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**Aims and Scope.** The *European Romantic Review* publishes innovative scholarship on the literature and culture of Europe, Great Britain and the Americas during the period 1760–1840. Topics range from the scientific and psychological interests of German and English authors through the political and social reverberations of the French Revolution to the philosophical and ecological implications of Anglo–American nature writing. Selected papers from the annual conference of the North American Society for the Study of Romanticism appear in one of the five issues published each year. Essays published in ERR will be considered for an annual award co-sponsored by ERR and NASSR. Book reviews commissioned for four of the five annual issues represent a cross section of concerns in Romantic Era studies and call attention to important new titles and editions from major university and academic presses. Book reviews are distinguished by their depth of analysis, acquainting readers with the substance and significance of current criticism and scholarship in the field.

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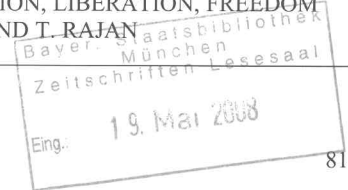
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## The organismic state against itself: Schelling, Hegel and the life of right

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Focusing on the political thought of Schelling and Hegel – beginning with the early texts (1796–1802), then moving briefly to Hegel's well known *Philosophy of Right* (1821) – this essay revisits the Romantic-Idealist theory of the organic state by returning to its genesis in the turbulent political, cultural and scientific debates of the post-Revolutionary period. Given the controversial nature of its historical (mis)appropriations, the organic idea of the state has become synonymous with totality and closure. This essay argues, however, that the contemporary rejection of organicism relies on narrow interpretations of Romantic and Idealist notions of organic life, interpretations that fail to do justice to the complex organismic philosophies emerging in the early nineteenth century. In order to move beyond the Enlightenment idea of a contractual state, Hegel and Schelling read the political through the organic. What gets carried over in this translation is not simply a logical principle of organic unity, but the entire system of relations that comprise organismic life. Departing from the Kantian concept of the organic, where parts are regulated by the whole, Hegel and Schelling open their systems of thought, consciously or not, to more *organismic forces*. The organismic refers to uncontrollable forces within the organism, such as illness, disease and death, which run counter to the whole. Instead of viewing the organic in strictly metaphorical terms, Schelling and Hegel's concept of political life maintains a relation to the overdetermined genetic and biological processes of the organism, material processes that unsettle totalized structures.

In the wake of the French Revolution there was a shift in the development of political philosophy away from the contractual to the organic idea of the state. In place of the atomistic language of science, social contract and natural rights, Romantic-Idealist theorists began to rethink the rights of the social organism. They were opposed to the Enlightenment idea that the state was voluntarily produced from a state of nature, mechanistic in its function, and atomistic in its orientation. In their political theory, they interpreted the state as a vast organism by disclosing the speculative origins of the living systems that underlie the growth and evolution of institutions, systems that were unconsciously shaping the relations of human life.<sup>1</sup> In the dialectical struggle between these two systems, many of the most persistent conflicts of modern political life emerged, such as the tension between individualism and communitarianism, industrial capitalism and global ecology, and positive and negative notions of freedom. Writing over one hundred and fifty years later, in the midst of Cold War hostilities, Isaiah Berlin made the untimely observation that the "present controversies, both in morals and politics, reflect the clash of values initiated by the romantic revolution" (11). Since the retreat of communism in Europe, however, the dialectic of values initiated by the Revolution has collapsed under the "triumph" of liberalism to the utter eclipse of organic values, a resolution that has been hastily cast by Francis Fukuyama as a symptom of the "end of history." In the rejection of an organic thought which, I will

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suggest, is better described as “organismic,” we have lost a powerful critique of the excesses of liberal, economic globalization that include the systemic issues of poverty, neo-imperialism and ecological disaster.<sup>2</sup> For Schelling and Hegel, the liberal privileging of self-interested individualism is analogous to the experience of organic disease, where an individual organ stands apart from the whole, unsettling the life and structure of the entire organism. But by turning toward the organic to revitalize the political, Schelling and Hegel further expose the sovereign life of the state to the same restless negativity present in organisms. Rather than restoring systematicity and law, organic metaphors proliferate and disorder like a virus, opening the closed system of the organism to its other, to bodies and forces outside the community.

From their early days as students in Tübingen, Schelling and Hegel were, like other world-spectators, enthusiastic witnesses to the political upheavals in France. Yet, they were outspoken opponents of the revolutionary terror, and were fervent critics of state constitutions founded on the primacy of self-interest secured by negative freedoms at the expense of public good. In a letter to Schelling from 16 April, 1795, Hegel observes that “the spirit of constitutions has presently made a pact with self-interest and has founded its realm upon it” (*Letters* 35–36). One year later, in an anonymously and collectively authored fragment, most likely by Schelling, Hölderlin and Hegel, the drafters take aim at Enlightenment individualism and the resulting anomic. In its description of the state, the “Oldest Systematic Programme of German Idealism” (1796) asserts that “there is no more an idea of the state than there is an idea of the machine, because the state is something mechanical” (3–4).<sup>3</sup> Within their tumultuous historical context, they observe that states inevitably “treat free human beings as if they were cogs in a machine” (4), transforming life into a means rather than an end, a condition intolerably at odds with their Idea of human freedom. Disenchanted with the “whole miserable apparatus of state, constitution, government and legislation,” they propose, in a style characteristic of the manifesto, “We must therefore go beyond the state!” (4). Schelling and Hegel, however, did not liquidate the state: they began to produce a speculative theory of the state as it exists in itself, beyond its particular manifestations. In opposition to the mechanical state, especially that of Fichte, they radicalize Kant’s concept of the organism outlined in the second part of *The Critique of Judgment*, *The Critique of Teleological Judgment* (1790), in order to theorize an organic idea of the state. Just as the Kantian organism systematically organizes its various interrelated parts, so too does the organically structured state. This is the early outline for an organic-politics constellated around the same vital question of the “Systematic Programme”: “how must a world be constituted for a moral being?” (3). For the early Idealists, world and value are not discovered but constituted, created out of nothing, an innovation prefiguring Jean-Luc Nancy’s idea of *world-forming* (*mondialisation*) in place of globalization, of making new *sense of the world* rather than producing an uninhabitable “un-world” of techno-science (27–28, 34).

The question, or motif, of constituting and constitution was of critical importance during the 1790s, whether in terms of the world, the state, or the self. At the level of world, there was a revolutionary shift occurring in geohistorical research pointing to the ancient origins of the earth, developments sparking an interest around the issue of “catastrophism,” particularly in the work of J. F. Blumenbach, J.-A. de Luc and Georges Cuvier. In the political domain, the collision of ideas inciting the Revolution reverberated beyond the epicenter in France, producing an international explosion of discourse regarding the just constitution of public right. This was especially the case in the debates between Thomas Paine, who desired a written constitution founded on the *a priori* principles of the revolution, and Edmund Burke, who defended the paternal theory of the unwritten, ancient constitution.<sup>4</sup> Within this historical crisis, modern organic theory arose, in large part, as an attempt to bridge this gap

between natural-scientific discovery and socio-political upheaval, between nature and human freedom. But instead of re-inscribing a traditional reading (which amounts to a dismissal) of organicism as the rationalization of uncontrolled natural and political forces – an economizing imperative that has now become synonymous with the sinister, repressive strategies of modern fascism – *organic theory must be reevaluated in light of the irreducible negativities of organismic life*. In contrast to what is conventionally called “organic,” where parts receive their meaning strictly from the whole, I use the term “organismic” to refer to the uncontrollable forces within the organism that run in excess of, even counter to, the whole, producing disorder in a way that is not unlike political anarchy. The organismic maintains a constitutive relation to the genetic, biological processes of the organism, which ultimately complicate the organic metaphor by overdetermining its supposed literal meaning, therefore undermining the closed, totalized structures traditionally ascribed to the organic.<sup>5</sup>

The problem of constituting and constitution was a similarly overdetermined question for Schelling and Hegel, finding its way into the early statements of their embryonic systems. This is no doubt a reflection of their social and historical situation. Unlike the revolutionary states of France and America, or the ancient state of England, at the beginning of the nineteenth century Germany was, to be sure, without a cohesive constitution, divided into a patchwork of nearly three hundred territories.<sup>6</sup> Between 1798 and 1803, Hegel wrote a series of fragments on the political and social reality of the disintegrated German nation, the first of which is a fragment for an unpublished pamphlet addressed to the people of Württemberg, entitled “The Magistrates should be Elected by the People” (1798).<sup>7</sup> Though incomplete, the surviving fragment bears witness to Hegel’s early attempt to apply speculative ideas to conflicts of public right, for it calls upon the citizens “to focus their undirected will on those parts of the constitution which are founded on injustice” (*Political Writings* 1).<sup>8</sup> For Hegel, the corrosive effect of an ill-designed constitution extends to the bodily and psychic health of its citizens. The deferral of constitutional reform only exacerbates the people’s “longing and yearning for a purer and freer destiny,” producing what Hegel calls “a paroxysm of fever” that will “end only with death, or when the diseased matter has been sweated out” (1–2). Reading the political through the language of disease, Hegel translates injustice into an experience of illness in the body politic, therefore constituting a vital tie between political health and social life. This should not, however, be interpreted as a form of fatalism. Hegel reads this political symptomology as the “effort of a still robust constitution to expel the illness” (2). To recover from the disease of political complacency, the body politic must realize its longing for justice – it must reform itself, as an organism auto-repairs itself, by reconstituting its constitution.

In the same year, Hegel begins a more ambitious critical pamphlet on *The German Constitution* (1798–1802), one whose sense of crisis is apparent from the shocking opening sentence: “Germany is no longer a state” (6). Reflecting the turmoil of the time, Hegel’s essay attests to what Georg Lukács has called his “tortured, hypochondriacal, crisis-ridden mood” (103), one that Lukács reads not simply as a symptom of Hegel’s disposition, but also of his internalization of the objective conditions of political life following Germany’s defeat by the French Republic. In this moment of recursion, of turning toward the world and back to self, Lukács argues that Hegel was in the self-reflective process of becoming a dialectical philosopher, a phase in which he “comes to *experience* contradiction as the foundation and the driving force of life” (97). From his own tormented psychic life, Hegel similarly discerns a contradiction between the “legal anarchy” of the old German Empire (14), which was then “nothing other than the sum of the rights which the individual parts have extracted from the whole” (13), and the people’s nostalgic desire that Germany still be

regarded as a state, “a single body” (41). In other words, while the estates were demanding rights as autonomous parts within the whole, even if it “plunge[d] the whole into the greatest danger, havoc, and misfortune” (13), they still wished to be *thought of* as a state. Entangled in this unhappy contradiction, this bad faith of sovereign self-constitution, Hegel calls Germany a *Gedankenstaat*, a state in thought alone, lacking any constitutional power to demand necessary duties of the estates (43). Without organic unity, Germany was a multiplicity of right-holding parts parasitically living in a host they refused to recognize in its actuality. Such a condition, for Hegel, was suicidal because the parts, while surviving only within the whole, undermined the very system ensuring their autonomy. Engaged in a sort of life-and-death struggle for recognition, “the individuals and the whole must most rigorously guard and protect such rights [even the right] to be destroyed completely” (13). Self-destructively, the parts misrecognized their subordinate place within the whole in order to demand, through the very laws guaranteed *by the state*, their own *de facto* recognition as a series of quasi-states within the state. To use an organic metaphor from Jacques Derrida’s late works, Germany suffered from a certain “autoimmunity,” that is, a “strange illogical logic by which a living being can spontaneously destroy, in an autonomous fashion, the very thing within it that is supposed to protect it against the other, to immunize itself against the aggressive intrusion of the other” (123).

What Hegel finds most problematic about the “German disposition,” that is, about the way it is constituted and situated, is precisely that it stubbornly “insists on the free will of the individual and resists subservience to a universal” (50), so much so that it has displaced the universality of constitutional law with a series of discordant rights, unevenly distributed and enforced in the estates. Without a properly recognized sovereign state, right was reduced to the clamor of negative rights, turning over and over with each new treaty, ultimately producing *differends* when these rights came into contradiction with each other. In a perpetual state of turmoil, Germany became nothing other than an organized statelessness, vulnerable to its own dissolution (74).<sup>9</sup> Litigation proved impossible, leaving absolute arbitration to *war*. Thus having borne witness to an “empty clamour for freedom” in the Revolutionary period (94), Hegel rejects the excesses of negative right, and puts forward a nascent theory of positive right that anticipates *The Philosophy of Right*, one where each part can be free only insofar as it is part of the organic state. The measure of the state’s health ultimately depends on its ability to consolidate its parts and defend itself in war, a state of exception where power is re-invested in a sovereign whole. This perverse reversal of a natural law tradition that traditionally privileges peace marks, as Herbert Marcuse noticed, “a distinct subordination of right to might” (54–55). Thus, in saving “German freedom” from itself, Hegel paradoxically curtails freedoms in the name of Freedom (97). Moreover, by using the spectral threat of endless war as a tactic to reverse the state’s disintegration, he intensifies the very autoimmune condition he seeks to curtail.

In 1802, when he abandoned the constitution essay, Hegel lacked a speculative theory of the state that did not rely on an indefinite state of emergency. Having now moved to Jena to work alongside Schelling, he would have known of Schelling’s lectures *On University Studies* (1802), one of which was devoted to an early organic theory of the state. Though he never developed a political philosophy, in his lecture on the “Study of History and Jurisprudence,” Schelling situates the state as the most universal expression of objective knowledge, taking its form successively through history from the image (*Bild*) of the eternal Ideas. In opposition to Enlightenment constitutions, monstrously founded on “common understanding” (52), he proposes that the perfect state is attained “when the particular and the universal are absolutely one, when everything necessary is at the same time free, and everything free necessary” (111). Freedom is defined neither by negative rights, nor by a

Kantian appeal to a noumenal realm beyond the laws of nature. Freedom and necessity must be harmonized within the “absolute organism” (114).

Schelling’s important concept of freedom, however, must be placed in the context of his idea of the Absolute, which attempts to merge a Kantian idealism and Spinozistic realism.<sup>10</sup> Like other German Romantics, Schelling was dissatisfied with Kant’s attempt to bridge the “great chasm” between nature and freedom in the *Critique of Judgment* (81), for it privileged a subjectivism that denied knowledge of the thing-in-itself, leaving in place an old dualism between idealism and realism. Nevertheless, to make the system of nature intelligible, Kant proposes a “technique of nature,” a heuristic device that the judging subject employs to read objects of nature *as if* they were purposively designed, therefore transfiguring the chaos of nature into a purposive system of ends (1.7). These reflective teleological judgments abstain from making ontological claims on the object (6.21), because they are only to be *regulative* and not *constitutive*. In §65, Kant uses this technique of nature to read a “natural purpose” (*Naturzweck*) into organisms using two carefully defined criteria (§65.245). First, for an organism to be a natural purpose, the place and function of its parts should be determined by the regulative idea of the whole. Secondly, the organism itself must be “self-propagating,” “self-organizing” and self-repairing such that each part is the reciprocal cause and effect of the other without the intervention of any outside cause (§65.245–46). Schelling, of course, pays close attention to one of Kant’s footnotes, which suggests that this organismic causality *could* be used, by analogy, to explain the genesis of a new political body – France – operating *as if* it were an organism (§65.246–47). Schelling innovatively removes the regulative constraints, the prudent *as if*. In his natural philosophy, he translates Kant’s natural purpose into a constitutive, absolute idea that encompasses nature as a whole, producing a universal organism akin to Spinoza’s one substance. The constitution of this unconditioned organism offers the archetypal ground for state-life. “The aim is not to construct the state as such,” says Schelling, “but an absolute organism in the form of the state” (*University Studies* 114). But if we read the political through Kant’s organicism, what gets carried over is not simply the organic analogy, but the entire tangled system of relations comprising organismic life. Which is to say, if individual organisms suffer disease, an issue Schelling develops in his thirteenth lecture “On the Study of Medicine and the Theory of Organic Nature,” must not the state-organism suffer disease as well? A later example of this logic arises in the *Freedom Essay* (1809), where Schelling illustrates the existence of freedom within organic systems by suggesting that the ability of an eye to catch disease for itself, apart from the whole, is “indeed a kind of freedom” (19), even if this freedom undermines the entire system.

If Schelling broaches the problems of political vitalism, so too will Hegel in *The Philosophy of Right* (1821). Hegel, however, pushes Schelling’s speculative state to its limit. In contrast to Schelling, who viewed the state only as an image of the Ideas, for Hegel, the state *is* the actualization of the Idea – it is “objective spirit” (§257–58). And unlike Schelling, who argued that the state should be “like a work of art,” a perfect representation of world, Hegel’s state embodies the very negativities of life, of will. “The state,” Hegel says,

is not a work of art; it exists in the world and hence in the sphere of arbitrariness, contingency, and error, and bad behavior may disfigure it in many respects. But the ugliest man, the criminal, the invalid, or the cripple is still a living human being; the affirmative aspect – life – survives in spite of such deficiencies ... (§258.279)

Hegel’s affirmation of state-life is, in this sense, won by enduring its own struggles against itself, by “tarrying with the negative” (*Phenomenology* 19). Nevertheless, he is also profoundly anxious over the organismic unruliness of parts disrupting the whole, a process

not unlike what he called disease in *The Philosophy of Nature*, where one of the body's "systems or organs ... establishes itself in isolation and persists in its particular activity against the whole" (§371.428). His anxiety is intensified by developments of modern economics, such as the unregulated growth of population, acceleration of industry, or the infinite desire for accumulation. Like Rousseau before him and Marx after him, he recognized "poverty" as an unsurpassable problem of modernity, and an uncontainable threat to the state, a problem that "agitates and torments modern societies especially" (*Right* §244A.267), because it seems always on the verge of contagion.

Indeed, it is the question of population and poverty that catalyzes Hegel's discussion of a nascent globalization. From poverty, there arises what he critically casts as the "rabble" (*Pöbel*), an idle, alienated and atomistic group that is not only unassimilable, but also radically against, the social organism (§244). Poverty, moreover, leads to excess unemployment that cannot be solved by simple recourse to charitable institutions, redistribution of wealth, or through public works (§245). Poverty further compels the state to open its markets to the world (§246), just as it accelerates the process of economic imperialism and colonization (§247–48), a geopolitical process that has also hastened our current movement towards ecological catastrophe. The unsurpassable condition of poverty is one of the most pressing contradictions of the *Philosophy of Right*, receiving a great deal of attention, both by Hegel and his critics, but persisting as an unresolved remainder. In his attempt to deal with the problem of population, Hegel not only confronts the limits of the self-regulating organic state, he also announces many of the most systematic problems of our modernity, problems that have only worsened with the globalization of capitalist economic development. With the contemporary rejection of organicism, we have lost more than an outmoded remnant of idealism; we have also lost our willingness to think the political from the position of nature, a position entirely at odds with the contemporary techno-scientific imperatives of globalization. And yet, as Nancy has recently suggested, "The fact that the world is destroying itself is not a hypothesis: it is, in a sense, the fact from which any thinking of the world follows" (35).

## Notes

1. For a strong, though dated, discussion of organic theories of state, see Coker.
2. While the organicist tradition has largely fallen out of favor in recent years, there have been a number of important contemporary re-interpretations within and outside Romantic studies, including studies by Krieger, Krell, Armstrong, Cheah, and an edited collection by Burwick.
3. Passages cited in the "Oldest Systematic Programme of German Idealism" are taken from Beiser's translation in *The Early Political Writing of the German Romantics*.
4. For specific references to this debate, see Paine, 134–44; and Burke 244–50.
5. This is to draw a distinction between the organicist ontology of the Romantic-Idealists and the organicism denounced by critics like Paul de Man, who argue that organic principles demand the utter closure of a work of art as an absolute system, even if this system "finally explodes" (28). The organicist, both in politics and aesthetics, is much different than the organic conception of the New Criticism, precisely because it produces structural indeterminacies that unsettle purposive, organic teleologies.
6. For a further discussion of the social and political conditions surrounding Hegel's early political writings, see Avineri.
7. This title was not given by Hegel, but by scholars who later found the fragment itself. The same is the case for Hegel's unfinished and unpublished drafts for an essay on *The German Constitution* (1798–1802).
8. Hereafter, all references to "The Magistrates should be Elected by the People" and the essay on *The German Constitution* are taken from Hegel, *Political Writings*.
9. The concept of the "differend" is developed by Lyotard in *The Differend* to indicate an irresolvable conflict between two or more parties. A differend arises when both (or all) sides to a dispute lack, or cannot agree upon, a common language capable of litigating the conflict. Applying an

existing rule to resolve the dispute, in such a case, would inevitably wrong one or more parties. As Lyotard writes, "I would call a differend the case where the plaintiff is divested of the means to argue and becomes for that reason a victim. If the addressor, the addressee, and the sense of the testimony is neutralized, everything takes place as if there were no damages. A case of differend between two parties takes place when the 'regulation' of the conflict that opposes them is done in the idiom of one of the parties while the wrong suffered by the other is not signified in that idiom" (9).

10. For further discussion of Schelling's merger of idealism and realism, see Beiser, *German Idealism*.

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