place in the modern social order. For Hegel "all deeper feelings such as love . . . are wholly present and satisfying in themselves," signifying that the family is the necessary *foundation* of ethical life.<sup>10</sup> The family is the birthplace of the citizen, the realm of particularity and feeling, and the first setting in which we learn to care for others

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<sup>5</sup> Wood, Allen W., "Hegel's Ethics." In *The Cambridge Companion to Hegel*, ed. Frederick C. Beiser. (Cambridge UP, 1993), p.227

<sup>6</sup> Wood, p.217.

<sup>7</sup> Wood, p.227.

<sup>8</sup> Hegel, G. W. F., *Lectures on the Philosophy of World History, Volume I: Manuscripts of the Introduction and the Lectures of 1822-1823 (PoWH)*, ed. Robert F. Brown and Peter C. Hodgson. (Oxford UP, 2011), p.114.

<sup>9</sup> Hegel, *PoWH*, p.114.

<sup>10</sup> Hegel, *PoWH*, p.116. See also: *PR* §157.

as *members* of the same family.<sup>11</sup> The family is also the first “school,” where children receive education for their future roles in ethical life.<sup>12</sup> Although for themselves members of the family focus only on what is immediately beneficial to the family, the family is a source of *empathy*, of the loving aspect of familial relations educating children for the adoption of more universal principles in both civil society and the state.<sup>13</sup>

Thus the family has a logically indispensable function in the reproduction and early cultivation of citizens with a potential for the reflective endorsement of law that modern rational ethical life requires. Yet, given the indispensable significance of the family in ethical life, it is troubling that Hegel *divides* family life along gender lines.<sup>14</sup> More pointedly, it is troubling that gender is used to deny women the opportunity to complete their ethical development in civil society and the state.<sup>15</sup>

In Hegel’s account, only men are able to leave the family for civil society and full citizenship in the state, while women must stay home to preserve the family. Patricia Mills argues that the woman must maintain the realm of immediacy so that her husband may return to a “tranquil” place after his struggle to reconcile his particular desires with more universal ends--a struggle that is necessary to achieve the man’s self-conscious unity embracing all three spheres of ethical life.<sup>16</sup> Mills claims that, according to Hegel, should woman be able to enter civil society and the state, she would be robbing the man of the comfort of home life, of his ability to achieve such self-conscious unity.<sup>17</sup> Hence,

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<sup>11</sup> Hegel, *PR* §158.

<sup>12</sup> Hegel, *PR* §177.

<sup>13</sup> Hegel, *PR* §158, §163.

<sup>14</sup> Hegel, *PR* §165-166, §171, §177.

<sup>15</sup> Hegel, *PR* §171.

<sup>16</sup> Mills, Patricia Jagentowicz, “Hegel’s Antigone.” In *Feminist Interpretations of G. W. F. Hegel*, ed. Patricia Jagentowicz Mills. (Pennsylvania State UP, 1996), p.82.

<sup>17</sup> Mills, p.83.

Hegel would empower men to liberate themselves for higher and more universal ends by confining women to the family.

Hegel's preservation of biologically-based gender roles within the family appears philosophically unmotivated, an imposition of his personal sexism as a German husband within an otherwise modern theory of the state.<sup>18</sup> Further, Hegel's inclusion of traditional gender roles in his concept of the family threatens more than the *Philosophy of Right*. It threatens to vitiate objective spirit's achievement of self-conscious reason, a deep reflective knowledge of the human selfhood that is the purpose of ethical life.<sup>19</sup> For this reason Hegel's sexism has become a target for many feminist philosophers who argue that his view of women represents an unworthy distortion of his own more fundamental theory of a rational state. These criticisms are worth exploring, for they offer important

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<sup>18</sup> Gender does no philosophical work for Hegel, especially in the *Philosophy of Right*. Hegel's characterization of Kant's marriage contract demonstrates Hegel's capacity for a more objective approach rising above his personal prejudices.

In the *Metaphysical Elements of Justice*, Kant writes that marriage is the reciprocal contract between two individuals of the opposite sex exclusively for the use of each other's bodies (reproduction and child-rearing are not suitable purposes for the marriage contract, Kant stipulates, as these are only natural consequences of sexual intercourse) (Kant, Immanuel, *Metaphysical Elements of Justice: The Complete Text of the Metaphysics of Morals, Part I*. Trans. John Ladd. [Hackett Publishing Company, 1999], p. 88). Further, Kant argues that the man is the "master" over the woman--he commands and she obeys. This legal supremacy of man over woman is directly derived from man's supposed natural supremacy over woman, overriding any true equality within Kant's marriage contract (Kant, p. 90). Hence, the man is legally given exclusive use of the body of his wife, whom he can also treat merely as a "thing" (Kant, p. 89; see also: Pateman, Carole, *The Sexual Contract*. Stanford UP, 1988). For Kant, this personal prejudice became an inextricable part of his philosophy, shaping the framework for his marriage contract.

In the *Philosophy of Right*, Hegel opposes Kant, arguing that it is crude to interpret marriage as a civil contract. As such, marriage merely, "gives contractual form to the arbitrary relations individuals, and is thus debased to a contract entitling the parties concerned to use one another" (Hegel, *PR* §161). For Hegel, it is necessary for marriage to have ethical content in the form of equal consent, ethical (non-capricious) love, and reproduction (I return to these points in a later section). Thus, for Hegel, there is no legal supremacy of man over woman within a marriage. Despite Hegel's personal sexist beliefs, he does not let those beliefs shape the philosophical framework of his views on marriage and love. Instead, incorporation of his personal sexism in his philosophical texts seems to be an afterthought, adding nothing intrinsically necessary to his account of ethical life. Hence, his remarks on biologically-based gender in the *Philosophy of Right* seems arbitrary, lacking any substantial merit even from a Hegelian perspective.

<sup>19</sup> Hegel, *PR* §156.

insights into how we should understand Hegel's philosophy despite disparaging remarks regarding women. Despite some dismissive conclusions that these feminist philosophers reach with regard to Hegel's whole project,<sup>20</sup> I will argue that his remarks about gender in the family are not detrimental to the abiding purpose of domestic family life in the modern state.

### **What Defines a Woman?**

Hegel personally remained true to the traditional division of gender roles within the family and society, creating tension not only between Hegel and feminist philosophers, but also between elements of Hegel's own work. One of the more comprehensive accounts of Hegel's sexism comes from Benjamin Barber, who offers a thorough comparison of the ways in which Hegel discusses gender roles.<sup>21</sup> To demonstrate the treatment that women receive in various ways, Barber lists five roles that women occupy that Hegel touches upon: (a) woman as lover; (b) woman as wife; (c) woman as mother and guardian of the family; (d) woman as sister; (e) woman as child.<sup>22</sup> Understanding how Hegel has viewed these five roles helps account for some of the more cutting criticisms Hegel has faced from feminists, while also clarifying how his different characterizations of women affect his view of family life as a whole.

#### **As Lover**

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<sup>20</sup> See: Benhabib, Seyla, "On Hegel, Women and Irony." In *Feminist Interpretations of G. W. F. Hegel*, ed. Patricia Jagentowicz Mills. (Pennsylvania State UP, 1996); and: Pateman, Carole, "Hegel, Marriage, and the Standpoint of Contract." In *Feminist Interpretations of G. W. F. Hegel*, ed. Patricia Jagentowicz Mills. (Pennsylvania State UP, 1996); and: Lonzi, Carla, "Let's Spit on Hegel." In *Feminist Interpretations of G. W. F. Hegel*, ed. Patricia Jagentowicz Mills. (Pennsylvania State UP, 1996).

<sup>21</sup> Barber, Benjamin R., "Spirit's Phoenix and History's Owl or the Incoherence of Dialectics in Hegel's Account of Women." *Political Theory* 16:1 (1988): 5-28.

<sup>22</sup> Barber, p.8.

As lovers, Barber argues that woman for Hegel are the equals of men. In *A Fragment On Love*, Hegel writes, “True union, or love proper, exists only between living beings who are alike in power . . . This genuine love excludes all oppositions.”<sup>23</sup> In so far as two persons love one another, there are no physical distinctions between them, other than death that may come between them.<sup>24</sup>

In the *Phenomenology of Spirit*, Hegel argues that the marriage relationship is *the* primary and immediate form in which one consciousness recognizes itself in another. Marriage is built upon *reciprocal* recognition; one cannot achieve recognition without an other who gives it, and one cannot achieve full recognition unless that other is an equal. Further, Seyla Benhabib argues that in love, prior to marriage, women are full legal persons who are able to freely choose their spouse and to own property.<sup>25</sup> It is necessary that women be fully equal to men – legally and by nature – if they are to enter into a loving relationship.

### **As Wife**

For the woman as wife, a more constricted version of the female is presented. Barber argues that, as a wife, the woman possesses in Hegel’s view a *physical nature* that constrains her to specific duties in the family, community and state.<sup>26</sup> Although physiology did not matter in love, it matters when a wife and husband seek to start a family.<sup>27</sup>

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<sup>23</sup> Hegel, G. W. F., *On Christianity: Early Theological Writings by Friedrich Hegel*. Trans. T. M. Knox. (U of Chicago P, 1948), p.304.

<sup>24</sup> Hegel, *On Christianity*, p.304.

<sup>25</sup> Benhabib, p33.

<sup>26</sup> Barber, p.10.

<sup>27</sup> Mills argues that the husband-wife relationship transcends the desire that engulfs lovers. Hegel is at pains to show that marriage must consist of a deeper bond than merely “natural” feeling; it must consist of an ethical, self-conscious bond of love (Mills, p. 79; See: Hegel, *PR* §163). Physical

A wife's physiology directs her role in reproduction and delimits her capacities for self-consciousness and freedom beyond the family. Hegel argues the wife fulfills her ethical capability as the guardian of the home and as the principle caretaker and educator of children.<sup>28</sup> Unlike her husband, she is denied a role in civil society and the state, and is thus prevented from achieving higher levels of consciousness and freedom.<sup>29</sup>

### **As Mother**

Barber argues that the woman as mother is given important ethical responsibilities within the family, but she “loses interest of the dialectic and is unceremoniously dropped from its progressing history of emancipation.”<sup>30</sup> Though she is the guardian of customs and education, the mother is never able to progress beyond that.

One can attribute this to the way in which Hegel defines motherhood – coitus and reproduction – that harkens back to how he defines wives. By defining the role of motherhood through physiological means, Hegel represses women by reducing them to their physical nature, arguing that this makes them naturally inferior to men, and naturally more apt for domestic labor.<sup>31</sup>

### **As Sister**

Barber uses Hegel's analysis of the *Antigone* to discuss women as sisters.<sup>32</sup> Hegel de-eroticizes the sister-brother relationship: brother and sister do not desire one another, so they are free individuals with respect to one another in almost the same way as fully-

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passion demonstrates an equality of desire for both man and woman; ethical love transforms desire from passion to ethical duty.

<sup>28</sup> Hegel, *PR* §166.

<sup>29</sup> See: Benhabib, 1996; and: Scholz, Sally J., “Reproductive Labor: The Impact of the Patriarchal Family on Hegel's Phenomenology.” In *CLIO*, 22:4 (1993): 357-368.

<sup>30</sup> Barber, p.10.

<sup>31</sup> Hegel, *PR* §166 *Addition*; Scholz, p. 367.

<sup>32</sup> See: Hegel, G. W. F., *Phenomenology Of Spirit (PS)*. Trans. A. V. Miller. (Oxford UP, 1977), Ch. IV



legal males are to one another.<sup>33</sup> However, sisters still retain duties of family piety that challenge the state.

Antigone, the sister of Polyneices, is not confined to her physiology because she does not desire a spouse or children. She seeks to complete a familial duty--giving her brother a proper burial--that is in tension with a state ruling. Though Antigone does not fulfill one of Hegel's physically gendered roles for women, he does not let her fully flourish. He determines that she is "like the wife" because of her desire to place particular ends (the ends of the family) above universal ends (the ends of the state).<sup>34</sup> The struggle is one between *family law* and *human law*; the state must ultimately subsume the family, else be destroyed by it.<sup>35</sup>

### **As Child**

Hegel argues that, "Children are potentially free and their life directly embodies nothing save potential freedom . . ."<sup>36</sup> This freedom, however, is limited. Once again, Hegel defies the logic of his dialectic, imposing on the equality it yields between children by stipulating certain *ad hoc* restrictions that apply only to daughters.<sup>37</sup> Hegel decrees no gendered distinction in the type of education children receive in the family, yet this education eventually leads sons to be heads of families and daughters to wifedom.<sup>38</sup> Though Hegel argues that children are pure potential, they still seem to fall neatly into

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<sup>33</sup> Barber, p.11.

<sup>34</sup> Barber, p.12.

<sup>35</sup> The story of *Antigone* demonstrates why civil society is necessary for a rational state: it helps resolve the tension between the otherwise merely particular aims of the family and the universal aims of the state (See: Hegel, PS, Ch. IV).

<sup>36</sup> Hegel, *PR*, §175.

<sup>37</sup> Barber, p.13.

<sup>38</sup> Hegel, *PR* §177.

gendered roles negating the daughter's full potential for freedom--even if they are not yet capable of being reduced to their physiology.

The varied treatment of women and their capabilities demonstrates that, however radically emancipatory Hegel was as thinker, he let traditional views on gender contaminate his work. He sabotages his dialectic with personal prejudices that render women unequal when their equality is required for spirit and freedom to fully progress. Such inequality is problematic for Hegel's rational state, which requires the enlightenment of its citizens. It seems difficult to grant "rationality" to Hegel's ideal state when half its members are denied this enlightenment.

In the *Philosophy of Nature*, Hegel tries to explain why woman is incapable of reaching full consciousness. She needs to share consciousness, but only in its earliest, primeval stages.<sup>39</sup> Hence, much of what constitutes womanhood in Hegel's work is relational in character, a consequence of the feelings they have for their husbands and the responsibilities they have for their children. These relational aspects of womanhood express woman's essence in biologically-based female sexuality (coitus and reproduction), an essence around which traditional gender roles have grown.<sup>40</sup> Barber contends that sisters and daughters should escape such essentialization<sup>41</sup> – a point worth further consideration.

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<sup>39</sup> Heidi M. Ravven posits that modern women are like the males of the Greek polis; they achieve a primitive level of consciousness, but they do not advance beyond the realm of "concrete individuality and feeling" (See: Ravven, Heidi M., "Has Hegel Anything to Say to Feminists?" In *Feminist Interpretations of G. W. F. Hegel*, ed. Patricia Jagentowicz Mills. Pennsylvania State UP, 1996; and: Hegel: *PR* §166).

<sup>40</sup> Further, Hegel never touches upon relationships *between* women; something that might challenge his portrayal of women (See: Mills, 1996; and: Starrett, Shari Neller, "Critical Relations in Hegel: Woman, Family, and the Divine." In *Feminist Interpretations of G. W. F. Hegel*, ed. Patricia Jagentowicz Mills. Pennsylvania State UP, 1996).

<sup>41</sup> Barber, p. 19.

For Hegel, gender is something that defines women only in two *particular contexts*, as either a sexual partner or a mother. Because of the other contexts in which women can act, the traditional gender hierarchy and its consequences for women seem *arbitrarily* inflicted upon them. Moreover, females are only gendered at certain time of their lives: it is very plain that every *mother* was at one time a *daughter* who appeared to have full civic potentiality like her brothers until she grew old enough to fall her entrapment by sexual intercourse. Further, it seems odd that women are free to fall in love and free choose a spouse only to be chained to the home after the marriage act. Hence, gender seems to work itself into Hegel's philosophy wantonly, creating tensions within his philosophy that would not arise if left out.

Barber attempts to defend these paradoxical conclusions through Hegel's argument for "absolute knowledge."<sup>42</sup> The theory of absolute knowledge claims that the philosopher stands at the end of history, at the culmination of the dialectical struggle between spirit and nature. It entails that Hegel *himself* was the philosopher at the end of history giving an account of the world as he saw it.<sup>43</sup> Hence, Hegel's only responsibility was to portray women as they are at history's end, not as they otherwise *might be*.<sup>44</sup>

Benhabib, however, finds this argument implausible. She asserts that Hegel was well aware of the "Jena Circle," an influential group of German Romantics including brothers Friedrich and August Wilhelm Schlegel, Friedrich von Schelling, and Caroline

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<sup>42</sup> See: Hegel, *PS*, Ch. 8.

<sup>43</sup> Barber, p.20.

<sup>44</sup> Frances Olsen endorses this view as well. She suggests that we read Hegel as "approaching the world as it actually was – recognizing the radical subordination of women – and making the best he could of it all within that context." (Olsen, Frances, "Hegel, Sexual Ethics, and the Oppression of Women: Comments on Krell's 'Lucinde's Shame.'" In *Feminist Interpretations of G. W. F. Hegel*, ed. Patricia Jagentowicz Mills. Pennsylvania State UP, 1996, p.111).

Schlegel, who was counted as one of the group's most influential members.<sup>45</sup> Caroline's life and person provided a robust example of changes that were taking place during Hegel's time that granted women more opportunities, and Hegel undoubtedly knew her well. Benhabib argues that Hegel's time was actually a revolutionary one, populated by many women like Caroline who, "...intimated to him what true gender equality might mean in the future. Hegel saw the future, and he did not like it."<sup>46</sup> This historical account indicates that Barber's proposed defense of Hegel is perhaps undeserved. Kimberly Hutchings suggests a similar defense, though she does so to show the weakness inherent in it.

Hutchings contends that Hegel's problem lies *within* his argument for absolute knowledge, or at least absolute knowledge burdened with finality when it comes to the fixed essence of women. Absolute knowledge, she argues, is historically and necessarily self-developing and *contingent*. Yet Hegel's treatment of women depends upon *fixed* gender hierarchies that remove women from the self-changing, mutually mediating reason, spirit, and nature that constitutes Hegel's entire dialectic.<sup>47</sup> Hutchings argues that Hegel commits "theoretical violence toward women" by abandoning his own account of the nature and authority of knowledge claims, which she posits depends on three criteria: 1) the partiality or bias of all particular claims to knowledge when taken by themselves, 2) the universal recognition of the validity of these claims by others necessary to knowledge, and the inevitable historical contingency of claims and their universal

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<sup>45</sup> Benhabib, p.37.

<sup>46</sup> Benhabib, p.38.

<sup>47</sup> Hutchings, Kimberly, *Hegel and Feminist Philosophy*. (Blackwell Publishing, Ltd., 2003), p.106.

validation when these claims are made in a world of self-changing subjects and objects.<sup>48</sup> An appeal to absolute knowledge with an air of finality with regard to women fails because it flouts all three criteria: it attempts to ground the partiality of a particular perspective in a universal, transhistorical female essence (the reduction to physiology), not in universal validation by others; the perspective presented was not the only one possible and was not shared by all of his contemporaries,<sup>49</sup> and that perspective denies the possibility of spirit (rationality) shifting its shape in future development— something that is intrinsic to the concept of spirit.

Defending Hegel's sexism has proven to be difficult, leaving us with the conclusion that all references to gender distinctions within Hegel's work are unjustified. Before fully accepting this conclusion, it is important to consider one final critique that approaches Hegel's sexism from a different perspective. Carole Pateman argues that, despite Hegel's criticism of contract and the social contract theorists, Hegel endorses the *sexual contract*.

For Hegel, the marriage contract transcends the traditional contract. Hegel's marriage contract creates an ethical bond, where spouses consent to make themselves into one person. One spouse does not own the other; both spouses are joined through love — not through the appropriation of property.<sup>50</sup> However, Pateman argues that such marriage only comes to fruition for the husband, for he gains the right of patriarchal rule over the home.<sup>51</sup> Though Hegel claims that the same process of recognition takes place between

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<sup>48</sup> Hutchings, p.106.

<sup>49</sup> See: Benhabib, 1996.

<sup>50</sup> Hegel dismisses Kant's traditional marriage contract as one of mutual use or exchange of property.

<sup>51</sup> Pateman, "*Hegel, Marriage, and the Standpoint of Contract*," p.214.

husband and wife, the husband is the master of the family and the wife the subordinate. How, then, can these two equally recognize each other?

Pateman argues that the recognition required for *marital* love is the same recognition that the master requires from the slave in the master/slave dialectic found in the *Phenomenology*.<sup>52</sup> Patriarchal right mandates that a woman cannot acknowledge a man in the same way that a man acknowledges another man; hence, relations between men and women remain those of masters and subordinates.<sup>53</sup> Heidi M Ravven, however, argues that Pateman is mistaken about the correlation between the master/slave dialectic and the marriage contract. Hegel did not see the woman as occupying the role of the slave, for such a comparison would have acute effects on Hegel's intended dialectic of the family.<sup>54</sup> Should the woman be similar to the slave, this would give her the ability to usurp consciousness from the man as the slave does from the master. This is clearly not Hegel's intention (nor is it Hegel's intention that the man usurps consciousness from the woman).<sup>55</sup>

Despite these significant criticisms, all is not lost for Hegel. If we take a different approach to understanding the family, one that focuses on its *purpose* in ethical life, we may be able to salvage something positive from Hegel's account.

## Rethinking the Family

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<sup>52</sup> See: Hegel, PS.

<sup>53</sup> Pateman, "*Hegel, Marriage, and the Standpoint of Contract*," p.217

<sup>54</sup> Ravven, Heidi M., "Has Hegel Anything to Say to Feminists?" In *Feminist Interpretations of G. W. F. Hegel*, ed. Patricia Jagentowicz Mills. (Pennsylvania State UP, 1996), p.243

<sup>55</sup> Interestingly, Ravven suggests that, had Hegel actually applied the master/slave dialectic to the family, he would have understood that it is women's social condition, and not their physical nature, that has stymied their development of spirit. Hence, we see again that Hegel, by defining women in virtue of their physiology, has undercut the potential for his own theory (Ravven, p.246).

In the Philosophy of Right, Hegel argues that the family “attains completion” in three respects (from *PR* §160):

- (a) In the shape of its immediate concept, as *marriage*;
- (b) In external existence, as the *property* and *assets* of the family and their administration;
- (c) In the *bringing up* of children and the dissolution of the family.

Given this characterization of what is necessary for the family to be complete, there is no *necessity* for gender to play any specific role within the building of the family, the external existence of the family, or the bringing up of children within the family. Viewing the family in virtue of this characterization, and by its *purpose* as the foundation of ethical life, Hegel’s account of the family need not be understood as pure patriarchal expression.

For Hegel, family life is the immediate substantiality of spirit, it is the realm of feeling that creates a unity out of love. The disposition that individuals have within the family is one of *membership*, so that each person views himself or herself not as an independent person but as particular family *member*.<sup>56</sup> Thus, family life for Hegel is based on love; there are no claims that one gender loves stronger or differently than another. Instead, there is a unity in the equality of each member to love. How does this affect the three components of family life?

### **As Marriage**

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<sup>56</sup> Hegel, *PR* §158.

The dialectic of love entails the coming together of two individuals in marriage who, through mutual recognition of each other, form a unity in which both members still preserve their difference.

The first moment in love is that I do not wish to be an independent person in my own right ... The second moment is ... that I gain recognition in this person, who in turn gains recognition in me.<sup>57</sup>

Love is a feeling; it only exists in the family and has no place outside of it. In this respect, the mutual recognition that both selves experience in love is not like the mutual recognition that is experienced in the *Phenomenology*--where mutual recognition is achieved only to satisfy one's previously unfulfilled desire for recognition. Thus, Jean Hyppolite contends that one seeks marriage because one seeks a unity with another out of feeling, not at the conclusion of a life and death struggle between lovers or spouses.<sup>58</sup> In marriage, one recognizes the independent existence of the other, as the other recognizes one's own independent existence, yet both individuals seek to surrender that independence to each other so as not to feel isolation. In doing so, they form a unity in duality, wherein they both retain their independence while also developing dependence on each other.

For Hegel, marriage between two persons is not to be entered into as a contract; a contract presupposes that there is a third entity--an object or body about which a contractual agreement is made.<sup>59</sup> Both individuals who enter marriage are free persons,

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<sup>57</sup> Hegel, *PR* §158.

<sup>58</sup> Hyppolite, Jean, *Genesis and Structure Of Hegel's Phenomenology Of Spirit*. Trans. John Heckman & Samuel Cherniak. (Northwestern UP, 1974), p.164.

<sup>59</sup> Hegel, *PR* §161.



and therefore both *consent freely* to join together as the constitution of a single person.<sup>60</sup> Since both persons are equals and both freely consent, their action of marriage has *ethical content*.

Hegel discusses gender differences in §§165-166, but such differences are not a necessary component for the completion of the family as specified in §160. In §§165-166, Hegel reduces the spouses to their physiology, ultimately portraying the woman as the less developed gender.<sup>61</sup> However, given the criteria for what builds a marriage, there is no reason for physiology to play any significant role in what it is to be a wife. Hence, Hegel characterizes marriage in such a way that the genders of the spouses are irrelevant.

### **As Property And Assets**

In civil society and the state, the family is represented as a legal person that has external reality in *property*. The family must have property and assets to be recognized by other families and the state.<sup>62</sup> Hegel argues that the family, as a legal person in relation to others:

. . . must be represented by the husband as its head. ...he is primarily responsible for external acquisition and for caring for the family's needs, as well as for the control and administration of the family's resources.<sup>63</sup>

In conjunction with §§165-166, this characterization supports the view that Hegel advocates patriarchal rule within the family. However, given the criteria specified in §160, we may disregard Hegel's arbitrary selection of the male as head of the household,

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<sup>60</sup> Hegel, *PR* §162.

<sup>61</sup> We have discussed these differences in the previous section.

<sup>62</sup> Hegel, *PR* §169.

<sup>63</sup> Hegel, *PR* §171.

for if the needs of personal property and assets are met for a family, *it does not matter* what gender occupies this position.

It is important to note that there is some inequality in Hegel's family structure. Hegel portrays the family as composed of one breadwinner, one caretaker, and children.<sup>64</sup> Hence, within the family there will be a division of labor that mandates that one spouse remains in the home while the other achieves higher levels of consciousness as a productive member of civil society. However, it is also important to note that the gender of the spouse that ventures into civil society is irrelevant to the *purpose* that role fulfills. By reducing the spouses to their respective physiologies, it is too easy for Hegel to argue that the male must fulfill the role of breadwinner. We have seen also that such an approach is troublesome for Hegelian theory. What is *not* troublesome is removing the gender that Hegel *arbitrarily* identifies as the breadwinner and making the role gender-neutral. For Hegel, the completion of the family requires that it has external existence as the *property* and assets of the family and their administration. So long as this need is met, there is no reason to mention gender.

There is one further point I must make regarding the inequality of spouses in Hegel's conception of the family. Though I have challenged the gendered ties to spousal roles, I have not addressed the problematic implications of the differentiated roles themselves as played by different persons.<sup>65</sup> I do not mean this as an endorsement of the

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<sup>64</sup> It is difficult to assume that roles would be divided in the absence of children

<sup>65</sup> Strictly differentiated social roles have the potential to limit not only the pursuit of one's conception of the good life, but also one's access to the myriad positions available within a society. Such restrictions are unacceptable for liberal egalitarian theories especially (See: Rawls, John, *A Theory of Justice*, Cambridge, Mass: Harvard UP, 1971; and: Kymlicka, Will, *Contemporary Political Philosophy: An Introduction*. Oxford [England]: Clarendon Press, 1990, especially chapter 2). Further, strictly differentiated social roles may be the inevitable result of an educative policy that, John Dewey argues, equates the, "ideals of a free and complete development of cultured personality with social discipline and political subordination" (Dewey, John, *Democracy and Education: An Introduction to the Philosophy of Education*, New York: The

rigid hierarchy of different persons that Hegel chooses to stipulate within the family. Additionally, I do not hold that these roles must be differentiated *hierarchically* in the first place.<sup>66</sup> Rather, this is an attempt on my part not to stray too far from my purpose of correctly stating on Hegel's behalf his vision of the family, with roles not tied to gender, and its place in the rational state.

Hegel has a strong commitment to differentiated social roles played by different persons both within and outside of the family. This is evident not only in the way that he carves up the family, but also in the way that he stipulates the division of workers into separate *estates* within civil society.<sup>67</sup> The purpose of dividing spousal roles within the family ensures the fulfillment of the family's external existence, yet it also ensures that young children are given an ethical (cultural) education that state education is later meant to supplement.<sup>68</sup> Thus, for Hegel, the spouse tasked with providing this ethical education is upholding a necessary social role in the maintenance of an ethical state. Ideally, going beyond Hegel, this stipulated social role would be much more flexible, allowing for extended family members, older siblings, hired caretakers or even an equal division between spouses to provide the type of care and education that Hegel envisioned as necessary for the proper upbringing of children.<sup>69</sup>

Indeed, these various arrangements reflect how many families currently operate. However, to make the claim in this paper that the role of the reproductive laborer could

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Free Press, 1966, p. 103). Though I will not develop these arguments here, I intended to explore them further in a future paper.

<sup>66</sup> It is plausible to argue that, if pressed, Hegel would claim that the objective of each familial role is equally important to the overall purpose of family life.

<sup>67</sup> See: Hegel, *PR* §§199-208, especially §201, §§206-207.

<sup>68</sup> See: Hegel, *PR* §§174-175, §239.

<sup>69</sup> Likewise, it would be ideal for both spouses to attain higher levels of consciousness by having them share equally in time spent outside of the home in civil society, where they may both develop their talents (See: Hegel, *PR* §207).

be filled by any number of individuals would be to depart from clarifying an undistorted Hegelian conception of family life. What I intend argue here is only that Hegel's account does not philosophically rely on gender in any meaningful way; such an argument is meant to highlight how closely we may still, if we choose, follow Hegel's characterization of family life absent the arbitrary inclusion of gender.

### **As The Bringing Up Of Children and Dissolution Of The Family**

For Hegel, children complete an incomplete family. Spouses attain objective unity only through their children, for children represent the objective expression of their parent's spiritual union.<sup>70</sup> Thus, reproduction is the essential *purpose* of the family, which is why Hegel argues that children have the right to receive an upbringing at the expense of the family.<sup>71</sup> Reproduction is important for Hegel because it populates the state with new persons who, provided they have been given a proper upbringing, will become rational citizens.

Children are free *in themselves* . . . their *upbringing* has the *positive* determination that, in them, the ethical is given the form of immediate *feeling* . . . their upbringing also has the *negative* determination of raising the children out of the natural immediacy in which they originally exist to self-sufficiency and freedom . . .<sup>72</sup>

Hegel notes that the mother's role in the child's upbringing is particularly important for the instilling of *feeling* in the child.<sup>73</sup> However, this characterization of the mother's role is not necessary. As was specified in Hegel's portrayal of marriage, *both* spouses are *capable* of feeling and acting ethically in accordance with feeling.

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<sup>70</sup> Hegel, *PR* §173.

<sup>71</sup> Hegel, *PR* §174.

<sup>72</sup> Hegel, *PR* §175.

<sup>73</sup> Hegel, *PR* §175.

Hence, the gender of the educator within the home – the spouse that does not enter civil society – is arbitrary. Either parent, as being capable of starting a family *in the first place*, can instill feeling in the child.

The education of the children within the home involves preparing them to begin families of their own. However, as noted in the previous section, Hegel textually links gender with education: “. . . children are brought up to become free personalities . . . the sons as heads of families and the daughters as wives.”<sup>74</sup> Yet, there is no *reason* why males and females must branch off at the marriage act to fulfill two gendered roles, especially when they are treated as equals as children! If married women must be subordinate to married men, at what point does physiology become relevant--after the marriage act? *During* it? Again, Hegel’s insistence on stipulating gender roles is completely arbitrary, lacking any genuine motivation involved in his theory. The purpose of childhood education is to raise young citizens capable of the reflective rationality necessary for legal citizenship; to that aim, gender is irrelevant.

### **Concluding Remarks**

I have chosen to interpret Hegel’s theory of the family in a more positive light than most feminist philosophers. This interpretation by no means grants Hegel a free pass against the many transgressions he makes against women throughout his work, especially those that appear in the *Philosophy of Right*. However, I think it is important to note the significance that Hegel places on the family as such with respect to ethical life.

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<sup>74</sup> Hegel, *PR* §177.

For Hegel, the family is the *foundation* for the rational state; as such, it is the *formative* institution of the state. The family is the birth of the citizen and the first place that we learn to care for and value others; hence, the ethical development of an individual is first shaped by the dynamic of the family. Hegel's theory of the family emphasizes the importance of love, care, and membership in a collective and ethical education – these are all elements of a rational state that seeks to value its members. The purpose of the family is to provide a state's youngest members with a mind open to ethical thought. We should not discount his appreciation of the role of the family in ethical life because of his personal prejudice.

Hegel's account of the family as such *is* gender neutral; most references to gender within the family section of the *Philosophy of Right* are not central to his description of the *function* that the family performs for society.<sup>75</sup> At best they seem to be desperate attempts to preserve the status quo within a theory that provides a substantial challenge to it. Hegel's resistance to traditional marriage contracts demonstrates his insistence that the family be an institution of affection and good will where roles can be differentiated not on the basis of gender, but on the social needs of the family to establish itself as a strong foundation for ethical life.

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<sup>75</sup> §§165-166 occupy central territory in the text, but can easily be passed over without losing anything significant from the theory.

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