

Group Patterns, Differential Patterns, and Home-State Connections--Family-State Relationships from the Principles of the Philosophy of Law and One Book and One Body

Mengdie Fan

China Jiliang University, Hangzhou 310018, China.

Abstract: The group pattern and differential pattern as describing the Chinese and Western societies not only reflect the differences in the social structure of China and the West, but also show the differences in the Chinese and Western home-state associations to a certain extent. Based on Hegel's Principles of the Philosophy of Law and Zhou Feizhou's One Book and One Body, this paper tries to find out where the differences between Chinese and German family-state associations lie. Based on the two discussions, the author believes that the differences between the two home-state associations lie in the different importance of the home, the different intermediate links in the transition from home to state, and the different political ethics. With the development of modern society, the community is in the process of continuous downgrading, while the Chinese family-state unity still has a certain vitality and vigor also shows that the Chinese and Western communities do not need to be destined. The social structure of modern Germany shows an obvious group pattern, and under the group pattern, the family-state connection in Germany lacks the intermediate link of transition from family to civil society. This is where the difference between the two countries lies.

Keywords: Group Patterns; Differential Patterns; Family-State Connections

1. Group and differential order patterns

Fei Xiaotong mentions the difference between Chinese and Western social patterns in Native China, Fei Xiaotong believes that the West is a group pattern and Chinese society is a differential pattern. In the group pattern, people are individualistic, and compared to the group, morality is universal and has clear rights and obligations. In the group system, people's sphere of activity is in the civil society. In civil society, there is a clear distinction between public and private, and the relationship between people is equal, and those who enter the civil society are "free". Under the group pattern, individuals pursue freedom, equality and rationality. The social structure of modern Germany is clearly characterized by the group pattern. Under the influence of capitalism and a series of cultural movements, modern Germany was economically developed by capitalism and culturally influenced by the Enlightenment. Politically, the single-minded pursuit of German unity became the main theme of that era. And the family became an important driving force for the realization of national unity. In particular, Herder's and Hegel's Principles of the Philosophy of Law were born in this era. In particular, the ethical part of the Principles of the Philosophy of Law deserves to be deeply studied for its treatment of the family, civil society, and the state, which implies the connection between the family and the state.

The pattern of differential order in Fei Xiaotong's writing describes the social structure of China, under which Chinese people are characterized by egoism, Chinese moral standards are considered to have no universality, and Chinese relationships are considered to be about climbing relationships and making friendships for personal gain. However, Zhou Feizhou's "One Book and One Body" gives new explanatory power to the differential order pattern. Through the social structure of Chinese vertical family and the social consciousness of Chinese people based on parents, Zhou Feizhou shows that China is not an individual-oriented society, but a family-oriented or individual-oriented society. This is different from the Western individual-based society. Under the influence of the family-based society, Chinese people do not only act self-centered, but also family-centered and extended family-centered; in terms of morality, Zhou also believes that the Chinese people have their own set of ethical standards called "ethics", which are: "Father and son, kinship, friendship between ruler and subject, husband and wife," and "ethics. In terms of morality, Zhou Feizhou also believes that the Chinese have their own set of ethical standards called "Ethics", namely: "Father and son, friendship between ruler and ministers, separation between husband and wife, order among elders, and trust

among friends”, and not only this, but also formed the ethic of “benevolence and righteousness” centered on “filial piety” and extended to the society. In terms of morality, China does not lack a universal standard, but it is different from Western morality, especially Hegel’s morality. Taking the family as the core, and the father-son relationship within the family as the core, filial piety is used to realize “family unity”, and filial piety is extended to the social sphere, making filial piety the core of social ethics, and making filial piety the core of social ethics. “Filial piety was also extended to the social sphere, making it a public virtue, so as to realize the “cultivation of Qi and governance of Ping” from the family, the clan to the state. China, characterized by a pattern of differential order, contains a unique ethical logic of family-state connection.

2. The Family-State Connection in the Group Pattern - An Understanding Based on the Principles of the Philosophy of Law

The Western group pattern focuses on the pursuit of individual rights and freedoms. Hegel believed that human freedom had reality only in the ethical world. Each individual’s sense of self is built into the family, society, and state and has its own purpose. The special will of the individual is founded on the ethical entities of the family, society, and the state, and aims at the ethical entities themselves, and free will achieves the unity of objectivity and subjectivity in the ethical world. Objectivity is expressed in living in an ethical entity, which does not depend on the will of the individual, and subjectivity is expressed in aiming at the ethical entity, in the unity of self-interest and self-determination, and in the unity of the special and universal wills. Only in the ethical entity can freedom become something real. Ethics is thus the conception of the kind of freedom that becomes real in the world and in the nature of self-consciousness. In the ethical entity, the particular will of the individual becomes fixed in the universal will. The universal will contains the particular will, and the particular will contains the universal will. The special will and the universal agreement reach unity and become ideas.

At the same time, Hegel believes that these new features of subjectivity, reflection, and mediation presented by the modern state require that the modern state be established on the basis of freedom of individuality, which is the principle of the moral value of the modern state; and on the other hand, there must be a concrete freedom of reality beyond the subjective freedom of the individual, i.e., ethical freedom. This Hegelian conception corresponds to the very social situation and social culture of the group pattern. On this basis, reason, or the common will, is considered by Hegel to be the central feature of the modern state. Hegel believed that the foundation of the state must be the protection of subjective freedom, on the basis of which the individual has to achieve a more concrete self-realization of his own objective freedom, i.e., the pursuit of the value of the concrete reality of the good, in the modern state. Thus, the modern state would have to take on a greater ethical character.^[1]

In Hegel’s view, ethics forms the basis of politics, but it is not the individual who enters the political sphere, but only “communities of all kinds” that exist in the form of groups, first and foremost the family. The family is the “immediate or natural ethical spirit” in which, with ethical love, “one can realize himself in the consciousness of the other” and the members of the family are not separate individuals, but are in the same community. In the family, the homogenization of personality is the ethical spirit and is fixed in the form of family rites. But the state is not founded directly on the family, but has to pass through the intermediate stage of civil society. But Hegel also saw the duality of civil society and saw the need for the unification of the family and civil society through a higher ethical state.^[2]

3. Connection in the Pattern of Differential Order - Based on the Understanding of One Book and Oina’s Family-State Connection Piece

In Hegel’s concept, it is emphasized that the home and the state are closely related, and the home is used as a blueprint for the realization of a constitutional monarchy with an obvious concept of hierarchy. Although the differential order pattern is also characterized by a clear hierarchical order, there is a difference between the two. The Chinese family-state connection is more of a natural one, expanding from the home to the family, and from the family to the state. In the pattern of differential order, “family” is the core, “ethics of action” is the starting point, and “self-compassion” and “comparing one’s heart to another’s” are the key elements of family-state association. The “family” is the core, the “ethics of action” is the starting point, and the mechanisms of family and state are formed with “filial piety” and “respect” as the core ritual norms and etiquette. In the author’s opinion, two aspects are indispensable to the association of family and state in China, one of

which is “human ethics”, that is, relationship, and the other is “ethics”, which is the ethical action in the relationship corresponding to the family with “filial piety” as the core. The other is “ethics,” which is the gradual expansion of the ethic of action centered on filial piety, the counterpart of the family, in the context of relationships, and the process of pushing out the pattern of difference in order. In this ethic of action, the unity of the family and the state is realized through the association of the two dimensions of “respect” and “kinship”.

In terms of the process of political ethicalization, the Western Zhou state and society were isomorphic. In terms of the state system, the feudal system was practiced; in terms of the social system, the patriarchal system was practiced. The isomorphism of the family and the state determined that the political relationship was essentially established by blood relationship, which was traditionally expressed by Confucianism in the form of “ruler-father-subject-son”. As a result, filial piety and loyalty were united in the field of social consciousness, which became the conceptual form of “family and state together”. More importantly, through the realization of the ethics of action under the pattern of differential order and a set of ritual norms to realize the order of “filial piety” and “respect” as the core, so that “filial piety” in the basis of public morality, with the political ethics of “filial piety” and “respect”, and the political ethics of “filial piety” and “respect”, and the political ethics of “filial piety” and the political ethics of “respect”. In particular, as the institutionalization of political ethics, “filial piety” and “respect” are the most important elements of political ethics. In particular, “rites” as the institutionalization of political ethics were fundamental to the unity of the family and the state, and “rites” were revered in order to maintain the order of rule under the unity of the family and the state.^[3]

Confucianism has been the dominant culture in China for two millennia, and the change of dynasties has been influenced by the degree of development of authoritarianism, but what remains unchanged is always the ideology and culture and the core of a set of rites applicable to the rule, which in turn can be expressed in the “family” as the core of the one family and one state, and “filial piety” as the ethical extension to the outside. This core can be manifested as a pattern of differential order under one book and one body, with “family” as the core and “filial piety” as the ethic expanding outward. In other words, the Chinese people, based on the ethic of action, extend outward, sacrificing family for the sake of the state, sacrificing family for the sake of the family, sacrificing self for the sake of the family, and never sacrificing family for the sake of self because the Chinese society is family oriented. Not only that, under the influence of the ancient Chinese ceremonial norms and Confucianism, it can also be said to be one-person-oriented. This oneness is, at the family level, the oneness of father, son and husband, and in the process of internalization, it can become the oneness of the family and the country. Even Hegel said that “the Chinese see themselves as belonging to their family, while at the same time being sons and daughters of the state.”^[4]

4. Comparison of Differences in Chinese and German Family-State Linkages

Hegel gave the family community an important place in the state system as a foundational ethic. In the concrete social picture, there is also an attempt to construct an enlarged family with an extended patriarch and a set of political ethics within a distinct hierarchy. This is characterized by a hierarchical order. In traditional Chinese society, the family, as the core, is required to realize the «cultivation of one’s moral character and the alignment of the family with the state and the peace of the world». Confucianism emphasizes the importance of the «one book» while emphasizing the importance of the «love of difference», which shows that the family is the center and foundation of the community. Zhou Feizhou gives a new connotation to the pattern of difference in «One Book and One Body»: the pattern of difference in China is based on the foundation of one body rather than individuality, and accordingly, it will not be self-centered, and because the process of action is to push oneself and others outward, the pattern of difference should not emphasize only the private in China. In fact, public and private are relative, and the important thing is not «self» but the process of «pushing». In his article «Ethics of Action and Relational Society», he also points out that, first of all, ethics of action is family-oriented. From this, we can see that the family is the starting point and the core of the family-state relationship in both China and Germany. However, there are some differences. From the ethical point of view, both Germany, which is characterized by the group pattern, and China, which is characterized by the differential pattern, pay attention to the important role of the family in the state. Hegel’s idea of establishing a bigger «family» which originated from patriarchy and is higher than patriarchy to realize his political ethics, although he saw the importance of family love for the state, he was influenced by the individual orientation and the sense of freedom and still emphasized the rights of the individual, which is very different from the «family orientation» of China’s differential order pattern. This is very different from the «family orientation» of China’s differential order pattern.

4.1 The different status of the home in the two

Under the differential system, the public and private aspects of the family are relative, while under the group system, the family is in the private sphere. In his book *Principles of the Philosophy of Law*, Hegel uses the family as the beginning of the ethical section to show that there is love within the home, and that man constitutes a unity within the home together with others. At the same time he denies contractual relations within the family, arguing that they are stipulations of things. However, Hegel does not specifically address what the relations of affection inside the home should be like, or what acting in the home should be like. Although Hegel amplifies the community of love or ethical function of the home to the state, in the process using trade unions and the police as a means of transition. From this, it can be seen that Hegel, who in his spiritual culture describes very little of the ethics within the home or even the political ethics that rise to the state, takes a different path from China. In particular, in his description of Confucius, we can see his attitude towards the treatment of Chinese moral practice. In Hegel's view, for China, the family has an important role to play, and he believes that China is a country that relies entirely on morality, and that these so-called morals are nothing but common sense, «This common sense morality we find wherever we look for it, and among whichever people we look for it, and probably better norms that are found everywhere in other countries. «^[5] In their view, morality is the self-legislation of the purely subjective will of the individual, and the morality of the ancients was not strictly speaking morality; in Hegel's view these were merely customary regulations, lacking the subjective free basis of morality and the non-empirical form of reason. In this way, it can be seen that there was actually little moral practice in the German family-state connection. In China, on the other hand, the practice of family-state association not only embodies a set of patriarchal system, but also relies on a set of ritual system centered on filial piety and respect and moral practice on the concept of the unity of heaven and man. In other words, Hegel was viewing the state as an ethical community of freedom rather than the Chinese family-like community of nature.^[6]

4.2 Different transitions from home to country

The transition from home to state in Germany is not a pure community of love or based on the natural association of blood, but an ethical entity of civil society; In this respect, it differs from China, where children still have a duty of support to their parents, and where the individual's entry into society does not represent the dissolution of the family or the severance of the relationship with the parents. In Hegel's view, a child who leaves his parents is no longer connected to the family but enters civil society. «The ethical disintegration of the family consists in the fact that the child, through upbringing, becomes a free personality, is recognized as an adult, has his own property and forms his own family. The genesis of civil society is the disintegration of the family.» And what is civil society? On the one hand, civil society is the dissolution of the «direct unity» of the family by the «private person», and on the other hand, it plays the role of a sort of «universal family». On the other hand, it plays the role of a sort of «universal family.»^[7] Civil society is a world in which the «principle of individuality» predominates, ignoring others but, by means of the «invisible hand,» satisfying itself as well as others. Hegel believed that in this society, the police were needed to take on the role of parents to control the family of civil society. In this context, Hegel regarded the «guilds», which were formed by laborers with different skills, as the «second family». In fact, Hegel wanted to dissolve the harmful side of «civil society» through these two, and used the «police» and the «trade association» to bring the ethical principles of the «family» to the forefront. He also utilized the «police» and the «trade association» to introduce the «family»-style ethical principle into the civil society and to give an ethical guidance to the utilitarian principle of the «civil society».^[8] On the one hand, the core of the unity of the family and the state unfolds as an ethic of action, and the state is then considered to be an expansion of the family. On the other hand, institutionally, the Son of Heaven was seen as the son of the world, and the world was subject to the Son of Heaven, and the family-like ethical politics herein could not be separated from one more key thing: the moral concept and moral practice of the unity of heaven and man. For man to deal with the relationship between humanity and heaven, on the one hand, it requires the need to take one's parents as the basis and filial piety as the core, on the other hand, as the son of heaven enjoys supreme honor and glory at the same time, he is also subjected to the constraints of heaven, which restrain his behavior, so that «the son of heaven is subjected to heaven, and the whole world is subjected to the order of the son of heaven.»^[9] This not only establishes the position of the Son of Heaven, but also gives sufficient reason for the whole world to be honored by the Son of Heaven, a reason which, in addition to the unity of the ways of Heaven and the ways of man, embraces the larger idea of the family. The entire people of the

world were seen as the subjects of the Son of Heaven. From another perspective, the Son of Heaven was subject to the order of Heaven, and the behavior of the Son of Heaven was also subject to the constraints of Heaven in order to prevent tyranny.^[10]

4.3 Ethicality comes from different sources

Ethically, Hegel emphasized the political ethics of family-state connection based on human freedom and rationality, which is in fact the “individual-orientation” under the group pattern, emphasizing the individual; while in China, the ethics of family-state connection focuses on restraint, relationship, and pushing oneself to others, which emphasizes to a certain extent the “unspoken I”, that is, the “one-orientation” in the pattern of differential order. In China, the ethic of family-state connection emphasizes restraint, relationship, self-promotion, and to a certain extent emphasizes the “indeterminate I”, that is, the “one-person orientation” in the pattern of differential order.^[11] This difference comes from the difference in concepts, which is inseparable from its cultural heritage and social formations. In Hegel’s view, the ethical nature of the modern state is the external world created by the subjective spirit and human subjectivity, so the state is built on self-consciousness, and the modern state and its constitutional system should be built on the reflection of subjective freedom and subjectivity. The modern state, through various systems and institutions, is a means for people to realize their own special purposes and interests, while at the same time attributing themselves to a larger ethical universality. (Zhan Shiyou, Fang Zhimei 2022) As Charles Taylor once said, “The state is the community in which the full content of the rational will is manifested in public life, and in which the fully realized state reconciles the fully unfolded individual subjectivity and universality. The state is concrete freedom.”^[10] In terms of system, Hegel’s constitutional monarchy absorbed the idea of order in the family, in which the monarch is the head of the family, and “the historical origin of the monarchical state system is patriarchy, only in a higher form than that. Hegel’s expansion from the family to the state relies externally on the institutional design of the constitutional system, and internally on the principle of hierarchy with differential love in the family. Therefore, Hegel says that the first foundation of the state is the family and the second foundation is hierarchy (Hegel, 1961:212). It is clear from this system that Hegel wanted to expand to the state with the help of the ethics of the family.^[11]

References

- [1] Zhan Shiyou, Fang Zhimei. There is a State to Rely on and the Greatness of the State--Consideration of Political Ethics in Hegel’s Modern View of the State[J]. Journal of Huazhong University of Science and Technology (Social Science Edition), 2022, 36(2):9-19.
- [2] [German] Hegel: Philosophy of History [M], p. 44
- [3] Liu JJ. “Family and State as One” and the Analysis of Ethics and Politics in Ancient China[J]. Inner Mongolia Social Science (Chinese edition), 2006(6):12-17.
- [4] [German] Hegel: Philosophy of History [M], 127 pp.
- [5] [German] Hegel : Lectures on the History of Philosophy, vol. 1, translated by He Lin and Wang Taiqing, Beijing : Commercial Press, 1997, p. 119.
- [6] Wang Xingfu. “Moral China” or “Authoritarian China”-A Hegelian Reflection on Traditional China[J]. Academic Monthly, 2015, 47(10):29-43.
- [7] Sun Xiangchen. The “Family” in Modern Society and the Ethical Principle It Represents - An Interpretation of the “Family” Problem in Hegel’s Principles of the Philosophy of Law[J]. Academic Monthly, 2017, 49(04):15-27.
- [8] Zhan Shiyou, Fang Zhimei. Having a State to Depend on and the Greatness of the State - The Political Ethical Consideration of Hegel’s Modern View of the State[J]. Journal of Huazhong University of Science and Technology (Social Science Edition), 2022, 36(02):9-19.
- [9] Dong Zhongshu-Chunqiu Fanlu [M]-Beijing: Zhonghua Shuju, 2019.
- [10] Charles Taylor. Hegel [M]. Zhang Guoqing, Zhu Jindong, Translation. Nanjing: Yilin Publishing House, 2002: 608.
- [11] Li Rongshan, The Politics of Community Love [M].