

**Falling In Love With Hegel (And Rousseau):
Recovering the Place of Virtue and Ethical Self-Constitution In Marriage**
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INTRODUCTION

Hegel roots marriage in freedom and without freedom, Hegel's account of love would cease to belong to his thought. For in so grounding love, Hegel secures both the enduring importance of marriage as a concern for modern state and the experience of love as an abiding concern of the individual summit of the good life. So, Hegel makes us a promise about the nature of freedom: it is the fulness of being and, in this experience, a happiness. As a fulness of being it is that complete satisfaction that Aristotle called *eudaimonia* and which Hegel expresses lyrically in Preface to the *Philosophy of Right* in the phrase “Here is the rose, dance here”, such that we are *not* separated from the world by some <“abstraction”> but immersed in its satisfying possibilities (PR Pref. <X>). Yet Hegel's account of love seems to betray this promise: it removes the texture of love, the deep experience of the world in concrete complexity. It does so because seems to find no place for embodied, unique genius of partners-in-love, those “personalities [...] which are infinitely unique to themselves” (PR § 168) and their seemingly subjective basis of happiness (PR § 123). Largely through an examination of Hegel's *Philosophy of Right*, this article explores a tension within Hegel's account of love and the satisfaction promised by freedom, and how this tension might be made good by following some clues to the relationship between love, freedom, and happiness in Rousseau's account of love.

As an ultimate result, this paper explores Hegel's account of the shape of that experience of love as a way to illuminate some difficulties within Hegel's own account of familial love and why he made the choices he does in characterization of the experience and stage of familial ethical. In doing so, I suggest we begin to answer three enduring problems and hopefully suggest solutions to them. *First*, what is the proper object or end of love—ie., what ought we to love when individually pursuing love as an aspect of the good life? *Second*, what are the institutional conditions which this moment of the good life requires for its fulfilment. *Third*, how do we handle (practically and theoretically) the challenge or tension between, on the one side, the proper objects or ends of love that we ought to pursue, and the institutional arrangements to secure those possibilities of the good life for us, and, on the other side, that wondrous and irreducible variety of human diversity and experience?

In answering these ultimate questions, there are two modern ways that we could intellectually lean. If we lean to human variety and the unknowability of human good, then the question of the proper objects of love and the institutional arrangements which secure them falls away. If we lean to the objective and the articulatory of those ends, then the question of human variety falls away. These two choices play themselves out, broadly, in two philosophical trajectories. On the one hand, the liberal tradition stretching from Hobbes's famous twin dismissal of the possibility of a *finis ultimus* or *summum bonum* in the nature of things and the embrace of the irreducible diversity of appetites such that even empirical regularity in behaviour and desire is impossible.¹ On the other hand, there is the Kantian tradition in which the structure of human relationships are fixed by the objective demands of reason and autonomy, such that to choose other than according to the categorical demands is to choose freely, and therefore impermissibly. Thus for Kant, attractive to others in their particular uniqueness is understandable only as a perversion of what ought be our love of humanity as humanity. To love another as the other is their particularity—particularly the particularity of their sex—is to remove the dignity of the person, to reduce them to an object. They become only their sexual attributes and capacities (Kant, *Lectures on Ethic*, p.<X>).

So, in these two modern traditions, with the expressivistic turn, one ought not to ask what marriage ought to be, except to say that it ought to be what you *want*; in the objectivist turn, marriage ought only to be one thing, *regardless* of what you want.

While Hegel's account of love and marriage seems at first to fall wholly within this objectivist tradition, I suggest that his approach, or, more accurately, a problem with his approach—to binding love to the good life or freedom—can help us understand the ways in which this expressivist and objectivist traditions—love as indifferent to personal choice; love as constituted by personal choice—each captures an important but not exhaustive moment. Do the experience of love-as-human- fulfillment and how grasping their relationship can help us answer the first two questions (proper objective love; proper institutional shape of love). And the answer will be that we need to understand the relationship between these two as two moments in what it is to initiate and maintain an ethically loving relationship—i.e., a relationship which is an instance of the good life or, more commonly, an instance of freedom. That is, we should not understand them as two contradictory explanations or drives or possibilities, but two aspects of the unity of the loving life, that life probably orientated to what love is and requires of us.

This relationship can be stated this way and our irreducible uniqueness as *this* person, with my unique constellation of concerns, desires, attractions, dispositions given and cultivated within me this irreducible me do not provide for me the objects and relations of ethical love (in this way the experiment account is wrong, because it takes me as the source of the object and relations of love), rather these are provided by the objective conditions for *becoming a loving individual* (in this way the objectivist account is wrong because it is indifferent to what is required for *my* transformation into an ethical being and what is required for me sustain myself is this ethical

1. Contemporary versions of this conception of the relationship between love and the good life in Rawls, Brake and Metz.

being I've become). That is, once we understand the relationship of love to the good life as foundationally as art of self-constitution with moments of initial, maintenance, and dissolution rather than simply as an expression of something giving or the participation in something given, then we can begin to make some of the partial truth and importance of both these expressivistic and objectivistic accounts. For as an on-going act of self-constitution, all that we can say is that the irreducible me provides the broad orientation or stylistics of existence. Their importance—their ethical significance—is that without them I would not be able to take up the objective ways of live and objects of life which freedom itself demands. I can't become be constituted as this ethical person without being able to give and sustain this inflection to life that is irreducibly mine. So, expressivism takes on an ethical significance as integral to ethical transformation, without objectiveness thereby being replaced as the goal and shape, but one that cannot live without me.

What I will argue in this paper is that Hegel's own account of ethical love brings out this solution, ironically, because it seems to abandon decisively these two moments and instead adopts and supports only the objectivism. The latter statement may be strange. For, these idea of Hegel's ethical thought, and indeed his whole philosophy, is that <we have to grasp the truth of the world not as a substance along but as a subject well> (PhG ¶ 17). In the PR, this truth expresses itself in the narrower concern only with substance that lives through subjectivity, (i.e., the idea of *right* PR § 29), or “in cancelling” [*aufzuheben*] the contradiction between subjectivity and objectivity and in translating its ends from their subjective determination into an objective one, which at the same time remaining with itself into objectivity (PR § 28).

Yet when we first look at Hegel's account of freedom, and freedom as the family in particular, we find that the subjectivity which participates in ethical substance and which transforms (constitutes) itself as an ethical being goes through two phases. First, the abandonment or extirpation of any content or character to one's self and then the cultivation of the ethical selfhood. In other words, there is only subjectivity as an empty “I” waiting to determine itself as according to the ethical content of the world or there is a contentful “I” which is waiting to be educated out of the definitive or foundational importance of this given content (and, so to become an empty “I”). However, this reading of Hegel obscures the implicit presence of the idea of character and a stylistics of existence which character can bring to our ethical self-constitution without being dictated to by that ethical substance.

The absence of an account of character, I suggest, destabilizes, critically, Hegel's account of the family and the experience of love that he builds there. In an attempt to introduce a strong account of love and the life of love rooted in character, we turn to Rousseau and BK. V. of *The Emile*. We cannot rescue the experience of love for another from Rousseau's account by itself, *but we* can use it to see how character can inform stylistics of existence within a relationship of love. In Rousseau's account of love we see everything that is missing from Hegel's: the crafting of the relationship around only the demands of oneself in one's idiosyncratic character. However, to maintain this perfect and sophisticated expressivistic account, what one can only be in love with is

the idea of love which one has created—the other person does not in any way exist as that person in their uniqueness.

The failure of Rousseau's account to provide us with a way forward shows us, not the necessity of abandoning the central place of character—infinite unique personality—but the dangers to love in trying to make at the foundation aspect of love and a loving relationship and life. So, the absence of the place of character and—the love of the character of another—in Hegel's account is symptomatic of Hegel's broader concern for the problem of the logic of morality and his attempt to build a theoretical wall against it. What is necessary, I show, is then finding the appropriate place for character and the love of the *this*-ness of the other within the ethical relationship of love and marriage. We will see that the answer to our first two questions will be: the proper object of love is the community in which we are both members and which exists as a community *only* because we both are members—that is, it is a substance (community) that lives only because *we* as subjects participate in it. The loss of the other participation is the death of that community. So, love is the awareness of and commitment to the ontological priority of participation as a member (to treat as spouse as a spouse, child as a child), just as much as it is an awareness of and commitment to the community (marriage, family) itself. These two moments of community cannot be separated from what love is.

At the same time, love is an art of self-constitution—the transformative of the self into a spouse (the marital self, the ethically loving self) and for that reason, we cannot begin as Hegel does without as full condition for sustaining this transformation—i.e., that is, we cannot proceed without considering the way that character is ontological condition for the—not initiation of marriage: Hegel is correct here—but for its maintenance. Not in the sense of getting the *objects* that I want or having the relationship go *substantively* how I want, but in the sense that our commitment to becoming—if they are to be self-creating and not self-destroying—is sustained out of the stylistics of existence which my character—and *your* character—brings. The ethicality of love includes an awareness of, and attention to, and commitment to the conditions for the other person—as the character they are—to become the ethical self they choose to be and the sustain themselves—and therefore sustain the community of love contingent on that participation.

I. HEGEL AND THE PERPLEXING EXPERIENCE OF LOVE

In this subsection, we are going to reconstruct Hegel's account of the experience of love within the Philosophy of Right. I will bring out the objectivist appearance of this experience, the initial austerity of his account which manifests itself in three strange or provocative shapes to this experience: i. The indifference, in the modern age, to the importance of the individual qua this person initiating the relationship with that person: ii. The insurance or maintenance of the experience of the loving relationship as only abstraction—the awareness of the community of the family and the constitution of each individual who by that abstract membership in it (e.g., husband, wife, child); and, iii. The impossibility of the endurance of the marriage—the ethical experience of love—divorce, death, growth of the children. The upshot of these three

peculiarities is to give Hegel's account of the appearance of not just an objectivist account, but one that seems foreign the phenomenology of the love.²

A. The Initiation Of Love

The first of the three defining and perplexing features of Hegel's account of love as a moment of the good life or ethicality or freedom concerns the initiation of the loving way of ethically being for the individual. The shape of this way of being is a relationship with another. The initiation concerns, then, how I come to up this relationship with another. The issue here is not the presence or absence of the comment of both parties, but how the conditions or situation comes to be present in which I consent to being in a relationship that will have as it animating and the experience of love. In other words, the first perplexing feature of Hegel's account of the initiation of the loving way of being is that the love which Hegel has in mind is not present—and cannot be—prior to be initiation of the loving way of being. The initiation to the loving way of being lies outside of love itself. What occasions this consent to enter into a loving way of being? In the student notes—the “additions” to the PR—Hegel mentions that the initiating moment is profoundly inwardly directed, an awareness that 1587 A. I NB: p. 62. “The first moment in love is that I *do not wish* to be an independent person in my own right and that, if I were, I would feel deficient and incomplete” (PR §158Z). Hegel calls this the <objective origins> (PR § 162) of marriage, for its solution is intrinsic to or objectively the the structure of the problem: that the deficiency in my self-conception finds its solution in becoming a type of person—a person that is not individually self-sufficient, but a new sort of person, one that exists only as a relationship in another—i.e, a new personhood which exists only in and as the relationship: it is the relationship.

This form of personhood-as-relationship of course says nothing about, nor does it need to say anything about, the individual who makes up this relationship. In this way, Hegel shifts the question of the initiation of the loving relationship radically away from how these individuals come together (i.e., come to be one's that consent to enter into the loving way of being) to the question of how the abstract and objective conditions for togetherness itself—the empty form of the relationship—might be brought into being, how our consent to togetherness, not our consent to each other as this person, might be each achieved. Hegel contracts this objective origins of the loving relationship or way or being the “subjective origins”. There, we begin not with the abstract awareness of the deficiency of my atomistic existence—my nature self-containedness—in which I dwell in my merely given desires, drives, capabilities, relations—and the equally abstract consent to abandon this self-containedness. Rather, these subjective origins begin with the contingent fact of “the particular inclination of the two person” (PR § 162). Each dwells within their given inclinations, their given desires, which are these before love (i.e., and therefore are part of the self-fulfilling person, their “natural and individual personalities”) (PR § 162) and these inclinations then *constitute* not just the initiation of love but also the horizon of its parameters—what love can be for us and for me as only something personal and unique for ourselves (PR §168Z). Since,

2. E.g, we get that experience of phenomenology of love and an objectivist account in Plato's *Symposium* and (Diotima's speech) and *Phaedrus*: wing stalks quivering, juices flowing and overflowing, etc...

nonetheless, two particular individuals *do* have to come to come together, even if the only—and objective—initiation of love is the abstract awareness of my deficiency and the abstract consent to togetherness as the form or relationship as the intrinsic solution to this defect in my self-constitution; so, Hegel is aware, then, of both the expressivist account of love and love's initiation ("mutual inclinations of the two persons") (PR § 162A) and an objectivist (the "ethical duty" to marry) in which the "infinitely particular distinctness" of the other (and one's self) plays no part (e.g., when together is achieved through the cunning of the "well-intentioned parents") (PR § 162A). Although, it belongs to "the subjective principle of the modern world" (PR §162A) to have this infinite distinctiveness of the two persons be the content, and origin of love, it is only the emptiness of togetherness which gives the love which follows its worth—which binds its initiation to the good life. To honour modernity's subjective principle by asking for more than empty consent may produce a relationship of infinite importance to the individual themselves, Hegel notes, but is of "no such importance in itself" (PR §162A).

Even the consent to enter into the loving relation finds its truth not in the act of consenting—an act which would otherwise have its truth wholly in the subjectivity as something self-contained and self-sufficient—but in the recognition of the consent: "the solemn declaration of consent to the ethical bond of marriage and its recognition and confirmation by the family and community constitute the formal conclusion and actuality of marriage" (PR § 164A). This most profoundly personal relationship is, thus, for Hegel, in the full course of its initiation (from beginning to end) the exclusion of the personal (the expressivist) and the embrace of the empty formalism of togetherness and its objective requirements.

B. The Experience Of Love

We see this seemingly objectivist orientation continue when we reconstruct the the second, defining and perplexing aspect of Hegel's account of love. If the problem is the awareness of one's inadequacy of one's self-contained, atomistic individuality—i.e., one's infinite distinctiveness as *this* person—intrinsic solution, as we have seen is consent to togetherness as togetherness. Hegel identifies this experience as that of love. In the recorded lecture notes, this togetherness as occurring in the experience of the *other* (the other person), not as the experience of the *relationship* of togetherness. For example, the lecture notes record Hegel as saying <"Love means in general <...> other with me."> (PR § 158Z) or <"I find myself <...> recognition in me"> (PR § 158Z). However, the formulation of the experience of love misdirects us. For the experience of love follows from the structure of its initiation: I experience myself through *this* person, certainly, but the objective *source* of that experience is not *this* person at all, but the empty relationship itself—the abstract togetherness itself. Hegel captures this truth within the relationship of love in this way: <"the [ethical] disposition [appropriate to the family—i.e., to the consent to correct the sense of atomistic adequacy as *this* individual] is to have <...> *but as a member*"> (PR § 158). That is, togetherness is the mutual relationship to the relationship itself—the "unity"—so that my self-identity can only be expressed as a "member"—i.e. whose truth is only in relation to a *community* (that new person) in which one participates.

Love, therefore, has nothing to do with my feelings for the infinite distinctiveness (“those transient, capricious, and purely subjective aspects” (PR § 161Z)) of the one who I participate within this unity. This rightfully ethical “love”, indeed, replaces all other ends such that “the consciousness of this union as the substantial end” (PR § 163)—that is, the only end which I have in mind is the relationship itself as the end, a relationship which constitutes “the ethical aspect” (rather than its merely actualized and unaccomplished end—a “living good” (PR § <142>), rather than the mere principle of the good existing only as thought) of the loving relationship. This ethical disposition of love so thoroughly constitutes the experience of love that all actions, emotions, and ways of life within the family or marriage (that is: the concrete life of love) are to be disciplined by the demands of unity and the experience of one’s being as a member in this unity. Thus, not only must, for Hegel, should “the true and ethical character of the relationship” “condition[n]” “the contingency and arbitrariness of sensuous inclination” (PR § 164A [p.205]), it also removes from marriage the question of purpose other than unity itself: “If, in order to ask <...> the essence of marriage” (PR § 164A <p. 204]). For this essence is only the idea—the lived disposition—of unity itself. As long as this substantial element is kept as the animating source of decision and doing, the essence and experience of love remains alive, even if this and that activity, result, feature cease to exist (e.g. having children, having sex, raising children, providing support for every injury received).

The experience of love as the experience of unity—i.e., holding unity in mind as one’s disposition: the awareness of oneself only as a member (what Hegel calls knowledge and volition of the substantial” (PR § 166)—means concretely that things can only be done “for a *communal purpose*” (PR § 174), such that even when the service of *this* child is requested for *that* task, the ethicality of the request—a request that is based on and oriented only to ethical love—must be “based on and limited to the common concern of caring for the family in general” (PR § 174). So, in Hegel’s account, the *experience* of love, is connected to the good life only because it replaces the experience of a relationship with another person for *this* person, not the experience of the *form of unity* and the experience of self-sufficient concrete identity as the identity of abstract *membership*—that unity itself is the shape of the ethical experience and not just the inward structure of the experience.

C. The Dissolution Of Love

The third perplexing and defining feature of Hegel’s account of love concerns love’s dissolution. The perplexing element here is two fold. First, love is an intrinsic aspect of the good life—it belongs to us as a unique way of experiencing and living freedom. In Hegel’s words, it is an “ethical duty”: its obligations are comprehensible to us as free beings as that which ought to be carried out by those that take up love, even if these can be “no compulsion to marry” (PR § 176).

Yet, this modality of the good life is, in Hegel’s account limited for us in two not-obvious ways. On the one hand, the ethicality of the spousal relationship—the experience of love that animates decision, action, and relation—is dissolved by the maturation of the children. Once the children “become free personalities” and are legally recognized as such, the existing family

experience an “ethical dissolution”. On the other hand, this “right of ethical substantiality” (PR § 176)—the right of the duty of love, the right of the community of love to maintain itself “against externality and against defection from the family unit” (PR § 159Z; see also §§ 163Z, 164A)—is easily overpowered and indeed *has itself the right to overpower and disrupt* the “right of ethical substantiality”. For there can be “no merely legal [*rechtliches*] or positive bond which could keep the partners together once their dispositions and actions have become antagonistic and hostile” (PR § 176). This right of hostile disposition to overmatch the “right of marriage” (PR § 176) is merely, for Hegel, mediated through a “third ethical authority” (i.e., neither marriage, nor disposition) that tests the “mere opinion that a hostile disposition is present [to ensure that it is not] the contingency of merely transient moods, etc., to distinguish these from total estrangement, and to make sure that the partners are totally estranged before *divorce* is granted” (PR § 176).

Now, what makes both of these dissolutions of love—the breaking of the relationship between the good life and love—perplexing is that they both rest on what Hegel implies is a fatal flaw in the very shape of the truth of love: the disposition of ethical love, the sense of inadequacy of myself as atomistically self-sufficient, and the new self-conception as my truth only as a member of a unity. For this ethical love is supposed to be both purified of individual particularity—the infinite distinctiveness of personality so that it is not *this* person which matters, but only the abstract relation of togetherness as unity—and therefore the objective, living shape of love, and yet this disposition is continually, internally destabilized by the enduring presence of subjectivity as contingent feeling, passion, and opinion. The shape of “subjective substantiality” in love seems never able to be a full and complete interpenetration of subject and substance. In other words there is something about this lived ethicality—this disposition of love—that subjectivity cannot fully take up from the ethical substance. The satisfactions of subjectivity here seems, perplexingly, unable to find objective satisfaction, even as Hegel’s own account of love as a modality of the good life seems decisively to abandon looking for the satisfactions of subjectivity expressivistically, and instead looks for them as the taking on of the objective demands of unity and self as members only.

If we are looking for an easy alternative to either expressivism or objectivism, we do not find a straightforward one in Hegel’s account of love’s relationship to the good life. We find instead, as we have seen, not only an apparently objectivist account, but one with three perplexing features: love which is initiated only outside the loving relationship and without a concern for this person with whom one will be lovingly together; an experience of love which is only an experience of the relationship of unity—the self-consciousness or disposition of ethical love—with one (and whose existence is therefore the very condition of the possibility of the loving relationship itself); and, the inability of this dispositional truth of love to objectively sustain love. In this way Hegel’s account seems not only to fail to secure love as an intrinsic moment of the good life but the shape of love that it does try to secure—from its initiation, experience, to dissolution—seems to be an impoverished and hardly recognizable account of what makes love attractive to us and a moment of the good life.

II. THREE MODELS OF TAKING POSSESSION OF LOVE

The austerity of Hegel's account of the initiation, experience, and dissolution of love stands in tension with the larger claim that love belongs to freedom as one of its intrinsic modalities and as a moment of freedom, love then involves the fullness of being (<"here it the rose, dance here">). The austerity of Hegel's account of love does not emerge—say, unlike Kant's sexual ethics—because he is unaware or disgusted by and otherwise rejects the role that the satisfaction of our natural desires and our subjective preferences, opinions, and desires have in our happiness (e.g., <citation on satisfaction of natural desires and subjectivity is happiness (e.g., §§ 123ff.)>). Rather, his austere account emerges because of a claim about the nature of freedom and the shape of its satisfaction. Hegel expresses this participation and experience of freedom as "being at home" in the world (PR §§ <x>) in the content and order of the world no longer is experienced as foreign, and in opposition to itself, so that the individual experiences herself on one side and "finds an external world outside itself" (PR § 8). When one is at home the external world is robbed of its foreignness, who being robbed of its existence (cf. PhG: slave; § 5A <quote from PR § 147 also>). In this way freedom is the experience of finding oneself within the world, so that its order and content can be known to be *mine*.

In knowing the principle of the world as my principle, in this disposition—this moment of self-awareness—that I can be at home in the world fully—i.e., not by accident or caprice, but with certainty and necessity. For this reason "For it is only when I think that I am with myself, and it is only by comprehending it that I can penetrate an object; it then no longer stands opposed to me, and I have deprived it of that quality of its own which it had for itself in opposition to me. Just as Adam says to Eve: "You are flesh of my flesh and bone of my bone." (PR § 4Z). In other words, to be free is always to have reference to oneself, so that the world is oneself, is a home for oneself, "as a mere *possibility* by which it is not restricted but in which it finds itself merely because it permits itself in it." (PR § 7). For Hegel, being at home—the satisfactions of freedom—are the continual lived experience of the positing oneself in the world, finding confirmation of that positing, and the awareness (self-consciousness) that one lives as oneself only by living as and through the world. This is what Hegel means when he writes that the free will is not complete or "does not become will until it is this self-mediating activity and this returns into itself" (PR § 7A) or "freedom and the will are the unity of the subjective and the objective" (PR § 8Z). In this way, the experience of freedom brings the content of the world to oneself in a unique way. The content of one's life as a free being is neither projected onto the world, nor is this content merely "encountered" (PR § 15A) in the world. Rather "the consciousness is filled in such a way that its content is [...] derived from its own self-determining activity as such" (PR § 15A).

The fullness of the world enters one's life, and this would become one, so that one encounters only oneself, rules the content of one's life is placed there only because pursues—and knows that one pursues—a rational *principle* of life which one has determined for oneself as one's own-most possibility. (The flip-side of this, famously, is that the world itself must contain substantial realms—institutional worlds contentfully organized around these possibilities of self-determination or freedom: the family, civil society, and the state. For this reason Hegel speaks of

“the system of right as the realm of actualized freedom” (PR § 4; see also § 145) or “the *Idea of Freedom* as the living good which has its knowledge and volition in self-consciousness” and “*which has become the existing world*” (PR § 142) or “substance made *concrete* by subjectivity” (PR § 144). Hegel is particularly concerned with two models of grounding freedom which are incapable of binding the family to the good life because they make the family or the relationship of love (or the way of life of love) both incomprehensible and therefore also produce an experience of love which is intrinsically unsatisfactory.

These two models are for Hegel the model of what he calls the “natural will” and the “moral will” or, more generally, natural drive and subjective emotion. In bringing out how these two models of freedom fail as foundations of love and how Hegel’s model of love’s freedom is grounded instead in an account of self-constitution or the transformation of the source of the self to this unique participatory act of both self-consciousness and life (the theoretical and practical attitudes of the will) in which one goes out to the world and produces (or constitutes) oneself as being who participates in the world (i.e., whose substance is this participation) and who therefore maintains the conditions of participation and the commitment to the maintenance of this new source, I will also bring out Hegel’s account of self-constitution as a loving being points us to an obscured *fourth* model of love’s freedom and connection to the good life and therefore shape of satisfaction.

A. The Natural Will And Failure Of Love

Hegel continually characterizes the ethical significance of the family in terms of nature (e.g., the family is “immediate or *natural* ethical spirit” (PR § 157). Nonetheless, he simultaneously characterizes the reduction of the ethicality of love to a mere natural drive as a violation of the ethicality of love and production of an institution’s shape (i.e., the world which is *responsive* to love and securing of loving participation)—e.g., marriage is the consent to give up their “natural and individual personalities” (PR § 162), love involves the “suppression and subordination of mere natural drive” (PR § 164; see also § 174Z). Our purpose here, though, is not to resolve the tension between Hegel’s naturalistic characterization of the family within the system of right (or the system of freedom) and his disavowal of that naturalization (even the *ethical* naturalization of ethical love as ethically immature).³ Rather, our purpose here is to show why naturalism is inadequate to the requirements of freedom and therefore to love as the experience of freedom. To do so, we need to turn to the problem of the natural will.

For Hegel, the “natural will” consists of a being who relates to the external world on the basis not of a choice of contentless relation to the world—i.e., the choice of my comportment or self-consciousness to the world, and how that comportment which I choose will deliver from the world to me which exists for me only because it emerges out of this comportment. Instead, the

3. This tension between Hegel’s developmental presentation of the family as ethically immature and the presentation of the family as a stable and non-fungible moment of ethical life is two separate projects: one which looks at the tension between ontology and teleology in the metaphysical foundations of Hegel’s ethical system and one which looks at the legacies of Kantian and Aristotelean influences in Hegel’s presentation of the family in the PR.

natural will reverses this relationship. I begin with “*immediately* present content: these are the *drives, desires, and inclinations* by which the will finds itself naturally determined” (PR § 11). So, although I grasp myself as a free being (the moment of self-conception, what Hegel calls the “for itself” in one of his many terms of art), I nonetheless find myself filled with a content that has not emerged from my free activity or free self-conception at all. As immediate, this content “does not yet have the form of nationality”. That is, it has not emerged out of free self-activity—going out into the world, finding oneself there and in this finding returning with a determinate content which is only there because I have chosen the realm of live, the way of being, that includes, organizes this content (and apart from which my life would be an unaccomplished end). So, as a natural (or immediate will) “[*F*]or me, this [given] content is admittedly entirely *mine*; but this form [my self-conception] and that content [the givenness] are still different.” (PR § 11).

The first problem with the reduction of love to natural drive then, is that we cannot explain why love should belong to me—i.e., I could be at home in it and therefore why it would be connected to the good life. This problem of the fundamental contingency of a life of love is amplified when, however, we reflect on the wide range of possible objects which are present. For my given content “exists only as a multitude of varied drives, each of which is mine *in general* along with others, and at the same time [is] something universal and indeterminate which has all kinds of objects [*Gegenstände*] and can be satisfied in all kinds of ways” (PR § 12). For what this means is that the contingency of the relationship between the drive is double.

On the one hand the drive simply exists (and is therefore immediately mine) and, on the other hand the particular directionality of the drive is also inscrutable—it could be “actualized and satisfied” (PR § 14) in this way or in any number of other ways. To rely on the natural will is to ground love not on the sense of myself as a member of a whole, to gain one’s sense of existence only through this relationship but, instead, to have love and the community of love rests on the givenness of this content. Since wholeness is already posited as present in these drives and their objects, love itself becomes inscrutable: we cannot make sense of it—sense of self as members of a whole—from this natural will (i.e., the natural drive is considered a given starting point that dictates to the world how it ought to be—the world gains its worth through me: but this is not ethical love). Indeed the natural will is destructive of ethical love because it denies and destroys the possibility of that standpoint which makes love into ethical love.

B. The Moral Will And The Failure Of Love

Natural will, with its emphasis on the pure givenness of existence, seems to stand opposed to the subjectivity, for subjectivity, which is not simply the simple identity with itself (“the *absolute unity* of the self-consciousness with itself [...] as ‘I’ = ‘I’”) (PR § 25) nor the determination of one’s own content (“the *particularity* of the will”) (PR § 25), but their unity such that “the will can *recognize* something or *be* something only in so far as that thing is *its own*, and in so far as the will is present is present to itself in it as subjectivity” (PR § 107). The shape of right for subjectivity is radically antagonistic to what is merely given. Instead it is radically embracing of the literal giving of oneself to oneself: self-identity which determines its content, finds itself in that content, and

returns to itself. Since the internal structure of subjectivity is the structure of freedom—the structure of being at home (i.e., the experience of being at home)—Hegel writes that “it follows that subjectivity constitutes the *existence* [*Dasein*] of the concept” (PR §106). That is: subjectivity is the formal existence of the formal thought of freedom. Although we encounter here “[a] higher ground” for freedom (PR §106), subjectivity is not capable of sustaining the experience of freedom in general or the experience of ethical love in particular. It is the inability or incompatibility between subjectivity: ethical love which underpins Hegel’s rejection of the apparently niche element of the experience of love which characterizes his account of the features of the ethical way of being.

Now, to grasp why Hegel moves subjectivity out of the loving picture, we first need to grasp how subjectivity first expands the possibilities of being at home. It does so, by asking the world not to correspond to the demands of my given drives, needs, and impulses, but rather for the world to open itself up to my identity—to myself—so that I am able to find myself in the determinate world, (as Hegel says “The content is determined for me as *mine* in such a way that, in its identity, it *contains* my subjectivity *for me* not only as my *inner* end, but also in so far as this end has achieved *external objectivity*” (PR § 110). However, the aspect of the content of the world that is *mine* is not the thing in all its particularity—*all* its content—, but just that part which is present in the subjective, will itself, which I am capable of giving to myself: the ends which I hold in thought (PR § 109) (and which I then try to achieve by translating that subjective thought into the objective world (PR § 112). In other words, freedom consists in action (PR § 113). So, the world must be a home to me not just in such individual action (that aspect of existence which my own ends have altered, and no more (PR § 115)), what Hegel calls the particular purpose for which I do something (PR § 117) but also the larger (or universal) meaning that I give to my actions as a system or ensemble, what Hegel calls the intention (PR § 119) which constitutes “the soul and determinant of the action” (PR § 121).

However, the expansion of the possibility of being at home which subjectivity brings—that the whole of the world might bear the imprint of my mind and therefore be *mine*—brings with it two problems. First, it elevates feeling, “the heart”, the power of emotion to the forefront. For feeling carries with it both directionality and meaning. In other words, it articulates or the same structure as *intent*: it tells me whether the thing *felt* is good or bad and it tells me what is to be done, at least in the abstract sense (as Hobbes saw) of a movement towards or away (appetite or aversion). (The abstract experience of this certainty of one’s intent is the conscience (PR § <x>)). This elevation of my intent—whether experienced as feeling or conscience—has a radically different structure than the experience of ethical love. Like the natural will, as a foundation for being it is self-contained. My determination of one end, my determination of the meaning of my system of ends, is not radically inadequate. Whereas, in ethical love my substance—who I am—emerges from a condition of participation in a community that both requires my subjectivity, but is not reducible to it (i.e., its actuality requires my personal subjectivity but its structure or the concept of it can be articulated as something distinct from my subjectivity—the family and marriage, children, resources—because they are the objective conditions for the participation of

my subjectivity in a substantial way), subjective determinations are valid only because they are reducible to it and to nothing beyond it. That is the substance of these ends *is* subjectivity (this is what Hegel means when he says that subjectivity is the concept of freedom actualized as a concept—it has attained actuality not in its fullness of being but only actualization of it as an abstraction), such that my actions are *not* mine when they emerge from only directly determined ends.

So, this shape of subjective fulfilment means that I can be fulfilled only when the world is absolutely receptive to my ends. My ends must penetrate the world and in doing so, rob the world of its independence: the world becomes my home according to my blueprint. What is not receptive to my ends is bad: what is, is good. In so far as my feelings or conscience shifts—in so far as I determine my ends as first this way and then that way, what was valid in the world ceases to be (for it no longer bears the imprint of my will). Whereas the natural will only asks that there be some object that *corresponds* to my given drives and impulses, and can let as indifferent those things that don't so correspond (in the way a cat intent on a mouse is indifferent to everything else), the subjective conception of freedom asks for mastery over the world in the shape of a total receptivity to my intent.

In this way, the natural will is a wholeness or self-containedness that simultaneously recognizes the (rival) wholeness of the world, the satisfaction of subjectivity recognize *no* wholeness of the world: it must be penetrated by my mind, it must gain its existence through me, otherwise it has no valid existence (i.e., no moral existence). What should be in love the natural lack and natural fulfillment through community becomes here the natural struggle not just to have the other be in a way that I agree with or which satisfies my given needs, but for them to be animated by my own subjective will: for them to be *mine* because my ends penetrate and take possession of them. Second, Hegel points out, because the *structure* of subjectivity and satisfaction is that what subjectivity determines is valid, this structure applies not just to *me*, but to *you* as well. Here, content of my ends constitutes my welfare: subjectivity here “has a more determinate content only in its [...] needs, inclinations, passions, opinions, fancies, etc. The satisfaction of this content if *welfare* or *happiness*” (PR § 123).

Yet, this structure of subjectivity belongs to everyone: it is universal or the *good* to which my particular welfare must conform. In other words, I must will in such a way in my actions such that it does not destroy the possibility of you being at home in your particular willing (PR §§ 130-131). (Here Kant's categorical imperative and Rousseau's general will are particular instances of the logic that Hegel has in mind.) Although the universalism—that the universal structure of subjective freedom cannot be violated in my particular willing—would seem to fit with the mutuality of ethical love (or provide a corrective to it), Hegel points out that this universalism has an intrinsic dynamic is two mutually destructive-of-love (and destructive in general) ways to proceed. On the one hand, since what is true and right is that I take possession of my life by determining my own ends, I am both correct to say that what is good for *me* is good for *you* and it is hypocrisy to do so. The hypocritical element, of course, is that the rightness consists not in the content of the action that I do (although that is the *only* way that I can both

determine my own particular ends and translate them into objective action), but in the very form of action itself.

So, my action is both right for me (the good for me) and right in itself without me being able to say that is right for you. I am forced to assert both the universal rightness of my good as action and the wrongness of it for you (despite it being universal). The very mutuality of love disappears here as that which binds us and completes us. Intrinsic to the experience of the hypocrisy (“our love” is really *my* love that you ought to also feel, but I am simultaneously to say or require you to feel it) is that this universal structure of the good (the structure of subjective freedom) which ought to govern our individual willing is really subject to our control. Hegel writes “to assent that [this action which I do] is good for self-consciousness *itself* is to the ever greater extreme [than happiness] at which *subjectivity declares itself absolute*” (PR § 140).

This shape of self-sufficiency is radically antagonistic with, not just contradictory to, the requirements of ethical love. For it acknowledges that what binds us is a relationship to something—good in itself and good for me and good for you. Moreover, this three-fold goodness—universal, particular, and mutual—is not because of these different qualities of or consequences of ethical love, but the *very same* structure which has, because of that structure, these three moments intrinsic to it. (An interesting comparison here might be Augustine’s account of the good of the family as three distinct but somehow related goods: children, friendship (*fides*), and sacrament (Augustine, *Virtue of Marriage*, (<x>).)

However, this potential of the structure of subjectivity alone is subverted or perverted by a simple fact intrinsic to this structure. This “objective” structure—what Hegel calls “the law”—does not just live in the world through our actions (e.g., “the law [itself] *does not act*; only an actual human being acts”) (PR § 140A [p. 178]). Rather, my subjective action and the determination of my subjective ends is the very ontological condition of there being this universal law in the first place. So, where the universal ought to be the source of the good itself, the good of my actions, and the good of your actions, my own actions are simultaneously *above* the law (because they are its source) while being simultaneously categorically subject to the law (because the law is the absolute measure of the good). Hegel calls this antagonism the “ironic consciousness” and he expresses this destructive contradiction of this experience of subjectivity in an imagined soliloquy:

Thus, it does indeed consist in knowledge of the objective side of ethics, but without that self-forgetfulness and self-renunciation which seriously immerses itself in this objectivity and makes it the basis of its action. Although it has a relation [*Beziehung*] to this objectivity, it at the same time distances itself from it and knows *itself* as that which *wills* and *resolves in a particular* way but may *equally well* and resolve otherwise. — ‘You in fact honestly accept a law as existing in and for itself [it says to others]; ‘I do so, too, but I go further than you, for I am also beyond this law and can do *this* or *that* as I please. It is not the thing [*Sache*] which is excellent, it is I who am excellent and master of both law and thing; I *merely play* with them as with my own caprice, and in this ironic consciousness in which I let the highest of things perish, I mere enjoy myself’. (PR § 110A [p. 182])

In this way, then, the very logic of subjectivity—“the form to which evil has advanced in our time—thanks to philosophy” (PR § 140A [p.170])—is radically destructive of each of these three goods: the *objective good* of the structure of subjectivity becomes a plaything of subjectivity itself (treated, like a toy, as real and serious the one moment, discarded and powerless, the next), the good *for me* is coextensive with my opinion, feeling, mood and therefore I am as much good as evil and evil as good; and, the good for you is whatever I say it is, just as the good for me, from your perspective is whatever *you* say it is—i.e., mutuality is destroyed.

We can now see why Hegel’s account of the experience of ethical love is hostile to the element of naturalism as well as to subjectivity. It is not because Hegel is unable to make sense of the full horizon of human satisfaction—the way that the fulness of being implicates our embodied naturalness (our drives and impulses and their satisfaction) as well as the fulness of our subjectively determined and idiosyncratic desires and ends and the actions (ways of life) which flow from them. Rather, it is because these two models of grounding love fail to allow us to take possession of love as ours, to make *sense* of the experience of ethical love as the fulness of being that intrinsically implicates and is completed in and through and as a loving relationship with another where the relationship is our substance. These two models—love as grounded in natural givenness; love as grounded in radical subjective creativity—each fail because they cannot break down the ultimate experience of self-sufficiency that is intrinsically destructive of the experience of ethical love.⁴

C. Love As Ethical Self-Constitution

The structure of ethical love is one unique shape of the structure of freedom—that is, the way in which subjectivity goes out into the substantial world (“the laws and institutions which have being in and for themselves”) (PR § 144) in its own terms (to pass over of their own accord into the interest of the universal) (PR § 260) or the “right of individuals to their subjective determination to freedom” (PR § 153). In this model of the ethical will—this third model—the substance of the external world provides the limits of obligation, the boundaries of the self. I am this way “[a]ll these substantial determinations are duties which are binding on the will of the individual. The key feature of this third model is not the mere positing of an ontology of selfhood that is neither the givenness of the natural will nor the emptiness of the moral will, but instead is “substance made concrete by subjectivity” (PR § 144). Rather, the key feature is the way that this model of ethical individuality stands outside of the emphasis or givenness (whether the givenness of subjectivity or nature). Both “subject” and “substance” are given—we find ourselves just thrown into a world as Heidegger says—but what is not given and cannot be given is the participatory relationship between subject and substance.

4. Among these models of love we consider here we have not considered “personhood”. Hegel clearly mentions this model within his account of the family whenever he has in mind marriage as a contract. Hegel’s critique of this model seems to be that it does not allow the fullness of life as well as falling into the same problem of assuming individual self-sufficiency. Since marriage as contract and love as contractual ignores the question of the fullness of life—of *happiness*—we can ignore it as an attractive rival to ethical love.

So, the way in which the world is open to us, the ways that we can relate to the world, may be given by our historical age, but the particular way that we take up that relationship—the way that subject comes to be at home—is the shape to our own lives that we determine for ourselves in, through, and then as the possibilities given by the horizon of such possibilities for our world. In this sense, the alternative model which Hegel sees is present in ethical life (and which he calls “individuality” rather than subjectivity) (PR § <7>) is one that does not just posit its own ends as intentions (which it translates into the world), but instead constitutes itself as one sort of concretely substantial being rather than another by taking up a relationship to substance such that only that substantial content corresponds to that shape of participatory relationship I have chosen. Full self-possession—fully being at home—is possible only with full self-constitution. In other words, the model of the ethical self replaces givenness with the *process* of coming to know and live and sustain those demands as one’s own (because one has *become* the sort of being that is at home in the world just by knowing and living this sphere of substance as “not something *alien* to the subject” but rather “the subject bears *spiritual witness* to them as to *its own essence*”) (PR § 147).

Hegel expresses this process of self-constitution as an education [*Pädagogik*] which the ethical substance—its institutions and laws as a system—provides for its members. This education consists in “the art of making human beings ethical: it considers them as natural beings and shows them how they can be reborn, and how their original nature can be transformed a second, spiritual nature so that this spirituality becomes *habitual* to them” (PR § 151Z). Hegel also speaks of this process as a *cultivation* (*Bildung*). Hegel expresses the overall development of the system in terms of a grand historical teleology (e.g., as Hegel’s account of world history) and the development of the individual within each ethical sphere as a cultivation of increasingly more adequate and civilized modes of behaviour and refinements (e.g., the decline in the use of severe punishments) (PR <X>), the process of individual self-constitution is not radically teleological. For no individual is fated to be one sort of ethical being rather than another. The act of initiating what sort of being that we will be belongs to the right of our particularity. Without this radical place for subjectivity in taking up its relationship to substance, it would be substance alone—a profound givenness—which alone would be active. Ethical freedom would not be a being at home in the world and there would be no self-possession. It is this radically self-creative aspect of self-constitution which is captured by Hegel’s use of a “second nature”: one that has no existence as part of our being except through the acts of initiating, taking on, and then sustaining this ethical nature. It is not there *in us* to find. Its possibility is made available by the order and organization of the ethical community, but it becomes *ours* (and we, *its*) only through our participatory self-transformation in it.

The Philosophy of Right does not dwell on the foundational self-constitution, instead concentrating on an account of the institutional organization necessary to effect that transformation (e.g., the family, civil society, and the state) and the general conditions of subjective freedom which would allow any one individual to initiate (and even *re-initiate*) the process of becoming a free being: to take on and sustain an ethical, second nature. Yet, Hegel

does devote four paragraphs (PR §§ 148–151) to an account of this generic process of self-constitution from the perspective of the experience of the individual subjectivity. Its first, initiating experience is that of the “substantial determinations” of our system of ethical institutions and laws as “duties which are binding on the will of the individual; for the individual, as subjective and inherently undetermined—or determined in a particular way—is distinct from them and *consequently stands in a relationship to them* as to his own rational being” (PR § 148). Only from the perspective of the first three models of love in particular or selfhood in general—that is, “only in relation [...] to the drives of the natural will or of the moral will which arbitrarily determines its own indeterminate good” can “[a] binding duty appear as a *limitation*” (PR § 149).

The experience of duty can only be grasped as the ethically initiating moment of self-constitution, since the subject still stands apart from the substance as its essence: it recognizes that the substance *ought* to bind *me*, but there is still a *me* that is distinct and which requires binding. I am not at home in duty because the contentful subjectivity which I am at the beginning of this process is not yet the ethical self I choose to be (the ethical individual that *ought* to be actively bound by these particular duties). Hegel bookends this initiation in the experience of duty with its contemplation in the experience of custom and habit: “But if it is simply *identical* with the actuality of individuals, the ethical [*das Sittliche*], as their general mode of behaviour, appears as *custom* [*Sitte*]; and the *habit* of the ethical appears as a *second nature* which takes the place of the original and purely natural will and is the all-pervading soul, significance, and actuality of individual existence [*Dasein*]” (PR § 151). As a second nature—that is, one which has come to be for me only because I have initiated, integrally participated, and sustained myself as *this* individual—habit captures the lived unity with the world, the transformation of a life governed by *my* individual givenness into one governed by my self-constituted (and self-constituting) ethical disposition: my second nature. Now, the permanent possibility of re-constituting myself, the permanent possibility of taking up again a new, fundamental way of ethical being is present in the “general mode of behaviour” or “custom” (PR § 151). That is, custom is the permanent openness to the possibility of participation in the world, the experience of the world as always possibly (or abstractly) “mine”.

Between the initiating awareness of duty with its separation of substantive obligation and subjective content on one side, and the complete, living interpenetration of subject and substance on the other (such that the “difference between the subject on the one hand and substance as its object [*Gegenstand*], end, and power on the other is the same as their difference in form, both of which differences have disappeared with equal immediacy”) (PR § 152), Hegel places an experience of ethicality which he calls “virtue” and “rectitude”. The purpose of virtue and rectitude seems at first merely to logically round-out the usual tripartite description: if habit and custom and the completion of two one-sided experiences of the ethical, “duty” as participation through abstract knowledge would need to be paired with participation through natural immediacy. Indeed, *prima facie*, that is all that virtue and rectitude describe. For virtue begins with the living presence of the substantial world alongside its system of concrete obligations and begins with the living subject with its developed sense of commitments and ways of being. Virtue

articulates the relationship of ethicality when these concrete, external demands are “reflected in the naturally determined character of the individual” (PR § 150).

Yet, read in light of habit as the completion-by-transformation of our nature, virtue is a higher standpoint than duty because it is closer to a lived unity and interpenetration of subject and substance. Simultaneously, without yet abandoning an awareness of what the world requires of me in general (i.e., virtue is not the subjective assertion of what is right), virtue is a lower standpoint of ethical experience than habit because it relies on the concrete subject to make good (and complete) what is undeveloped or unactualized in the world. (This is why Hegel writes that “[w]ithin a given ethical order whose relations are fully developed and actualized, *virtue in the proper sense* has its place and actuality only in extraordinary circumstances” (PR § 150A [p. 193]). Rectitude [*Rechtschaffenheit*] “represents nothing more than the simple adequacy of the individual to the duties of the circumstances to which he belongs” (PR § 150). That is, rectitude is the concrete actualization of this unity in the living circumstances in which one finds oneself. Virtue (like custom) is its possibility, however a possibility that “depends more on individual discretion and on the distinctive natural genius of individuals” (PR § 150A [p. 194]).

If we return, again, to the perplexing feature of Hegel’s account of the experience of love, not only do we see that the exclusion of the fulness of our natural being and our subjectivity is an exclusion of those merely given relations of subject to substance which are destructive of ethical individuality, but the structure of the experience follows the demands of self-constitution. It begins with the experience of marriage as ethical duty (an experience which takes the shape of the inadequacy of my self as self-sufficient), then the abandonment of the natural and subjective basis for being in the world within the marriage (e.g., marriage begins with the “individual personality as a self-sufficient unit—in order to supersede it”) (PR § 163A; see also 162, 164A, 167, 168 & Z) so that loving partners can “attain their substantive self-consciousness” in marriage alone (PR § 162) and their union will be transformed into a “spiritual union” (PR § 161)—i.e., one in accord with the structure of freedom and being at home in love.

Although ethical duty and habit as experiences of self-constitution remain (as its alpha and omega), there seems to be no place or virtue or rectitude. Indeed, while Hegel is clear that marriage is preconditioned by the existence, among the potential marriage partners, of “a distinct personality of their own in relation to one another” (PR § 168), this distinctiveness must give way, right away. The experience of love as ethical duty is also not possible without the “*free surrender* by both sexes of their personalities, which are infinitely unique to themselves” (PR § 168). That is, this unique and irreducible source of an attraction, appreciation, and commitment to the other—the fulness and joy of the experience of being *this* loving being—is structurally excluded from an experience of love as truly self-constituting and therefore belonging to us as free beings, beings that have a right to be at home in the world as the self that we have chosen to be.

III. CHARACTER, FREEDOM, AND LOVE

The apparent absence of the virtue and rectitude within the experience of ethical love, whether it be at its initiation or its maintenance, could first be put down to an implicit assimilation of rectitude and virtue to the subjective will or the natural will. There is more reason for thinking that this might be so. The natural will is the appearance of the ethical in its immediacy and therefore without our awareness and therefore without an understanding of how they could have a rational being (PR <x>). The subjective will is the appearance of the ethical without an awareness of how our principles of action might have a truly objective existence out in the world. Here, we could see virtue and rectitude as articulating both of these defects—too immediate on the one hand (because this shape of the ethical rests on our unique genius), and too abstract on the other (because the ethical principle is acknowledged out in the world, and so as objective, but its actuality remains in our own judgment and actions).

However, there is a unique interplay between ethical character and freedom which points to a fourth model of grounding the experience of freedom, one that neither returns to givenness of the natural will or the subjective will (their different *assertions* of the truth of their drives or principles) nor the abandonment of the ethicality of our personal uniqueness present and grounding freedom in a self-constituted second nature that Hegel locates in habit and custom. For what ethical *character* (as opposed to ethical *disposition*) points towards is the irreducible place of *contentful* me—the concretely, particular *me*—in the fulfillment of ethical selfhood. This ethical character asks what does the world require of me in order to be actualized, and what am I such that I can decisively contribute to and sustain this world. That is, it is a question whose answer implies the presence of *habit*—the substantial essence of the world in which I participate; the ethical nature of the institutional realm in which I gain my second nature—but also more than habit. Given the circumstances I am in within this realm and the kind of contentful subjectivity that I am (my character), how might this ethical habit be lived here and now? In this way, virtue and rectitude do not imply an “ultra wisdom” (PR Preface <x>), some insight into something greater than the structure of freedom of the ontology of *Siest*. Rather, this place of ethical character implies a further problematization of freedom and the conditions for its actualization as *my* second nature.

So, the idea of recovering ethical character is attractive. Its recovery within Hegel’s account of freedom seems to offer a path that could lead to a way to secure the relationship of love to the good life and the promise that ethical love involves the fulness of being that now seems absent from Hegel’s account of the ethicality of the relationship of love. Yet this recovery is problematic in two ways. First, the age of ethical character is, for Hegel, over so that it has a place only when there is a general collapse of or immaturity of or contradiction within the ethical system (PR <§ ISOZ?>). Therefore, for Hegel, the age of ethical character is passed and its return would signal general *loss* of ethicality, not its perfection. (We could understand this loss either as institutional decline or as the rise of subjectivity which asserts its own desire for specialness above the ethical order, e.g., the desire for patriotism to involve extraordinary sacrifice and conspicuous gallantry or the desire for more than just the obedience of the ordinary and well known rules of

comportment) (PR §§ <X,Y,Z>). Second, as we have seen, Hegel so clearly elevates the ethical disposition and the metaphysics of freedom—the structure of substance that lives in subjectivity—and so clearly locates the natural and subjective wills (along with the will of abstract right) as inferior and antagonistic to the structure of freedom that we have no pattern for thinking how ethical character might be recovered.

Now, within Hegel's own account of ethical love, we are able to meet the first problem—i.e., the problem that ethical character is excluded from the fully developed ethical system. There are three places within Hegel's account that Hegel hints that the austere account of love as only an ethical disposition is inadequate to living the experience of love. These three places are: divorce, the educating of children, and the idea of love. A false example is the nature of wills and testaments governing the distribution of family resources after death. Let's look at these brief mentions or the implied presence of ethical character within each of these moments of the austere ethicality of familial love.

The clearest example of the implicit place of ethical character is stabilizing and making possible ethical love is in Hegel's idea of divorce. We can make sense of the ontological necessity of divorce based on the necessity of subjectivity's participation in ethical substance. Just as abstract subjectivity has to come to the familial (or *any*) substance on its own (such that “there can be no compulsion to marry”) (PR § 176) and then signal that passing over to the familial substance through free consent (PR § <x>), a respect for subjectivity requires the presence of divorce: the institutional recognition of the absolute right of subjectivity to *initiate* its own way of life—its own ethical selfhood—and to reinitiate it. So, the presence of the institutional possibility of divorce can be explained entirely within the logic of freedom. However, it is in the criteria for divorce that we see Hegel move past the austere logic of freedom to the more deeply textured logic of self-constitution and the conditions for its maintenance.

To choose, attain, and live out a particular ethical substance; to know and live according to an ethical disposition or habit of love actualizes the fulness of being in a way that a respect for subjectivity does not as the mere potential of that self-constituting actualization. To be held to the standard that we have ourselves chosen is not being forced to be free, but it is to be tested against the shape of selfhood and its attendant way of life that we have chosen for ourselves. If Hegel was only concerned about the formal requirements of this marital shape of the self, Hegel would have written that divorce is ethically permitted when the defining feature of this marital self no longer pertains—i.e., when the individual no longer holds the ethical disposition. And, moreover, since subjectivity untethered from its relationship to substance is contradictory to ethical selfhood the decision concerning the presence or absence of this ethical disposition cannot be left to the individual alone, but must reside in some external authority.

While, of course Hegel includes the “third ethical authority” in his account of divorce, his discussion of the place of ethical disposition is, in fact, surprising. Instead of focusing on the presence or absence of our sense of self as a member of the community of love, Hegel instead writes the following: “there [can] be merely legal or positive bond which could keep the partners together once their dispositions and actions have become antagonistic and hostile” (PR § 176).

Moreover, when the disposition is examined by the third ethical authority to see whether divorce ought to be permitted, the right of ethical substantiality—the right of love and marital selfhood—is to be upheld only “against the mere opinion that a hostile disposition is present and against the contingency of merely transient moods, etc., to distinguish these from total estrangement” (PR § 176). So, the focus instead is in the conditions for being in love with the other person as *this* person, not the conditions for being in love in general.

By focusing on how these two marriage partners relate to each other, Hegel brings out a hidden fourth model of the experience of love. It is not the institutional condition for living ethical love that must be secured, nor is it the abstract commitment to gaining (constituting) oneself as a member of a community sustained through the relations with another. Now it is the “disposition” of each of the partners that is to be taken into account as a precondition for a life of ethical love. Of course Hegel speaks of a “disposition” as the way that the relationship between subject and substance is lived—e.g., the disposition of the habit of ethical love.

Yet here, Hegel cannot mean disposition in the same way. For the contrast here is not on the shape of knowledge that animates us and the self-consciousness and life that it generates. Rather, the contrast is between those comportments and their sources which are not deeply rooted in me and therefore come and go (“transient moods, etc.”) and those comportments which are deeply settled so that our continual comportment to *this person* “is antagonistic and hostile”. I may very well feel inadequate as a self-sufficient individual, I may want to constitute my substantial essence out of the community of love. However, I cannot maintain this ethical selfhood through a partnership with *you*. The question is: is my estrangement from *you* total, or might our characters permit us to experience love not in the abstract, but without each other. Here, then, Hegel points of the engagement with and attention to the infinite uniqueness of our ethical characters in relation to each other as seemingly running parallel to the ethical disposition of love as decisively animating within the ethicality of *love*, *but also* intersecting with this ethical disposition so that Hegel can write in a sentence near the end of his discussion of the family which acknowledges that the promise of the experience of love as freedom should involve the fullness of being: “Love, the ethical moment in marriage, is, as love, a feeling for actual individuals in the present not, an abstraction” (PR § 180A, [p. 218]).

This decisive place for some substantive component of the individual, the uniqueness of our personalities or ethical character, to rival and even trump the ethical disposition is something new and perplexing within the framework of Hegel’s ethical thought. To respect subjectivity (to require consent to marry; to make divorce a formal possibility of ethical love) *and* the right of marriage (so that not just any passing whim is a reason for divorce) is no contradiction, because subjectivity is a moment within the structure of the ethical self or freedom and so is freedom as self-constitution such that the second nature we take on is that shape of freedom. That is, a respect for subjectivity and second nature are both instances of a respect for freedom. However, ethical character—virtue and rectitude, the idiosyncratic shape of our infinitely unique personalities—is a subordinate, because imperfectly actualized, shape of an ethical disposition. This experience ought to disappear as an experience (just as ethical duty becomes ethical habit). Yet, Hegel points

not just to its continued presence, but its ethical capacity to trump of the habit of love. So, in Hegel's recorded lecture notes, he says both that "marriage should be regarded as indissoluble *in itself*; for the end of marriage is the ethical end, which is so exalted that everything else appears powerless against it and subject to its authority" (PR § 163Z). Yet, turning to the New Testament, Hegel then notes that character—in this case attributed to a national character—permits divorce and makes the ethicality of marriage powerless: "for as Christ stays, divorce is permitted only 'because of the hardness of their hearts'" (PR § 163Z).

Now, this preeminent place of virtue and rectitude or ethical character—or the fittingness of our infinitely unique personalities to the ethical requirements of the ethical realm we find ourselves in—is not just a one-off within the PR. It appears in a couple of places: as a respect for religious commitments, even if those commitments stand opposed to the ethical system (e.g., "[t]hose goods, or rather substantial determinations, which constitute my own distinct personality and the universal essence of my self-consciousness are therefore *inalienable*, and my right to them is imprescriptible. They include my personality in general [i.e., my *character*], my universal freedom of will [i.e., my subjectivity], ethical life [i.e., my second nature], and religion" (PR § 66) (e.g., PR § 270A [p.295] and fn); as the space for "public opinion" to express itself, even though when "what is at issue here is the consciousness of the *distinctive nature* [Eigentümlichkeit] of views and knowledge [of individuals], the worse the content of an opinion is, the more distinctive it will be; for the bad is that whose content is entirely particular and distinctive, whereas the rational is that which is universal in and for itself, and the *distinctive* is that on which opinion *prides itself*" (PR § 317) and when individuals who "seek to assert their contingent character and thereby destroy themselves" (PR § 320); the payment of civil servants so that in the "fulfil[ment of] his duties, which are the substantial aspect of his position [...] his appointment provides him with resources, [and] guarantees the satisfaction of his particularity⁵" (PR § 294).

However, none of these places mentioned above attempt to integrate as opposed to tolerate or create a separate sphere for character to assert itself. That is, in these other instances character is not *ethical character* in the way that it is within the ethically loving way of being where its presence allows one to be at home in love with another rather than be antagonistic and hostile to another and to the ethically loving shape of selfhood. We need some way to think though how ethical character and ethical habit—our freedom as our substantial being, our second nature, and our infinite uniqueness, the rich texture to the fulness of being in love with *this* person and not an abstraction—can come together as a single model of the free and full experience of love.

5. I.e., "the extreme of *individuality* which knows and wills *for itself*" (PR § 264).

IV. ROUSSEAU AND LOVE: RESCUING CHARACTER

A. Fullness Of Being: The Richness Of Life In All Its Dimensions In General

B. Love As A Particular Fullness Of Being

C. Sustaining The Idea Of Love: Character

CONCLUSION

We are now in a position to solve the tension with which we began this paper: for Hegel to secure love as a moment of freedom and therefore the good life seems to require reneging on the promise that such freedom is the fullness of being, that eudaimonic condition of being at home in the world. The key to rescuing Hegel's account of the experience and structure of love involves, I have shown, a key reconceptualization of the more primordial antagonism in Hegel's thought between the deep, textured source of the fullness of life—the infinite uniqueness of our personalities which implicates the givenness of the natural and subjective will—and our second nature, that shape of full (but seemingly austere) self-possession and being at home in the world. If the givenness of the natural will and the subjective will are seen, as Hegel does, only as supplying the objects and ends of life, then they will always stand in irresolvable tension with the demands of our second nature. In such a case, Hegel's account suggests, they must be replaced, suppressed, overturned so that the ethical ends, ethical activity, and ethical content replace our first, given, nature, with a second nature satisfying of freedom. This is so especially in the case of the experience of love, where the sense of self-sufficiency intrinsic to a life grounded in our givenness stands explicitly in tension to the demands of love which requires that we found our essence—our subjective substantiality—only as a member. Following the lead of Rousseau's account of love in the *Emile*, in which our givenness is recognized as an intrinsic aspect of ourselves, but one whose significance in the achievement of the fullness of being comes not by supplying competing ends and drives and objects, but as an integral precondition in sustaining a self-constituting commitment to an ideal *outside* of our subjective self.

Of course, as we have seen, Rousseau's whole account of love and marriage cannot be simply adapted. Within it, the problem of what Hegel calls the moral will remains within and as the structure of Rousseau's account. In itself, Rousseau's account is destructive of the conditions of being at home in the world because subjectivity creates the ideal and then commits itself to it (merely using the other to police this ideal as we see in Emile's "chaining" himself to Sophie and allowing her to rule him in those things concerning love (but not humanity or nature)). The Emile remains always above the love that he commits himself to, always the self-sufficient source of the abstract ideal of love which he overlays on the actual Sophie. Hegel properly grasps an idea of love in which togetherness is the structure of the relationship: the community of love—the marriage, the family—exists only because the partners participate in it as their end; when they

cease to so participate in it, the marriage ceases to have any being. It is truly constituted by the acts of togetherness and destroyed by their absence and it truly constitutes the partners in it as a kind of (ethical) being that could not exist outside of this partnership.

Our deeply rooted givenness—the source of the fatal-to-love self-sufficiency in Rousseau’s account—now can be reconceptualized as ethical character or “virtue” and “rectitude” in Hegel’s account of the experience of love when we transform its status, based on Rousseau’s own explicit insights and Hegel’s intuitions, into the *intrinsic* preconditions for the actual willing and commitment to the second nature of love and its concrete way of life.

For to maintain this second nature means, with regard to *myself*, that I have to maintain my commitment to being this loving person that I have chosen to be—to live within and through and as the habit of love—which means keeping the community of love of which I am a member in mind. It is this awareness—this essence of my ethical being—that I must translate into action. Now, though, I have to be concerned with the conditions of maintaining my commitment (which is simultaneously a commitment to being and remaining according to my second nature and your commitment to the same). The conditions for me willing in this ethical way are not subjectivity in the abstract, but as *this* embodied, contentful being: the Rousseauian insight into whole being. These preconditions of ethical willing do not need to be taken account of by finding a *private* space for their exercise (e.g., as with public opinion or the hobbies and travels of the civil servant within the fully ethical state). They do not have to be taken into account because, with awareness of the preconditions of ethical self-constitution, our infinitely unique personalities (our givenness) no longer need to be treated as *rival* ends to the ethical end of the loving community. Instead, we treat them as practical preconditions for willing as this given being that I am. We see this natural and subjective givenness as a necessary *stylistics of existence* in the service of willing and sustaining this substantial second nature that I have chosen to become and make the <core of my being: see knight errant vs. civil servant>. These elements are present and active because this is what this whole being that I am requires in order to be an *ethical* whole being. Here, then, habit remains as the essence of the self, but this givenness is transformed into virtue and rectitude: what the continued existence of the ethical life of love requires from *me* as this ethical being, this *fulsomely* loving self who is at home in the world.

Now, we might at first think that to rescue my contentful personality as intrinsic to ethical love gives to live a texture and pleasure that Hegel’s arid account misses, but at the cost of turning love away from Hegel’s profound (but empty) emphasis on the community of love and towards my own personal satisfaction. However, because this rescue of my infinitely unique personality simultaneously requires my attention to *your* infinitely unique personality. Insofar as it is truly ethical love that (self-)constitutes my substantial nature, then my loving self necessarily implicates another: I get the sense of my being only from the community which exists because *we* participate in it. So, to be concerned about with the ethical fulness of love for *me*, means that I must be concerned about *out* as an intrinsic condition of the shape and experience of love as *our love* and not as some abstraction. Whereas Hegel’s own, explicit account of the shape and experience of ethical love makes the content and texture—the infinite personality of the other—extraneous to

love, now we can see how intrinsic this *this-ness* of the other is. The other can participate in this relationship only because they maintain a commitment to the ethical substance of marriage. I must attend to my partner simultaneously as that ethically self-constituted being the partner has chosen to be (i.e., my *spouse*) and as the infinite particularity of their personality insofar as this givenness is the intrinsic precondition for my partner maintaining this ethical disposition, the habit of love. Moreover, I cannot attend to these two elements separately because they are not separate: to be a spouse is to sustain the commitment in the way that I am. So, I do not love my partner in her infinitely unique personality because that would be to love them unethically: to love them for something she has not chosen, to love them not in their ethical substance or second nature. Rather, I must attend to and care for and aim at being a skilful servant to her ethical character—i.e., her character as it relates only to her (and therefore, *my*) self-constitution. Of course, insofar as that character is not intrinsic to the commitments necessary for self-constitution, that character stands outside of love and so is a matter of ethical indifference.

Love as freedom does not have to be secured as a moment of the good life at the expense of the fulness of being and joy of life. Nor does the objective requirements of love and the transformational possibilities of love—when I take on a second nature and am fully in possession of myself—have to be given up for merely expressing some self-sufficient givenness. Rather, virtue—the virtue of love—becomes the key to solving how love is free and fulfills Hegel’s promise of freedom’s fulness of being. It allows us to make sense of the three perplexing features of Hegel’s account and accept at least two of them as intrinsic to the shape and experience of love. First: there can indeed be no love before the loving commitment and enactment of the community of love, because the animating substance of love is of ourselves as self-constituting beings. Second: indeed, there can be no love of the infinitely unique personality of the other as the *point of love*. Now, we may be *attracted* to the stylistics of existence of the other’s infinite personality (a stylistics that can and do exist before love). Yet, only when those stylistics are necessary to and attached to the ultimately foundational willing together of the shared community, do such particularities matter to love. Third: here we must abandon Hegel’s account of the dissolution of love. Hegel here is wrong. Even after the children have become adults, there is an ethical substance which exists and which provides the substantive regulation of our existence: the care of other as a care for self-constitution.

Finally, although we can only gesture to it here in the briefest of ways, the recovery of the key place of virtue in uniting love and the promise of freedom, is also the recovery of a much more flexible Hegelian sexual ethics, one that does not need to turn to nature to draw the boundaries but without abandoning freedom as the absolute structure and source of dignity of the relation. Now, instead of asking what nature or my desires require of me (how do I live according to the structure of human being; how do I live according to the structure of my authentic, given self), we have to ask, how might my infinitely unique personality *allow* me to permit in the community if love whose own structure is given by neither nature or subjectivity, but freedom.