

Against Dialectical Ethics A Feminist Critique of Hegel

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IN HIS INTRODUCTION TO *THE CAMBRIDGE COMPANION TO HEGEL*, Frederick Beiser begins, "Few thinkers in the history of philosophy are more controversial than Hegel." He proceeds to sketch a multitude of issues that have incited division among Hegel's readers, among them Hegel's claims in metaphysics, epistemology, aesthetics, and so on. Though he does not name Hegel's position on women in his brief comments, here too Hegel has provoked heated debate. In this essay, I will first explicate the role of women within Hegel's system. I will then turn to two radically different discussions of Hegel by feminist scholars. Kelly Oliver argues that Hegel's sexism is not a simple matter of his historical moment, but instead reveals a basic problem with the structure of Hegel's system as a whole. Shari Neller Starrett, however, claims that with a more inclusive definition of family than may have been possible in the nineteenth century, Hegel's system provides a potentially powerful role for women. I will attempt to demonstrate that the reason for such radically different interpretations lies in the ways in which Oliver and Starrett view the process of dialectic.¹ Finally, I claim that though Starrett's view is ultimately incompatible with the dialectic as Hegel intended it, it provides an alternative ethics which may indeed have the empowering potential she wants to preserve.

¹"Dialectic," unless otherwise noted, will refer strictly to the Hegelian notion of the process rather than the Socratic (or any other) notion of dialectic.

I.

In her synthesis of Hegelian and Lacanian theory, Jeanne Lorraine Schroeder briefly characterizes the sexism of Hegel's system:

Despite Hegel's claims to logic and his disdain for unsupported presuppositions, [when Hegel considers women] logic flies out the window. Hegel's discussion of marriage consists largely of conclusory statements reflective of nineteenth-century misogyny. He echoes nineteenth-century sexual stereotypes and then claims that these sexual differences are rational. (285–86)

Schroeder is right to place Hegel in his historical context. His portrayal of woman as passive, finding “her substansive destiny in the family,” and man as active, finding “substansive life in the state,” is clearly not unusual for his epoch (*Philosophy* §166). However, one might argue that the Hegelian system could, without significant change, be freed of its gender prejudices; that is to say, it may simply be a matter of exorcising the ghosts of “nineteenth-century sexual stereotypes” from the text so that Hegel would speak to both sexes. This section will give an overview of Hegel's system and then explain the role Hegel assigns to women; subsequent sections will consider to what extent this characterization may be problematic.

Hegel's overall project is to describe “the path of the natural consciousness which presses forward to true knowledge” (*Phenomenology* §77). The process is one of making *everything* conscious in an attempt to reach the ultimate state of true Science, at which point, “Notion corresponds to object and object to Notion” (§80). That is to say, everything that has existence can be properly and fully known conceptually. Hegel's dialectic is a continual process, where that which is unconscious, that which is internal, always moves toward a more conscious, more real manifestation. Hegel's most frequently quoted line, “What is rational is actual and what is actual is rational” (qtd. in Oliver 35), informs us that to cease to progress further in the dialectic is, in some sense, to cease to be real, for the dialectic is a process of “coming-to-be” (*Phenomenology* §27).

The dialectic works within a structure of three moments:

In general, dialectical advance proceeds by “sublation” (*Aufhebung*). Sublation signifies the process that *negates* and *preserves at a higher level* oppositions that beset lower stages of spirit. This positive result of dialectic constitutes what is called the third...moment. (Willett 168)

The first of these moments is an unconscious, material existence which Hegel describes as “content.” The second moment negates the first with a rational existence, but one that is not substantially realized.² The third moment is the synthesis of the determinate content with the indeterminate idea.

In both *The Phenomenology of Spirit* and *The Philosophy of Right*, Hegel’s discussion of women comes during his discussion of ethics. Though women are confined to the lowest level of Ethical Life, it is important to remember that they have been admitted into an actualized, rational level of ethics in a limited sense. Ethical Life is the third stage in the dialectic.³ However, within Ethical Life itself, three further stages are delineated: Family, Civil Society, and the State (*Philosophy* §142–360), and woman is confined to the first of these. Family is the realm of internal, largely unconscious ethical relations based upon “natural” ties of kinship and characterized by “feeling,” which, for Hegel, is clearly not a rational act. Though man never fully renounces his place in Family, Hegel presents it as a kind of default existence, or even a refuge, wherein man is freed of the pressure for rationality demanded by the higher levels of Ethical Life: “In the family, [man] has a tranquil intuition of this unity, and there he lives a subjective ethical life on the plane of feeling” (*Philosophy* §166). However, this is not a sufficiently rational (i.e., *real*) existence: “So far as [man] is not a citizen but belongs to the Family, [he] is only an unreal impotent shadow” (*Phenomenology* §451). Confined as she is to the Family, then, woman is *always* “an unreal impotent shadow.”

²The influence of Aristotle on Hegel is fairly obvious; it may be helpful to think of the first moment as analogous to prime matter, the second moment to a form, and the third to the combination of these two in a particular individual.

³The first is Abstract Right, which might be characterized as the individual’s basic right to “be a person and respect others as persons” (*Philosophy* §36). The second is Morality, which is an explicitly Kantian, rule-based ethics.

The Family, however, serves an additional purpose beyond providing a “tranquil...plane of feeling”; rather, “the deed...which embraces the entire existence of the blood-relation” is the burial of its dead members (*Phenomenology* §451). It is crucial for Hegel that the dead individual not be left “at the mercy of every lower irrational individuality and the forces of abstract material elements, all of which are now more powerful than himself” (§452). In death, the individual loses his⁴ particularity and attains universality in that he is now *pure being*, the matter of the decomposing body (§451). Burial, then, interrupts the work of irrational, unconscious nature and allows the “universal being” of the dead to become “a being that has returned into itself, a being-for-self...The powerless, simply isolated individual has been raised to universal individuality” (§452). Burial, performed by the family, recognizes and preserves the individual as such. This process, however, does not protect the individual insofar as he is a member of the familial realm, but projects him beyond that realm:

The Family thereby makes him a member of a *community* which prevails over and holds under control the forces of particular material elements and the lower forms of life, which sought to unloose themselves against him and to destroy him. (*Phenomenology* §452, emphasis added)

Indeed, the process of burial has endowed the individual with powers far outreaching the “unreal impotent shadows” of the Family:

[The buried individual’s] power is the *abstract*, pure universal, the *elemental* individual which equally draws back into the pure abstraction which is its essence the individuality that breaks loose from the element, and constitutes the self-conscious reality of the *nation*. (*Phenomenology* §453, final emphasis added)

⁴I maintain Hegel’s use of the male generic in this discussion in part because we have not yet determined if Hegel’s system can be maintained with alterations to allow for gender inclusiveness, as well as for other reasons which will become clear in discussing Oliver’s critique of Hegel.

Confined to the Family, woman is unable to access this power, though, as *Family*, she performs an essential function.

Hegel sets up a model of woman's proper ethical behavior for us in Sophocles' *Antigone*, pointing to her as "one of the most sublime presentations of [woman's] virtue," and her story, indeed, revolves around the issue of burial rites (*Philosophy* §166). By defying the civil law put forth by Creon and burying her brother, *Antigone* restores Polynices to the realm of community: "He passes over from the divine law, within whose sphere he lived, over to human law. But the sister becomes ...the head of the household and the guardian of the divine law" (*Phenomenology* §459). Yet this commitment to the divine is a commitment to an "element that is exempt from an existence in the real world" (§457). *Antigone* has made her brother "real," but she herself cannot gain that status. Her actions are of "the highest *intuitive* awareness of what is ethical. She does not attain to *consciousness* of it" (§457).

Hegel has set up an opposition between a familial, intuitive, *feminine* realm that answers to divine law and a societal, rational, *masculine* realm that answers to civil law. He claims that "neither of the two is by itself absolutely valid....The conscious [proceeds] from the unconscious" (*Phenomenology* §460). This point seems fairly clear; however, his statement of the flip side of this dependence, that "the power of [divine law] has its actual existence on earth; through consciousness, it becomes existence and activity," seems less supported (§460). In the next section, I turn to Kelly Oliver's critique of Hegel, arguing that this second claim is antithetical to Hegel's overall project.

II.

Oliver has summarized Hegel's overall project as follows:

To put it simply, the goal of philosophy is to articulate fully the meaning of consciousness such that there is no difference between that meaning and its articulation. If this goal is reached, nothing remains unconscious or unspoken. To say that the rational is real and that the real is the rational is to say that only what can be conceptualized is real and that everything real can be conceptualized. (35)

Her critique of Hegel centers as much around the overall goals of the project as it does around his description of women's role within it. The dialectical structure of sublating all earlier states and bringing them into consciousness cannot be achieved in the case of the Family. It is not in its nature, as an unconscious realm, to be made *conscious*, though this is the heart of Hegel's project.⁵ Oliver claims that the relationship between the two ethical realms of Family and Society is such that "woman fades as culture emerges" (34). That is to say, the Family serves a transitional function for Hegel's system, moving its members, through its burial rituals, from the unconscious to the conscious ethical order. As the family member confined to that realm, "woman gets left behind," failing to reemerge in later stages of the dialectic (35–36). The opposition between the realms of conscious human and unconscious divine law powers the move to higher levels of consciousness.

Hegel portrays the burial rites as the transition from the unconscious to the rational, conscious community, and the family is responsible for facilitating this transition. Without the assignment of women to the familial realm, there is no guarantee that the burial rites will get carried out; if all family members are free to move to higher levels of consciousness, the possibility is raised that no one will remain to maintain the familial realm. Man's move forward will ultimately be undermined by the power of "the lower forms of life, which [seek] to unloose themselves against him and to destroy him" without the family to hold those forces in check (*Phenomenology* §452). Oliver maintains that burial rites are essentially a protection against women (and the family) themselves, equated, as they are, with the unconscious:

Nature [which threatens the body without the proper burial rituals]
is associated with unconscious, abstract elements that manifest

⁵Similarly, Cynthia Willet has argued that Hegel's dialectical structure is modeled after an Aristotelian notion of tragedy as cathartic. Rather than reemerging in the third moment of the dialectic, the negated first moment is purged from later levels. Her discussion echoes Oliver's claim that the unconscious is inherently unable to proceed in the dialectic: "It is a pathos of dialectical advance that every reconciliation of opposed principles demands the systematic expulsion of what cannot be taken up into...thought" (170).

themselves as unconscious ethical relations in the family. The family is associated with this unconscious, abstract, sensuous nature...but as it turns out, it is primarily woman, as wife, mother, and sister, who is identified with these unconscious and irrational aspects of the family....Yet, the threat from which she protects man [by burying him] turns out to be the threat of nature and all of its associations....In this sense, the threat against which woman protects man is the threat of the feminine. (37)

Woman, then, offers herself as a sacrifice. She reacts to the intuitive ethics of her realm, follows the feeling of duty in burying her brother, but is never *conscious* of her duty as ethical: "Woman cannot reach this higher level of conceptualization because of her nature. Paradoxically, it is because she is bound by her nature that man can escape nature and enter culture" (Oliver 46). A crucial point of *Antigone* is that Antigone's critique of civil law results in her death. Antigone has no relationship with civil law: "Antigone's loyalties to a traitor have bothered other commentators, [but] Hegel is content that Antigone's duties have nothing to do with politics" (44–45). Woman's relationship to the civil realm is that of a surpassed (yet supportive) level of the dialectic. In this sense, it seems that Hegel's dialectic has stalled; the project of explaining "the path of the natural consciousness...through a completed experience of itself" has not accounted for the feminine element that has been left behind (*Phenomenology* §77). The dialectic has not truly given us a "completed experience."

It is a necessary condition of Hegel's structure that a sacrifice be made in order for the transition to civil society and subsequent levels of the dialectic to be possible. Yet this sacrifice, this leaving behind, calls Hegel's entire project into question:

If there is some part of the experience of consciousness that cannot be conceptualized, then Hegel's project is called into question. *Then the real is not rational*. If the feminine is not conceptualized and brought into the levels of the dialectical progression of consciousness, then there is an element that is left behind by the *Phenomenology*. Hegel's analysis of the feminine in "The Ethical Order" undermines the entire project of the *Phenomenology of Spirit*. (Oliver 52, emphasis added)

For Oliver, the *Phenomenology* is at best half of a full account of consciousness. Because Hegel has portrayed the feminine and masculine as “two naturally distinct self-consciousnesses,” he must give two distinct accounts (53). Yet the account he gives of the feminine is such that it cannot even attain the title of “consciousness.” This is a fundamental problem with the structure of the dialectic as a whole. It is not only Hegel’s gendered account of the ethical realm that creates a problem; a sacrifice must necessarily be made at the level of Family, whether we maintain the division along gender lines or turn to other criteria for choosing who will stay behind. In the process of making *everything* conscious, something must necessarily remain unconscious.

III.

In contrast to Oliver’s rejection of Hegel, Starrett argues that the structure of the Hegelian Family in opposition to the civil realm offers what she terms “Hegelian Critical Relations,” which work progressively without privileging one realm in favor of the other. She finds much to be gleaned from Hegel’s conception of Family, claiming that “Hegel has a radical and potentially empowering notion of women in the realm of family” (253).

Starrett claims that Antigone’s adherence to divine law provides a powerful counterpoint to Creon’s civil law, that woman “acts as an effective, viable, and even threatening critical opponent to those who are currently empowered through public laws of their own devising” (256). The opposition between the two realms, divine law and human law, family and community, acts as a kind of checks-and-balances system, powering the development of both realms. Starrett posits, “It is obvious that the nation in *Sittlichkeit*⁶ is male-defined, and that women as guardians of the family stand in critical opposition to it” (266). When a problem erupts in civil law such that it fails to account for divine, familial concerns, this critical relationship takes effect: “Antigone’s very presence in the public sphere problematizes the distinction between ‘public’ and

⁶*Sittlichkeit* is the “Ethical Order” section of *The Phenomenology of Spirit* and the “Ethical Life” in *The Philosophy of Right*.

'private' " (262). She represents the need to restore balance between these relations. Opposition powers the dialectical movement forward, and, Starrett claims, the fact that both realms work together to create this tension implies "that neither of the two movements will fail to be represented" (259).

Starrett acknowledges that there is danger in this opposition:

While the divine-human confrontation [is] at work, a strong spiritual element infused their interaction through the family and through women. But when the confrontation ceases to be critically counter-balanced and the positions are trivialized, the spiritual element is lost along with the...tranquility that once surrounded the relationships between men and women. (261)

The balance of this relationship is tenuous. The danger of one realm oppressing the other is always real but is offset, for Starrett, by the critiquing power each realm has over the other; Creon may, as representative of civil law, overstep his place and infringe upon what is properly under divine law, but Antigone has the power to oppose this move, *and vice versa*. For Starrett, the civil realm sustains the familial, and the familial realm sustains the civil. As we have seen, Oliver agrees with Starrett on the *second* point; her analysis reveals that the reciprocal, mutual relationship that Starrett characterizes is not compatible with Hegel's project. The "tranquility" which Starrett envisions is not possible under the dialectic; the feminine, familial realm supports the masculine, civil realm at its own expense.

IV.

The mediation between the positions presented is best found by considering their radically different portrayals of the dialectic. Oliver's portrayal of the dialectic seems to align more closely with the overall project Hegel has undertaken. Explaining everything, rationalizing everything is a continual, progressive process rather than an ongoing tension. Such balanced tensions, for Hegel, must come to imbalance in order for the dialectic to play itself out fully, as can be seen in his master-slave dialectic.

It would seem that a system such as Starrett presents may provide the kind of empowered position for which she argues, particularly given the stipulation that the two ethical realms need not be aligned with gender difference, but that it would fail to be a *Hegelian* position. For Starrett, the tension between family and community, divine and human, unconscious and conscious pulls the realms into a state of equilibrium. Starrett warns against imbalance in this relationship. If that tension is upset, if one aspect moves at the expense of the other, then "the spiritual element is lost" (261) and the positive effects of the family fall behind, yet the familial realm can reassert its importance, can, like Antigone, "problematize the distinction between public and private" (262) in order to maintain its function of a critical counterbalance. This seeking of balance, this process of each realm critiquing the other, is not the combination of the two realms into the third moment of Hegel's dialectic. For Starrett, the relationship functions best if the first two moments do not effectively "cancel each other out," in order to progress beyond both, but maintain an ongoing interaction. This process, I maintain, is not *dialectical*, but might better be characterized as a *dialogue*. Like an early Platonic dialogue, the critical questions with which the two realms grapple remain always unresolved; that is what ensures the continual recognition of one realm by the other. The conversation remains unfinished. If there is to be a move forward, and, indeed, the conversation will continually refine the relationship between the two realms, the movement will involve both parties.

Further, the issue of burial rites, of the necessary confinement of one gender (or of any particular group) to the familial realm in order to ensure the maintenance of a higher realm, can be resolved here. Unlike Hegel, Starrett does not portray the two realms in hierarchical structure; the preservation of one realm does not supercede the interests of the other. The Family is free to assert its own ethical importance against that of the Civil realm. The individual need not be confined to one realm or the other so long as both realms are involved in a proper dialogue.

I would also contend that Starrett's dialogue is such that it can take place within the individual; men and women alike can take on the role of family to bury their relations, thereby maintaining the dead's connection to the community without relinquishing their own right to act

as a member of that community.⁷ The kind of balance that Starrett seeks may be found within the individual's own balance of her/his responsibilities to each realm, leaving the community able to develop further as a whole. In this way, Hegel's massive and powerful system of the social world is in some ways maintained.

The objections and solutions raised by Starrett and Oliver point us beyond a simplistic revision of Hegel's system to a more thoughtful consideration of the limitations it contains. The dialectic fails on its own terms, yet it at least provides us with a starting place from which we can begin to formulate a dialogical ethics that, rather than continually progressing in the hierarchical way of the dialectic, lives up to Hegel's claim that neither family nor society, consciousness nor unconsciousness, male nor female, divine nor civil, intuition nor rationality "is by itself absolutely valid" (*Phenomenology* §460).⁸

⁷Though it is beyond the scope of this essay to discuss in detail, an additional rendering of Hegel's system can be formulated regarding the fact that the family, in burying the individual, is serving the community's interests and is, therefore, part of that community, again blurring the distinction Hegel would presumably maintain.

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