THE “SON OF CIVIL SOCIETY”: TENSIONS IN HEGEL’S ACCOUNT OF WOMANHOOD

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This paper starts with the establishment of a fact: just like the theories of his predecessors, Kant and Fichte, Hegel’s theory of womanhood is characterised by a vivid tension. Alongside his famous misogynous stance, it is possible to find passages which are much more favorable to women, and I will argue that the logic of his system should have led him to conclusions very close to recognising women’s equal rights in social, economic, and political spheres. Furthermore, Kant actually perceived this tension and the possibility open by his own premises for a more woman-friendly philosophy. I will look at this tension in detail and try to draw some conclusions from it. What does Hegel’s final choice in favour of the more conservative view teach us about the relationship between philosophy and its time? What does a speculative theory of womanhood teach us about philosophy of womanhood? What does it teach us about philosophy?

Hegel’s views on the inferiority of women are well known, either from the Phenomenology of Spirit or the Philosophy of Right. They generally agree with Kant and Fichte’s teachings on the same topic. The main difference between these philosophers does not lie in their conclusions, but in their particular speculative methods. Kant does not attempt a transcendental deduction (as Fichte does) or a justification through the moments of the concept (as Hegel does). He contents himself with the reference to nature as the ultimate criterion. However, if we study all the passages on women in Kant’s writings, we find all the same determinations of womanhood as in Fichte and Hegel. Kant’s views on women can mainly be found in the 1764 text on the Beautiful and the Sublime which foreshadows the third Critic, in his Anthropology, and in the Metaphysics of Morals. Fichte devoted a great number of pages to the question of womanhood
in his 1797 Natural Law. These philosophers’ views on women can be summed up and arranged in three layers:

1. The woman’s body is frail, made for reproduction and for use by man; woman must be passive and receptive. As a consequence, only man can legitimately pursue sexual pleasure.

2. The woman’s limited intellectual abilities prevent her from achieving in the fields of science and art or fully understanding them. As a consequence, there is no point sending a girl to school or university.

3. Woman’s general passive character and lack of intellectual abilities forbid her from having an active role in the outside world. She cannot work or be politically active. She has no legal autonomy and is represented by her father or husband.

I would like to argue that Hegel’s theory of womanhood is actually contradictory with the premises of his system, and more importantly that he was aware of this contradiction. Before I do that, I would like to add that the same applies to Kant and Fichte. Kant’s conservative assertions about women are expressly contradicted by his theory of family in the Doctrine of Right, whereby family is based on a special type of right which falls into the category of *jus realiter personale*, a right to persons akin to a right to things (Doctrine of Right, §§22–27, Ak VI, 276). Family is a type of *jus personale*, a right to persons, as the person is engaged in it and must be respected on the principle of personality. At the same time, the person is possessed as if he or she were an object, for instance in the sexual relationship, and so the right is akin to a *jus ad rem*, right to a thing. Now, because in this relationship the person is actually possessed by the other partner, the only way it can be morally and legally acceptable is if both partners agree to it as equal contractors; otherwise only one is treated as an object, which denies his or her inviolable freedom. Reciprocity is an absolutely necessary element in the marriage contract. On the basis of this contract, sexual reciprocity and notably the right to sexual satisfaction is an equal right of both partners (Ak VI, 278). The *Anthropology* contains this unexpected remark: “the husband will only be assured of his domestic authority if he is not indebted in respect of legitimate demands” (Ak VII, 309). Reciprocity also means equality in the possession of the partner’s person, which makes it impossible to give male adultery more legitimacy than female adultery. Finally, Kant’s definition of family implies equality of the partners in the administration of the family’s common capital.

This is the point where Kant acknowledges the revolutionary consequences of his family theory: “if the question is now posed whether it is in conflict with the equality of the partners for the Law to say of the husband’s relation to the wife:
‘He is to be your master’ (he is the party to direct, she to obey), this cannot be regarded as conflicting with the natural equality of the human couple if this dominance is based only on the natural superiority of the husband to the wife in his capacity to promote the common interest of the household, and the right to direct that is based on this can be derived from the very duty of unity and equality with respect to the end” (Ak VI, 279).\(^2\) Kant’s solution to the contradiction between the consequences of his theory of marriage and the view that prevailed at the time is that man is naturally superior to woman when it comes to managing the family’s property. \textit{De jure}, both have equal right to the common capital. But this fundamental equality is like an end for which the husband’s natural or factual superiority can be accepted as a means. Kant’s argument is basically that theoretical equality requires factual inequality to remain valid. But it is worthwhile noting that as man’s superiority is only deemed natural or factual, other times and other mores might require new means for the same end.

Amongst the three philosophers, Fichte is the one who shows the least compassion for woman’s fate. He systematically deduces each detail in the three layers listed above. There is no sign that he perceived any conflict between his theory of womanhood and his general doctrine of freedom. But that contradiction exists. In §3 of his \textit{Outline of Family Law} at the end of his 1797 Natural Law, he stated: “The characteristic of reason is absolute spontaneity: simple passivity for passivity’s sake contradicts reason and suppresses it totally” (GA, 4, 97).\(^3\) No matter how harshly Fichte judged women, he did not deny them reason. How then could he base his entire account of womanhood on the category of passivity?

One principle that forbids the denial of reason to women is the fundamental principle of intersubjectivity, which can be expressed as follows: “The human face is necessarily sacred for the human” (GA, 3, 383). Woman is certainly included in that principle. She belongs, as a human being, to the kingdom of moral ends; she is a free being. Now, one of Fichte’s central beliefs is that the human being fundamentally needs education in order to develop into a rational being: “Man alone is originally nothing. What he has to be, he must become. The ability to be educated is the characteristic of humanity” (GA, 3, 379). How could he then argue that women should not be sent to school or university (GA, 4, 134, sq.)?

He also shows that “before the social contract,” “all free beings” have the same Urrecht, basic or original right, “on all the material world” (GA, 4, 5). The ability to own property is a second essential determination of free beings. On that account, there is no reason why women should be excluded.

Fichte only deduces sexual difference after his entire theory of natural law and social contract is completed. The \textit{Mensch} he has in mind in this theory is the \textit{Mensch as Mann}. When woman appears as the second sex, she is relegated to a
grey zone, not the sphere of the free beings of the natural law theory since she is denied all rights of a rational being (the right to enjoyment of her own body, private property, education). And yet obviously she is a rational being. She had no part in all the deductions on the Urrecht and the social, economic, and political rights of the first part of the theory, because the Human in it is only Man, without this ever being mentioned or justified.

The tension in Hegel’s account of womanhood appears directly in his description of the sexual division of social and economic roles, namely in the description of the core of the family as the couple. In §§165–166 of the Philosophy of Right, Hegel actually violates his own conception of Spirit when he distributes the tasks inside the family according to gender. Family, as an ethical unity, is a figuration of Spirit itself. Starting with this fundamental view, Hegel finds an ethical significance in the sexual difference, in the sense that the two moments released in the sexual difference assume each of the two moments of the Concept itself. Indeed, thanks to this correspondence, the natural difference can be viewed as rational, and family as an ethical sphere is precisely where Hegel places the rationality of this natural phenomenon. One pole of the difference is “spirituality which divides itself up into personal self-sufficiency with being for itself and the knowledge and volition of free universality”; this is the moment of negation and division, which, by positing particularity of self-consciousness, gives the possibility of reaching universality, thereby creating concrete singularity. The other pole is “spirituality which maintains itself in unity as knowledge and volition of the substantial,” the moment of abstract universality in the form of substantive or non-developed singularity.5 Man’s destiny is the work of the Self against and towards true universality. Woman’s fate is to guard the substance.

The problem is that to attach an ethical significance to natural difference is a way of naturalising or biologising the spirit. As such it is a fault in speculative logic. In formal terms, spirit is nothing but the dialectic identity of the two moments of substantial unity and scission. But in a non-dialectical separation into two distinct natural poles, the dialectic richness of spirit is lost. If family is really a figuration of spirit, it must reunite in one identity the two contradictory moments, which are firstly self-enclosure, that is, rejection of the outside world, and secondly opening up to the outer world, which means negation of the family itself. Hegel’s logic of the modern bourgeois family is quite attractive as it provides a coherent account of the complex richness of the relations between its members and the outer world, the exclusiveness of its intimacy and at the same time the necessary openness to other families and individuals. It gives a coherent account of the contradictory task imposed on modern family members, to preserve the family’s intimacy, which Hegel calls “piety,” but also to endanger it through contact with the outside. But the weight of Hegel’s own time prevented
him from conceiving a sharing of tasks that would preserve the speculative richness of the family. According to speculative logic, this sharing would mean that each individual would be in charge of each moment of the concept of family. Each, that is the woman and the man, as a member of the family, must at the same time preserve the home and work as a Self for the free universality outside. In the dialectic between the inside and the outside, inside and outside reinforce and threaten each other; they are each the condition of effectiveness and of destruction of the other. Society is rooted in families who consume, work, and educate the future workers, but reciprocally, the family reaches its full effectiveness through the law that is made valid in society. Bourgeois society is a society of families, but bourgeois family is family in bourgeois society. This particular dialectic must operate in each individual, or else the sexual division of labour will make the primary ethical unity burst, and hence dissolve society itself. If man does not feel the need to preserve the cult of the ancestors, the intimacy of his home, what would make it his home? Why would he be tied to it? He would only be a free atom in the atomistic system of civil society. On the other hand, if woman was to be entirely confined to the private sphere, it is impossible to comprehend how she could survive the dissolution of a family that is supposed to be her entire universe. How would she survive the brother leaving the parental home, or her children leaving her own home? In Hegel’s logic of womanhood, there would be no alternative to madness and rebellion. In this context, it makes some sense that Hegel’s choice of mythological characters to typify femininity were Electra and Antigone, sisters who sacrificed themselves for their brother. He never took his own sister’s mental disease to heart. She committed suicide a few days after his death.6

Paragraphs 165 and 166 of the Philosophy of Right refer to the passage in the Phenomenology where sexual difference is touched upon. This is the point where we discover that Hegel had perceived the difficulty in his theory of family caused by the sexual division of labour. He replies there to the objection we have just looked at: “These two universal beings of the ethical world have, therefore, their specific individuality in naturally distinct self-consciousness, because the ethical Spirit is the immediate unity of the substance with self-consciousness—an immediacy which appears, therefore, both from the side of reality and of difference as the existence of a natural difference.”7 To the objection that sexual division of labour actually destroys the spiritual life that makes family an ethical sphere, Hegel retorts with the notion of “immediacy.” Since identity in family is only “immediate,” it exists only as the identity of non-reflected differences. Nature persists in this spiritual sphere as gender, and as nature is for Hegel the non-dialectical moment of spirit, therefore gender splits the identity of spirit in two unreconciled differences.
Is this answer satisfying in Hegelian terms? Hegel’s counter-objection stumbles over the other concept that defines family: unity. Ethical unity is the very concept that defines the specificity of family over any other community, for instance a contract. It is in his effort to try to encapsulate the specific logic of the family tie that Hegel came across Kant’s famous definition of family as a contract and criticised it. Paragraph 163 is very clear: “The ethical aspect of marriage consists in the consciousness of this union as a substantial end.” The model of unity chosen here by Hegel is quite radical since in this unity each pole loses all autonomy and singularity. In the words of §162: “the objective origin (of marriage) is the free consent of the persons concerned, and in particular their consent to constitute a single person and to give up their natural and individual personalities with this union.” It is more in this that immediacy lies, in such an identity without mediation between the two poles, in the non-dialectical model of the fusion. The theory of love and marriage that is expounded here can be seen as a remnant of Hegel’s first theory of love in his early writings, where absolute equality of the lovers was the rule: “Love acquires this richness of life in the exchange of all feelings, of all the multiplicities of the soul, in that it searches infinite differences and finds infinite reunions. What is the most specific is united in the feeling, the fondling, until loss of consciousness, the disappearance of all differentiation. True reunion, true love only occurs between living beings that are equal in power.”8 In these early writings, Hegel’s model of femininity was not Antigone but Juliet.

Here lies the tension. Hegel has only just explained how man and woman lose their natural differences when they enter the first ethical sphere, but then he hurries to separate them anew along the natural, sexual divide. In this new division, the ethical unity seems lost. This tension also appears in the passage in the Phenomenology to which he refers. Hegel started by defining, without any real justification, the separate destinies of man and woman. The former takes charge of human law, the latter of divine law. But the passage finishes with unity: “the union of man with woman constitutes the active middle term (die tätige Mitte) for the whole” (PhS, 278), which means that family is the sphere where the two laws, the law of the Polis and the law of family piety, can coexist. Again family is defined as reunion, as union and unity. Now we must ask, what could be the stability and viability of a reunion doomed to split into an active and a passive pole? If family as an ethical unity is truly an “active middle term,” a “medium,” an “element,” then it can only be this if it is impossible for the components to be dissociated, at least in such a definitive way. Otherwise unity is merely the abstract adjunct, the addition of two distinct separated terms; it is no real unity, but a composition. It cannot be conceived as an ethical “element,” in which ethical life could thrive. Hegel uses the agricultural metaphor of the soil to describe each of the three ethical spheres. This is a way to suggest that the reunion of the
individuals, of the lovers in the couple, of the workers in civil society, of the citizens in the State, is more than the abstract sum of the single units. The individual only attains its true essence, as a singular plant, in the universal soil of the whole. Now, what is the nurturing value of a soil in which the components are not considered in their interaction, in their unity, but as separated from each other? This is no longer a soil or “element.”

The end of the text reiterates this contradiction. Family is described as the “immediate reunion” of the two syllogisms (Schlüsse) of human and divine law, a reunion that makes them “one and the same syllogism.” Family “unites into one process” the two opposite movements: the “downward movement of human law to the danger and trial of death, . . . the upward movement of the law of the nether world to the actuality of the light of day and to conscious existence.” But the same question arises: how can the reunion of man and woman make one and the same movement out of two, if each of them is only in charge of one? Where does the “immediate reunion” take place, which ethical soil does it take root in? Doesn’t the definition of family as unity make it necessary to negate the functional disjunction of the two terms if a middle ground be created in which both movements can occur at the same time, as one and the same? With his theory of family, Hegel tries to combine two incompatible qualities: family as a fusional unity on the one hand, against the Kantian construct, but also the sexual division of labour that prevailed at the time. As the passage referring to the *Phenomenology* proves, he was well aware of the tension thus created, and he tried to conceal it behind the concept of immediacy.

The same tension appears in another place of his theory of human development, in the genesis of the social individual, which brings him or her from childhood to independent adulthood. This is the problem of female education. It is immediately obvious in Kant’s lectures on education that the subject of education is exclusively male. At the end of the introduction to the book made from his lectures, although he had seemingly spoken thus far of the *Mensch* in general, this *Mensch* suddenly becomes *Mann*: “How long will education last? Until the time when nature has decided for man to become his own guide, when the sexual instinct is developed in him and in his turn, he can become father, and become himself an educator” (Ak IX, 453). Equally, at the end of these lectures, although the topic up until then was the Child, *das Kind* in general, we discover that only the male child was being considered. Kant warns teachers about the sexuality of the young man. The female is here only regarded as a possible or even preferable object of desire (to be preferred to the self). She is not considered as a possible subject of education. As early as 1764, in his observations on the Beautiful and the Sublime, Kant had tried to prove that education for women had to be different from education for men, as they possess different types of intelligence. As women’s “beautiful” intelligence would not be able to grasp
deep principles or hard facts, and could only be reached through feelings, their education should be education through emotions. Kant remarked, in a clear condemnation of the attempts by some of his contemporaries to spread academic education to women: “this form of education (through emotions) is so rare because it requires talents, experience and a heart full of feelings, and women can very well do without any other teaching, although even without that they usually cultivate themselves very well by themselves” (Ak II, 231). And before that: “It seems to be an evil ruse by men to have tried to bring the beautiful sex to this taste against nature” (Ak II, 230). Fichte, for his part, in his 1797 book on Natural Law, deduced the uselessness of sending women to schools and universities as they could not in essence contemplate a career for which academic education would be necessary (GA, 4, 134).

Hegel, on the contrary, does not seem to exclude female children when he states in §174 of the *Philosophy of Right*: “Children have the right to maintenance and education at the expense of the family’s common capital.” As a true follower of Enlightenment, he sees education as a fundamental need and right of human beings because it makes them become what they are, that is, rational and free beings. But the human being does not have to be gender-specified for him or her to claim his or her right to education. Hegel never implies what Kant could not conceal, namely that education only concerns male children. The demonstration in §§174–180 of the *Philosophy of Right* never makes a distinction between brothers and sisters. Rather, equality of treatment seems to be the rule. In fact, if we now look more closely at the equality of treatment in these pages, we discover that the equality is even broader and appears to include other areas of social equality.

At the end of a comment on §180, Hegel condemns the Roman Law institution of heirs-at-law that “favours sons by excluding daughters from inheriting.” Such an institution is wrong because it violates the defining principle of the modern world, freedom of property. This clearly means that for Hegel daughters have the same right as sons to inherit, that is, to own property. This accords with §177 which stated that, with the dissolution of the family, “children become recognised as persons in the eyes of the law and as capable of holding free property of their own and founding families of their own,” whatever their gender. The passage explicitly recognises the right of women to have their own social and economic status. In a note written in his personal copy of the book, Hegel added: “exclusion of daughters; inequality with brothers—daughters have their own needs—same ability to own property.” The first words clearly reprove the harsh treatment of daughters in the Roman world; the last underline daughters’ equality with their brothers in the ability to own property. Indeed, this remark goes even further than simply the right to inherit and possess. Hegel also condemns the Roman Law testament theory according to which the woman was incapable
of inheriting from her children or having them inherit from her. These provisions are wrong because their basic assumption is that the adult woman is an eternal minor: “permanent minority—from generation to generation.” Or even worse, the law assumes that woman is only an object, not a subject of rights. She is only there for man’s benefit: “the woman is useful, she is for the use of the man, and to reproduce the family.” The Roman wife, he comments, is “not wife as spouse,” Ehegemahlin. The status of modern woman must be defined in complete opposition to the legal status of woman, wife, and daughter in Roman law: she is a free being who as such has a right to inherit and own property; and more profoundly, she is not an object in her husband’s hands, but an equal subject of rights.

It seems that Hegel defended equality of treatment between brothers and sisters because he implicitly acknowledged a more profound and far-reaching ontological equality between men and women. In §167, he condemned both polygamy and chivalry as extreme examples of situations in which woman is not considered for what she is, namely a person, and as such equal in status to man. In polygamy, women are “slaves.” In chivalry, the man places woman higher than himself but then he does not consider her according to her personality, any more than in polygamy. Hegel states very clearly what he considers the right balance: “to value and place woman as equal to oneself—not higher—equality of rights and duties—man must not have more value than woman—not lower” (Grundlinien, 321). Such fundamental equality of man and woman based on the same principle of personality, which, according to Hegel, has now become the rule in the modern world, is the basis for legal equality required in testaments that we just looked at. This overall equality extends as far as intellectual abilities, if we accept as authentic a passage from a lecture on philosophy of right from 1820: “The persons who enter marital relationship are not different in general. . . . According to the view of traditional psychology, it may seem that some abilities are denied to women. But it is out of the question to think of such a bad division. The difference can only affect the art of externalisation.”10 Men and women share an ontological identity in their intellectual abilities; only their external expressions differ.

Now that this general base of equality has been established against all expectations, we can try to show where another tension lies. To do this, we have to return to the problem of education. As I have shown before, it looks as if Hegel did not exclude women from the right to education. According to §177: “children are brought up to become free personalities.” The tension arises in the transition from family to society. In the family sphere, it seems no discrimination has taken place. Children have equal rights within the family. They are educated by their parents, then by the State. Eventually they are ready to enter the world of economic and social competition. The family dissolves, “civil society tears
the individual away from family ties, alienates the members of the family from one another and recognises them as self-sufficient persons” (§238). Up to that point, the individual in question has no specific gender. Hegel talks of “das Individuum” and “der Einzelne,” terms that can apply to both sexes. And yet the last words of the paragraph suddenly specify the individual’s gender: “thus the individual becomes a son of civil society, which has as many claims upon him as he has rights in relation to it.” “Son” and not daughter, “his” rights and not hers. The reason behind this sudden gender-specification is obvious against the background of §§ 165–166 that established the inability of women to be active in the outside world. This specification is, however, in direct contradiction with all that precedes it on the education of girls. If daughters have the same rights as brothers to be educated in order to become the free beings which they are in essence, if they have the same right to the family’s common capital, why should they be excluded from the very sphere in which this freedom and this capital are employed? If women must be recognised as free persons, how can the limitation of their social, economic, and political activity be justified? Hegel’s logic teaches that the being which remains in itself without going to Dasein is pure nothingness. Isn’t this the fate reserved to women’s freedom if they are to be denied the chance to express and develop that freedom in the only possible spheres, namely civil society and then the political state? When Hegel wrote in the first part of the Philosophy of Right that “a person (die Person) must give herself an external sphere of freedom in order to have being as Idea” (§41), this cannot exclude women, or else the personality in women which Hegel clearly recognised would not be an idea, that is, true personality.

The most interesting aspect of this tension is not its existence but the fact that Hegel perceived it and tried to overcome it. The contradiction is openly admitted in §171, which deals with the problem of administration of the family’s common capital. On the one hand, Hegel has given all economic and social responsibility to the Man. He can therefore declare: “the family as a legal person in relation to others must be represented by the husband as its head. In addition, 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 capital.” But Hegel at the same time strongly rejected the Roman view of family. In his attempt to describe the emerging modern bourgeois family, he posited the ontological equality of all members, of the parents as a loving couple, and of brothers and sisters. This fundamental equality, which makes it impossible to use a family member as an object in the hands of an all-powerful father, was translated into the equal treatment of children, whatever their gender, in matters of inheritance and education. It is now translated in the use of the family’s capital: “this capital is common property so that no member of the family has particular property, although each has a right to what is held in common.” The father is not
the owner of the family’s capital, only its administrator. This was already Kant’s solution. But this subtle variation is not enough to avoid the contradiction. Hegel acknowledges it when he says: “This right and the control of the capital by the head of the family may, however, come into collision.” Hegel waters down the problem as a possible contingent consequence of the immediacy in family. Again immediacy serves as an easy response to conceptual contradiction. The solution offered by Hegel is that in a case of mismanagement of the family’s property by the father, the State has the right to interfere and deprive him of his right of administration. But this answer only addresses the contingent problem that may occur in the frame of Hegel’s interpretation of this collision; it does not address the actual conceptual contradiction or collision that has been unveiled.

The problem is a conceptual one, and hence a matter of basic legal definition. Either the family is truly a figuration of spirit itself, and then each member of the family has the same rights to the family’s property as a consequence of the more fundamental equality of status. Thus the wife must have the right to be equally involved in working for the family, attending to its needs, controlling and administering it. Or the father keeps his predominant position as the only true subject in the family. Again, Hegel tries to combine two views of family, that within the frame of his own system, should exclude each other. However, it must also be said that in the general perception of this collision, Hegel did not totally close the door to female involvement in the administration of the family’s capital. The English translator has to be very careful to respect the exact wording chosen by Hegel. He did not quite say, as Knox translated: “It is his (the husband’s) prerogative to go out and work, etc.” His words are less exclusive: “It is he primarily, or preferentially (vorzüglich), who is responsible for external acquisition, etc.” Hegel does not say “exclusively.” It is not a prerogative, but a responsibility which he is mainly to bear. The text implicitly allows the wife or even a child’s involvement.

Eventually, Hegel clearly expressed his hesitation about the legal status and economic role of women in modern times. He commented to his students on §166 of the *Philosophy of Right* in the Heidelberg lectures: “For a long time, it was doubted if the female sex belonged to the human race. Woman is a free being for itself, but experience presents the difference between her and man.” Woman is human and as any human being her basic freedom must be posited and recognised. But in the main the history of civilisations and even modern times, in which Hegel sees the Parousia of Spirit, present us with the paradoxical restriction of this freedom. The thinker of the rationality of actuality then prefers to believe what experience shows him rather than trust the logical consequences of his own principles. His theory of the embodiment of the spirit in the human being should lead him to extend social, economic, and political rights to all human beings. But he prefers to rationalise through a pseudo-speculative
argument what is only a particular state of social and gender relations. What experience shows, that is, a historical construct of such relations, is naturalised into fixed determinations which exclude change. De jure women are men’s equals, de facto they are not, and that is where Hegel leaves it.

What remains to study now is the way Hegel constructed these fixed natural determinations about women that enabled him to justify their social, economic, and political exclusion. The natural difference between the sexes is posited in §397 of the Philosophy of the Spirit: “Subjectivity remaining in an instinctive and emotional harmony of moral life and love and not pushing these tendencies to an extreme universal phase, in purposes political, scientific or artistic” as opposed to “the active half where the individual is the vehicle of a struggle of universal and objective interests, etc.” This is a simple description, artificially constructed around the three moments of the concept, of idealised types of feminity and masculinility. The awkwardness of such a construction is manifest if we reflect that this passage, which is supposed to describe the natural difference in the anthropological investigation of the soul, actually mingles without justification historical and sociological with natural determinations. This means more than the simple truth that women are excluded from the economic and social sphere because of their lack of proper abilities; it means that their absence from the social sphere is in itself a natural determination, a way to characterise their very nature. Woman is anthropologically an-economic, a-social, a-political. On the other side, the sexual basis of male activity in the outside world is justified by a Lacan-style metaphor or play on words: the one who can get hard (“sich spannt”) is also the one who can harden himself for the struggle against the outside world. In both cases, the psychosomatic and social determinations intermingle; the psychobiological justifies the social, which in turn gives the psychobiological its “moral and spiritual significance.” The proof is perfectly circular. Paragraph 397 in the chapter on the subjective spirit announces determinations that the objective spirit reproduces on the basis of a reference to the subjective spirit; in the end, the determinations are deduced or justified nowhere.

The moral and ethical significance of the division of the sexes is supposedly based on an anthropological difference, described in the Philosophy of Spirit as the difference between the male and the female soul. This difference itself is based on the emergence of two biological genders in the Philosophy of Nature. They are described and deducted in the 1805 Iena system outline, and later in his lectures on philosophy of nature Hegel reused the pages he wrote in Iena. A quick look at the deduction of the two sexes in this text gives us a final clue about Hegel’s way of dealing with womanhood.

The starting point is the non-differentiated individual as a general representative of the concept in this sphere. Both sexes are only the differences of an identity, the identity of the human being as a species. In the words of the Iena text:
there is an “original identity of formation,” “a same type.” That, which should also be true of basic intellectual abilities, as Hegel himself stealthily recognised, is true on a biological level: “on account of the original identity of formation, the same type underlies both the male and female genitals.” However, according to Hegel and his quotations from the works of the anatomists of his time, the study of the genitals in the framework of the original identity shows that the female organs have developed under the aspect of “indifference” or lack of activity, and the male organs have developed in the opposite way. Receptive organs have grown in the female and shrunk in the male, and protruding organs have developed in reverse. The uterus has become the prostate and the ejaculatory ducts; the vagina is a development of the scrotum; the ovaries are an internalisation of the testicles; the clitoris, the “unactive feeling,” becomes the penis, the “active feeling.” Woman passively rejects blood in the menses whereas man fills himself up with blood in the erection. Hegel concludes, “through this difference therefore, the male is the active principle, and the female is the receptive, because she remains in her undeveloped unity.”

The problem in that symmetry and the conclusion drawn from it is that they hide another circular proof. Hegel can only establish such a correspondence and the interpretation it suggests because he has postulated them both at the beginning of his argument. This is easily discovered in the sentence I quoted before, in which the identity of the original is stated: “On account of the original identity of formation, the same type underlies both the male and the female genitals, only that one or the other, one or the other part of the notion dominates; in the female it is necessarily the passive moment, in the male the moment of duality, of opposition.” We might well ask, why “necessarily”? The only necessity that might make us attribute one moment of the notion to one of the sexes can only be this “experience” mentioned before, that is, a certain naturalised vision of woman’s place in society. Because woman is denied an active role in the society of his time, Hegel concludes that her physiology must express the notion in its passive aspect. Hegel hid the perfect circularity of his reasoning under the encyclopedic progress: the Philosophy of Nature describes the sexual difference from the biological point of view; this is echoed in the theory of the natural determinations of the spirit, the anthropology in the philosophy of the spirit; and the whole is crowned by the “intellectual and ethical significance” of the same difference. But this progress is only illusionary. The very first passivity, that of the anatomy, is only justified through an appeal to evidence, which is nothing but the prejudice of the time. The same applies to the soul. The operative principle behind the entire demonstration is a giant and almost magical metonymy of passivity that is systematically attached to the entire female universe.

However, notwithstanding all these efforts by Hegel to underpin women’s inferiority, we should not forget his alternative view of womanhood. He was
caught between the necessary conclusions of his theory of the free subject, which could not without contradiction exclude women, and had therefore to acknowledge their substantive equality to men, and the pressure of his time to give a speculative account of their inferiority. It must be said to his credit that he was at least able to perceive the tension in his own philosophy, the contradiction in his own time.

The position of the idealist thinkers in a history of philosophical theories of womanhood seems to be a turning point. The idealist thinkers have come very close to a justification of the substantive equality of the sexes. It was a necessary consequence of each of their systems, all based on the principle of freedom of the subject. But these thinkers also wanted to be thinkers of their time. They all conceived their own time as a time of revolution: after the French political episode, a period of new social, economic, political, artistic and scientific, and above all philosophical creation. This led them, in one way or another, to see reason arrived at some type of parousia in their own time, and therefore, to use Hegel’s words, to think the actual as rational because the rational had become actual. Therefore, it was impossible for them to accept a view of women that was so antagonistic to the mainstream representation of their time. They were all quite advanced in the fight against slavery, but perhaps this fight had then made more progress than the cause of women. The French Revolution had freed the slaves until Napoleon restored the system, but the same revolution had stymied the few attempts to give women an active role in society. In the fight for women’s rights the German philosophers all chose the conservative side and ridiculed advocates of women’s rights. The reason for their choice must lie, not in personal animosity against the other sex, but in the concept of reason they were operating within and which was available at the time. Because of their special position in the history of Western thought, it seems to me quite fruitful to study in detail the tension in the idealists’ accounts of womanhood to see how such rigorous philosophers as Kant, Fichte, and Hegel could twist their own systems, err in their own logic, in order to arrive in the end, at all cost, at the justification of women’s inferiority. There are several types of lessons to be learnt from such study.

First, we obviously learn more about the history of argumentative strategies thanks to which male power was formalised and asserted in discourse in the years after the French Revolution. Many of the arguments used by these great philosophers reappear in one form or another right up until our time.

Second, their rigorous attempts to justify and deduce the principle of universal freedom and concurrently the exclusion of half of humanity from the fruits of this freedom mark a new and very important episode in the odyssey of Western reason. With the German Idealists reason becomes an absolute and autonomous power which shapes the world in every possible aspect. The human being, as an
embodiment of that reason, is itself absolutely autonomous, that is, absolutely free and to be absolutely respected. German Idealism is the philosophy of political freedom and of the absolute value of human rights. But the Human they consider is only half of the world, the Man. When they say *Mensch*, what they really have in mind is *Mann*. Their concept is an abstract figure of Manhood, or even, one would be tempted to say, of the Phallus. However, they also more or less perceived the problem they were faced with when they did this, which is why they try to justify it through a theory of women’s inferiority. German Idealism marks the realisation in Western thought of the tension between universality and sexual difference. Women, as human beings, are the same as men; they are entitled to the same social, economic, and political rights. And yet, as women, they are different. The next step after the affirmation of the absolute nature of human freedom was to extend it from half of humankind to the other, excluded half. This was the necessity behind the fight for women’s rights that lasted until the Second World War. Now that the theoretical equality of men and women has been theoretically recognised, a new task lies ahead in which the abstract nature of the universality underlying our understanding of equality is questioned and replaced by a new line of thought that takes seriously the original fact of sexual difference.

The third lesson is epistemological: by watching closely Hegel’s way of diffusing the tension within his theory, we have a first-hand example of the twists and turns imposed on logic by forces beyond reason. This is quite a fascinating case: Hegel was on the brink of recognising the full equality of men and women, and he implicitly did this in several passages. We can witness his hesitation and finally his choice of the conservative option. The conceptual logic then gives way to a reasoning based on contamination or metonymy: passivity as a category is attached to womanhood in all levels of determination. The progress of encyclopedic reasoning gives the illusion of a progressive deduction of new determinations, but this is only an effect of Hegel’s construction. Behind this lies a circularity that proves nothing. The same process of avoiding necessary but unwanted consequences can be traced in Kant or Fichte.

The great force that constantly derails the line of thought of these philosophers is the female body. Its specific features are interpreted as the negative counterpart of the male body, formalised and projected into the conceptual category of passivity, which then pervades the entire feminine world. This is a great lesson of Idealist philosophy on women. Their very mistakes point out to the deep origin of the constant domination of men over women, the driving force of so much social behaviour which signals and perpetuates that domination. Whatever the subsequent explanation, maternity and the absence of a penis, the dark mystery of the womb, seem to be primordial in the vision of women within male-dominated society, and mere biological attributes are enough to relegate
them to an object status. The painting by Courbet, the *Origin of the World*, in its crudeness and the history of its century-long hiding (its last owner was Lacan!), is a fascinating picture of this male anguish in front of the other body to which males owe their life. Even among the greatest defenders of the free subject, women’s bodies have imposed their power and weight (or maybe it is male bodies which men are obsessed with, and the female body is rather the other body, or the body of the other), so much so that the logic of their thoughts could not resist it. As in an Einsteinian system, the gravitational force of the female body (or again of the male) deforms the geometry of the most rigorous logicians. Perhaps because she does not have the man’s body, woman remains a body before she is viewed as a person, a conscience, an intelligence, or a freedom.

In Hegel’s case one could argue that the opposite actually happens: he seemed to base his interpretation of the female anatomy on a naturalisation of historically determined social relations. But as his entire system of proof is circular, the naturalisation of the social is in fact equivalent a socialisation of the natural. This is exactly what happens if we carefully examine §§165–166 one last time. The first sentence of §165 says it all: “The natural determinacy of the two sexes acquires an *intellectual* and *ethical* significance by virtue of its rationality.” The basis of the argument is the naturality of the two sexes. In saying that their natural determinations receive extra significance, Hegel admits that all he is doing here is to double these determinations by repeating them, so that the natural is directly called intellectual and political. This is an explicit ethicisation of the natural. The result can be seen in the next paragraph: “In relation to externality, the former is active and powerful, the latter passive and subjective.” These symmetrical determinations, which summarise the role of man and woman in society and in the family, are obvious metaphors that use the sexual reference and the system of correspondence established in the Philosophy of Nature as a theme in order to illuminate the domestic and social roles of the sexes. Just like Kant and Fichte, Hegel cannot but interpret the otherness of the female body as an obstacle to female autonomy. Her intellect, her political, social, and economic independence are smothered in her womb.

These philosophers’ accounts of women are only true in as much as they correspond to the truth of their time. They probably give a trustworthy picture of Western societies’ construction of womanhood after 1800. Because they deny women any rights in the outside world, they are totally wrong. And yet, as wrong as they might be on a factual and theoretical level, their arguments still hold enough potential to make us read them with more than mere historical interest. They have not been wrong on the factual level for such a very long time. More profoundly, though, the unconscious fund of thoughts and beliefs that still govern our world is that Man is the true representative of the Human. So many social phenomena, echoed in language, show that still today woman is a being...
who lives outside the circle of humanity par excellence. The philosophers who tried to explain rationally why the male human is the only true representative of reason still speak of today’s society. When Hegel explicitly equates man with the “autonomous concept” in opposition to the passive woman, we feel that his conceptual logic still functions as a speculative abstract of the social beliefs underlying a great number of our socio-political organisations. Notwithstanding theoretical and political progress, the great majority of representations of woman continue to conceive and portray her as a body and not a person. The female sex continues to obsess male minds with the same imperious force that warped the logic of the speculative philosophers.

And yet, in spite of the persisting features of male domination, the idealist discourse on women has become substantially false. The substantive truth of today, before the new conceptual advance is definitely secured, is that woman is an integral part of Mankind, and as such possesses equal rights to man. German idealism can be viewed as the philosophy of universal freedom that prepares for a philosophy of human rights that is now well established and can open a new era where universality of rights and real consideration of the sexual difference are conceptually attuned. In this way, idealist philosophy can be said to have been fruitful in its wrongness as it paved the way for today and tomorrow’s truth. It was necessary to prove that “all are free,” to be able to prove that all, that is, male and female, should actually be free. Therefore we can apply Hegel’s interpretation of Plato’s place in the history of philosophy to Hegel himself and the idealists. According to Hegel, it is Plato’s very error, his overlooking subjectivity, which makes him a great thinker, as on the one hand it reflects the truth of the Polis, and on the other hand announces the world to come. In the same manner, the contradictions in the idealists’ accounts of womanhood are at the same time a condition of the adequatio to their time and the announcement of the new world. Somehow Kant, Fichte, and Hegel were too great not to go beyond their own time.

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NOTES

1 References to Kant’s works are, unless otherwise noted, to Gesammelte Schriften (Berlin: Königliche Preußische Akademie der Wissenschaften). Unless otherwise indicated, all translations are the author’s.


9 Hegel, *Grundlinien der Philosophie des Rechts* (Frankfurt am Main: Suhrkamp, 1989), 337.
