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The Embedded Individuals. An Analysis of a Fundamental Concept in Hegel's Philosophy of Right

The following thesis includes the result of my last analysis of Hegel's Philosophy of Right: **The idea of free individuals, who are not deeply embedded in institutionalized communities, but who act on grounds of their own consciousness, needs, beliefs or will is negatively assessed. In his Philosophy of Right there is no place for unbounded individuals.** On the contrary: For Hegel it is in the **interest of reason** that individual's capability to follow his conscious is transformed in the obligation of persons to follow the **law**:

the individual's desire to love someone is transformed in the day by day interaction of an institutionalized **marriage**;

the individual needs on the market for income and consumption are transformed in activities which are determined by status organizations such as **corporations**;

the political will of individuals (citizens?) is transformed in being members of **representative bodies** and

the subjectivity of people (whether they are atheists or (pious) believers) should be transformed in the rites and cults of **(Protestant church-) communities**, controlled by the church, the state and the police.

Doing so Hegel built on **historical formations**, which play an important role in Central Europe, especially in **Germany** until today. The society described by Hegel is free as a "**society of societies**" (Montesquieu) with a high level of self-organization. The individuals are free in so far as that they are integrated in these institutionalized communities. If not it will be bad for them!!!

In the following, I like to present four theses step by step in order to make my main thesis more plausible.

I Thesis: Hegel's concept of a modern state and society is related to historical developments at his time.

Further question is: Can we nevertheless identify an "utopian potential"(Lucio Cortella)?

II. Thesis: In the concept of family as a combination of passion, marriage and parenthood the author transforms the modern idea of romantic love into the structure of institutionalized marriage and

parenthood. Hegel`s progressive ideas are however overshadowed by his understanding of a patriarchal domination on the base of an (un-Hegelian) assumption of “natural” determined gender roles.

Further question: Does Hegel see a place for unbound passion (romantic love) in modern society except in the sphere of art?

III. Thesis: In Hegel`s concept of the bourgeois society (male) individuals are free to satisfy any needs by work and produced prosperity, no matter if it is good for others or themselves. Consequently, individuals must be embedded in corporations to overcome their selfishness and to base their activities on professional ethics. Unbound is only the mob.

Further question: Do you see any indication that Hegel looks for a different society without inequality and injustice?

IV. Thesis: The notion of state in Hegel`s Philosophy of Right is based on his assumption that the constitution is the totality of all institutions. Individuals are members of the state as they are members of representative bodies of their institutions. But there is no place for individuals as citizens (to vote or to discuss about politics in a public sphere).

Further Question: Do you see any argument in The Philosophy of Right on which democratic concepts (like citizenship, free voting, public sphere) can be based on?

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Further Reading:

CHRISTIANE BENDER (2016): Hegels Beitrag zum Verständnis von Familie, Gesellschaft und Staat im Deutschland der Gegenwart. In: Spieker, Michael (Ed.): Hegels Begriff der Sittlichkeit in der Rechtsphilosophie, Tutzing 2016.