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HEGEL AND THE REPUBLICAN THINKING

Hegel and Republican Thinking

The philosophical system of Hegel greatly affected theoreticians representing various trends in reflection on politics. Some thinkers regarded him as a predecessor of the future proletarian revolution, others as a reactionary and ideologist of authoritarian governments. He was perceived as a liberal thinker, a conservative, and even a founding father of totalitarianism. It is difficult, however, to find an author who would associate Hegel's thoughts with the republican tradition. The author of this article tries to pursue this task. At first sight, Hegel does not offer any analysis of the republic. His main topic is the state, understood very broadly as a political unity and totality – as a living ethical community. Attempts at including Hegel in the classical republican tradition require strong arguments. The first hint is the presence and outstanding importance of Aristotle and Kant in his works. These two names cannot be omitted in republican thought.

Keyword: Hegel, republic, state, Aristotle.

The philosophical system of George W.F. Hegel, whose significant part is devoted to the political dimension of the world of human spirit, greatly affected theoreticians representing various currents of reflection on the state and politics. Some thinkers found Hegel's thoughts to be a major source of their inspiration, others rejected him strongly. The former and the latter alike, without making an effort to understand the whole message of the philosopher, were excited or outraged over some selected aspects of his philosophy. Hegel's political thoughts were usually classified by common stereotypes, whose diversity aroused

confusion. Some believed him to be a predecessor and prophet of the future proletarian revolution¹; others – a reactionary and ideologist of authoritarian governments². He was perceived as a liberal thinker³, a conservative⁴, and even one of founding fathers of the 20th century totalitarianisms⁵. It is difficult, however, to find an author who would attempt to associate Hegel's thoughts with the republican tradition. In this text I would like to pursue this task. I do not intend to do it just to fill the interpretation gap with a new, extravagant possibility, but because I can see serious arguments for associating Hegel's thinking with the republican reflection. I should add that it is the classic understanding of republicanism that I am interested in, described in works of ancient masters: Plato, Aristotle and Cicero; not its modern version, relished briefly by Hegel in his youth, when the news of the storming of the Bastille and the outbreak of revolution in France reached Tübingen, where he was studying theology. There is a wide gap between the thinker who believed that a reasonably governed state should have a form of a hereditary monarchy (though a constitutional one) and those who contrast the republic with the royal reign, and identify its origin with dethroning the king and decapitating him.

It should be clearly stated that Hegel never declared himself directly to be a republican and it would never have occurred to him that someone could pigeon-hole him in this way. The word "republic" hardly ever appears in his writing (e.g. in *The Phenomenology of Spirit* not even once!), and if it does, it is used in historical references to the Roman republic, also in fragments discussing other thinkers, who used the concept more often (for example Cicero or Montesquieu). He usually uses it as a German translation of Plato's *Politeia*. At first sight, apart from occasional mentions⁶, Hegel does not offer

¹ H. Marcuse, *Reason and Revolution. Hegel and the Rise of Social Theory* Oxford University Press, 1941.

² See B. Russel, *History of Western Philosophy*, London 1962; E. Toppitsch, *Die Sozialphilosophie Hegels als Heilslehre und Herrschaftsideologie*, Neuwied/Berlin 1967.

³ For example: K.H. Ilting, *Einleitung zu G.W.F. Hegel, Vorlesungen über Rechtsphilosophie 1818–1831*, Stuttgart 1962.

⁴ See H. Lübke (Hrsg.), *Die Hegelsche Rechte*, Stuttgart 1962.

⁵ K. Popper, *The Open Society and Its Enemies*, Princeton University Press, 2020. – In his book, or a pamphlet, the famous philosopher of science includes some rather compromising remarks, taking into account his own principles of reliable science, on Hegel, such as: "(...) my main intention is not so much to explain this phenomenon as to combat it" (ibid, p. 245). Popper's attitude to Hegel is best reflected in the following quote: "The historical significance of Hegel may be seen in the fact that he represents 'the missing link' between Plato and the modern form of totalitarianism" (ibid, p. 246).

⁶ Hegel for example notices that in his times there was a widespread belief that the republic is the only just and right system (G.W.F. Hegel, *Lectures on the Philosophy of*

any analysis of the republic and the republican attitude. What is of primary importance in his philosophy, though is the state (*der Staat*), understood very specifically and broadly by him as political unity and totality – as a living, internally diversified and organized, fundamental ethical community.

Attempts at including Hegel – contrary to his desires – in the classical republican tradition require strong arguments and a convincing interpretation. The first hint that we should thoroughly consider such a hypothesis is the presence and outstanding importance of two great philosophers, Aristotle and Kant, in his works. And these two names cannot be omitted in the republican tradition.

THE LEGACY OF ARISTOTLE

Hegel, who intentionally ended his *Encyclopedia of Philosophical Sciences* with a Greek quote from the 12th book of Aristotle's *Metaphysics*, perceived himself as, to some extent, a modern heir of the philosophical attitude of the Stagirite. To some extent, because while appreciating the significance of the concept of substance in the metaphysical description of reality, he also saw and emphasized its limitations, insufficiency and the necessity to supplement it with something more – the dimension and perspective of a living, self-conscious person. The specificity of Hegel's approach can be summed up with his famous words from the preface to *The Phenomenology of Spirit*: "everything depends on grasping and expressing the ultimate truth not as *substance*, but just as much as *subject*"⁷. Since "the truth is the whole"⁸, an adequate description of dynamic reality must have a holistic nature: "The true shape in which truth exists can only be the scientific system of that truth"⁹. Such systematic and synthesizing approach is a specific feature of this thinker not only in his metaphysical considerations.

World History, translated by H.B. Nisbet, Cambridge University Press, Cambridge, UK: 1975 [G.W.F. Hegel: *Vorlesungen über die Philosophie der Geschichte*, Werke in 20 Bänden; Suhrkamp Verlag 1970, 12, 63]); in another point he mentions that when we see the sovereignty of a nation as a form of the republic, in fact it denotes democracy (G.W.H. Hegel, *Elements of the Philosophy of Right*, edited by Allen W. Wood, translated by H.B. Nisbet, Cambridge, Cambridge University Press, 1991, § 277).

⁷ G.W.F. Hegel, *Phenomenology of Spirit*, translated by Terry Pinkard, Cambridge University Press, 2018, vol. I p. 12

⁸ *Ibidem*, p. 13.

⁹ *Ibidem*, p. 5.

Leaving aside the depths of Hegel's metaphysics and its roots in Aristotle's vision of God – a thought that thinks itself, let us take a closer look at Aristotle's reflections on politics. Nobody has probably noticed that the idea of synthesis, which allowed Hegel to describe the rational structure of a modern free state in *Elements of the Philosophy of Right*, can be found in Aristotle's works and this idea is truly republican.

One of the issues discussed in the 3rd book of *Politics* foreruns the discussion that will start two thousand years later along with the appearance of a vision of the state based on an assumption that it may be established as a result of free agreement of individuals. According to Aristotle, a relationship contracted by people who agree not to hurt each other and to defend themselves together against potential aggressors, is not a true political community yet, and even if it concerns people living next to each other, it does not differ from a temporary agreement of distant allies. The existence of such an agreement or alliance becomes “the guarantee of mutual justice without the possibility of raising good and just citizens”¹⁰. Contrary to this, “the state (polis) that really deserves its name, must take care of the virtue”¹¹. The state, in its deepest sense, “is not a union of men in a particular place to protect them against mutual harms and to facilitate the exchange of goods. All this, admittedly, must exist if the state is to exist, however, even if we have it all, this is not a state yet, as it is a community of happy life”¹². Thus, there are two clearly different dimensions of statehood: the first one is the necessary condition (“all this must exist”) for any form of statehood, but it does not deserve to be called a state in the true and full meaning of the word, and the second dimension, which gives the state its deeper, ethical meaning.

Although the conviction that the political community is founded on a “social contract” concluded between individuals, aimed at ensuring peace, internal and external security and, consequently, the best conditions for development of economy and trade, prevails in modern times, especially in the liberal circles, Aristotle seems to be telling us directly: what you universally consider to be the state is admittedly a necessary, but insufficient condition of a true political community, because its goal is beyond them, it is “good and happy life, and the rest

¹⁰ Aristotle, *Politics*, translated by Benjamin Jowett, Batoche Books, Kitchener, 1999, (III 5, 11 [1280b]).

¹¹ *Ibidem* (III 5, 11 [1280b]).

¹² *Ibidem* (III 5, 13 [1280b]).

constitutes a means to achieve this”¹³. This feeling of good, fulfilled existence (*eudaimonia*) cannot be achieved through satisfaction of individual goals and interests, but through civil life, able and ready to serve and sacrifice for one’s political community. Although Hegel never refers directly to this fragment from Aristotle, his whole reasoning, directed against the one-sidedness of the modern concept of freedom and faulty understanding of the state as an exclusively external form supporting actions of individuals who pursue their own interests, is nothing but development of this intuition of Aristotle¹⁴.

The testimony of the Stagirite shows that the sphere of social relations based on an agreement, in which individuals communicating with each other play the main role, though somehow present since the origins of human civilization, in ancient times was inferior to much more durable bonds and regulations, rooted in living tradition and customs of the community. This, however, does not mean that it was not important. The acknowledgment of the fact that a citizen is also a person – meaning: a legal entity capable of contracting obligations and concluding agreements, along with the acknowledgement of equality in law of all citizens became the foundation of social relations in the Roman republic. As Cicero wrote: “Wherefore, as the law is the bond of civil society, and equal rights form that of the law, by what power can a community of citizens be maintained, where their condition is not an equal one? If therefore it is not expedient to equalize fortunes; if the powers of mind cannot be equalized in all, certainly then an

¹³ *Ibidem* (III 5, 14 [1280b]).

¹⁴ A direct reference to Aristotle’s political vision and to the modern understanding of the state can be found in Hegel’s lectures on history of philosophy: “Aristotle does not place the individual and his rights first, but recognizes the state as what in its essence is higher than the individual and the family, for the very reason that it constitutes its substantiality. The state is essential existence for the good and for justice. (...) Thus the state is “an entelechy”, the essence of individuals; ‘the individual when separated from the whole is just as little complete in himself as any other organic part separated from the whole’. This is directly antagonistic to the modern principle in which the particular will of the individual, as absolute, is made the starting point, so that all men by giving their votes, decide what is to be the law, and thereby a commonwealth is brought into existence. What is substantial in Aristotle’s writing is the state; what is most perfect is political *δυναμις* realized by the subject activity, therefore the latter has its definition in it and its essence. In this way, political sphere is the highest (...) it [Greece] did not know the abstract law of our modern states, which isolates an individual, gives it freedom (so that it has significance as a person) (...) Greater freedom could only appear when the state incorporated this principle; the first principle was the freak and product of nature, an individual’s whim – here we have internal, permanent existence and imperishable generality, which is real, whose parts are consolidated” G.W.F. Hegel *Lectures on the History of Philosophy*. 3 volumes, translated by E.S. Haldane and F.H. Simson, with introduction by F.C. Beiser, Lincoln: University of Nebraska Press, 1995. Vol. II pp. 208–210.

equality of rights ought to exist, among those who are citizens of the same republic. For what is a state but a community of rights?"¹⁵.

Later in history, in Middle Ages, with their hierarchic world of feudal dependencies, the republican conviction of equality to law and its uniting force was questioned and weakened. This changed in modern times. Along with the popularization of the conviction that an individual occupies a special place, the sphere of contractual interpersonal relations gained significance and ultimately became dominant. It was then that the political concepts of Thomas Hobbes and John Locke appeared – the most important attempts to reflect this approach and the modern state of freedom was born – as an association of free and equal individuals. The most philosophically mature form of such thinking about man and society can be found in the works of Immanuel Kant, and his most important achievements were later incorporated by Hegel in his own system.

THE CONTRIBUTION OF KANT

In the first part of *Metaphysics of Morals*, devoted to the theory of law (*Rechtslehre*), Kant presents the picture of a rational ideal, or a model of regulating relations between people and marking external boundaries and framework of human activity so that each person could enjoy respect as a free and autonomous individual and so that he was treated “always at the same time as an end, never merely as a means”¹⁶. The fundamental category here is that of the right (the right entitlement) (*Recht*) for every person – acknowledgment of the existence of certain absolutely inviolable sphere, which covers personal property of each man, that is everything I can define as “mine” (body, assets, family), from which other, derivative institutions come (inter alia, agreement, right to restitution of violated property, fair punishment). This holistic system of institutions, supported by the power of the state authority, defined by Kant as *rechtlicher Zustand*¹⁷ – that is the state of public respect for rights and right entitlements, in fact establishes the framework of what we call today the rule of law.

¹⁵ Marcus Tullius Cicero, *The Republic of Cicero*, translated by G. W. Featherstonhaugh, Esq., G. & C. Carvill, New York, 1829, (book I, XXXII).

¹⁶ Immanuel Kant, *Groundworks for the Metaphysics of Morals*, translated by Mary Gregor, Cambridge University Press, 1997, p. 37 [IV 429].

¹⁷ Immanuel Kant, *The Metaphysics of Morals*, edited by Mary Gregor, Cambridge University Press 1996, [VI 256].

The idea of a republic, as a model of a well-governed state juxtaposed with various forms of despotism, appears in Kant's thinking as an extension of the idea of man as an autonomous individual, and of the community as an association of such individuals¹⁸, supplementing the rational vision of a state community with an additional element. The state of public respect for the rights allows individuals to use freedom safely, but from this perspective they are treated only as "passive citizens" – as subjects of the authority that guards this order, not as "active citizens", who co-create the institutional and legal order of their state. The latter concept of citizenship, which seemingly resembles the classic, republican presentation¹⁹, is, according to Kant an obvious consequence of recognizing man as an autonomous being. However, there is a significant difference between these two presentations. In Kant's perspective, the function of an active citizen seems to be an additional right of an individual²⁰, whereas in the republic tradition – a duty originating from the bond with the community.

Kant emphasizes that the key to understanding the republican system is the issue of political representation: "Any true republic is and can only be a system representing the people, in order to protect its rights in its name, by all the citizens united and acting through their delegates (deputies)"²¹. Also here we can see that the goal of the republican state is to guarantee the rights of individuals, nothing more. The power in such a state should be held only by those who, as representatives of the people, want and are able to serve this goal. Therefore, the representational republican system has nothing to do with democracy and related common claim for participation in power.

¹⁸ In his treaty *Perpetual Peace* Kant writes: "The only constitution which has its origin in the idea of the original contract, upon which the lawful legislation of every nation must be based, is the republican. It is a constitution, in the first place, founded in accordance with the principle of the freedom of the members of society as human beings, secondly, in accordance with the principle of the dependence of all, as subjects, on a common legislation: and thirdly, in accordance with the law of the equality of the members as citizens" (Immanuel Kant, *Perpetual Peace*, translated by M. Campbell Smith, George Allen & Unwin Ltd, London, 1917, p. 120–121 [VIII 349–350]).

¹⁹ "Nor is he a citizen who has no legal right except that of suing and being sued; for this right may be enjoyed under the provisions of a treaty. (...) He who has the power to take part in the deliberative or judicial administration of any state is said by us to be a citizen of that state; and, speaking generally, a state is a body of citizens sufficing for the purposes of life." (Aristotle, *Politics*, p. 52–53 (Book III, 1, 3–5 [1275a]).

²⁰ Those who want to exercise this right must, according to Kant, meet one more requirement – obtain the status of *sui iuris* – an independent person.

²¹ Immanuel Kant, *The Metaphysics of Morals*, edited by Mary Gregor, Cambridge University Press 1996 [VI 341].

Kant sees democracy as a generally despotic system, in which nobody represents anyone else but themselves – everyone wants to be the master and nobody wants to serve anyone²². It should come as no surprise then, that Kant allows and even approves of a situation when a monarch turns out to be the best servant and representative of the people, holding his power in both an autocratic and republican way. The vision of a republican state, which takes the form of a constitutional monarchy in Hegel's system, is deeply rooted in Kant's works.

HEGEL'S SYNTHESIS

Hegel's reflections on the state and politics take into account both main traditions of political thought, whose most prominent representatives were Aristotle and Kant. Hegel combines them, taking what is true from each of them, while avoiding their one-sidedness. The starting point, however, is intuition close to the Stagirite: man is a political animal, a community being – community comes as the first and most fundamental entity – only then particular individuals emerge from its ethical substance²³. The first and most natural example of such substantial ethical community is the family. Those born and raised in it carry it in themselves (its ethos – ethical life pattern) as an irremovable source of their identity. The political community, in Hegel's opinion, has the same nature – it is in fact an extended family, a nation, possessing particular ethical contents, namely specific laws, customs, common myths which are perceived by community members as something very own. At the same time, along with historical development of human spirit, this specific, and thus various ethical content gradually develops general and rational traits, which reflect – implemented in appropriate institutions – the growing awareness of human freedom. The state described by Hegel in *Elements of the Philosophy of Right* constitutes a modern political community, whose ethical contents include respect for human autonomy and everything that stems from it.

Presenting rational principles which determine the modern political community, Hegel distinguished its three essential dimensions, or

²² Compare Immanuel Kant, *Perpetual Peace*, translated by M. Campbell Smith, George Allen & Unwin Ltd, London, 1917 [VIII 352–353].

²³ In other words, a significant part of the works of Kant and modern thought can be easily accepted and successfully inscribed into a broader, classical vision of man and politics developed by Plato and Aristotle, whereas the opposite operation is rather impossible.

three kinds of rights (and related institutions): abstract right, moral right and ethical right. The first two dimensions, connected with an individual perspective – with what it means to be a legal person or a moral subject, are treated by him as dependent dimensions, as abstracted “moments”, or aspects of the ethical community of the state as the only real shape of human Spirit.

Abstract right simply tells us: “be a person and respect others as persons”²⁴, that is: respect the right entitlements of another person and do not violate what belongs to them. As we can see, Hegel appreciates and adopts not only the fundamental framework of Kant’s pro-state reflections, but also the output of his predecessors – dating back to the times of Roman law creators. It is obvious that a rationally organized state must regulate external interpersonal relations on the basis of legal equality and justice principle, giving everyone what they are rightly entitled to; that – to put it in different words – it must contain institutions that co-create what we call the rule of law state nowadays.

The second dimension Hegel takes into account – the one in which moral right rules, is a direct tribute to Kant’s moral philosophy, according to which man, as a moral subject, is obliged to be directed by what he considers good and right. It is simply recognition of the importance of human conscience. Hegel repeats after Kant: “conscience is sacred, its violation would be a blasphemy”²⁵. Even if in the past this right was not understood or respected properly, in modern times – after the reformation and the period of religious wars – it is widely recognized in our culture and as the principle of freedom of faith and opinion it has become an unquestionable institution of modern political community.

When we speak of a state whose tasks are limited only to external protection of right entitlements of individuals and respect for their internal freedom, or which – in Hegel’s categories – take into account the requirements of abstract and moral right, then historically, we see a picture of a liberal minimal state of the first decade of the 19th century, which is “a night watchman” for its citizens. Within such a state, the sphere of “civil society” is the appropriate space where real life is lived and where people place their most important goals, aspirations and interests. It is Hegel who gives this concept its contemporary

²⁴ Georg W.F. Hegel, *Elements of the Philosophy of Right*, translated by H.B. Nisbet, Cambridge University Press, 1991, § 36.

²⁵ *Ibidem*, § 137.

meaning – a sphere of human activities and co-activities, which occur outside and independently of the political sphere of the state²⁶. Civil society, dynamically developing in modern state organisms, somehow emancipates itself from its political community and marginalizes it, reducing it to “the external state” or “the state out of need and common sense”²⁷, that is reducing it exclusively to functions and institutions²⁸ that are ancillary and instrumental for aspirations of individuals who, alone or in agreement with others, pursue their private goals.

However, this sudden expansion – mostly in the economic dimension – of civil society brings tensions that threaten its existence. Though its foundation is recognition of equal freedom and equal rights of individuals, ruthless economic competition unavoidably leads to deepening inequalities. Apart from those who succeeded, there is a growing number of those who lost and who are excluded – Hegel calls them the penurious rabble – living in poverty, economic dependence, unable to make use of values offered by civil society, mostly personal security and freedom that are formally guaranteed by the rule of law state.²⁹ It seems that the internal dynamics of such society leads it to self-destruction and it cannot cope with it in any way³⁰. The only cure that can prevent it, according to Hegel, consists in going beyond an individualistic perspective and perceiving the importance of elementary ethical bonds, thanks to which people – also those who have lost and are alienated – may feel part of community, rely on it and expect its support.

²⁶ It is worth remembering that even for John Locke the concept of *civil society* – according to its etymology and the connection between *civil* and *civitas* – meant a politically organized community.

²⁷ Georg W.F. Hegel, *Elements of the Philosophy of Right*, § 183.

²⁸ This, in fact, concerns two institutions guarding security and order in such society: the judiciary and the police.

²⁹ Hegel’s thoughts concerning the shape and internal tensions of civil society, only outlined here, became an inspiration for Karl Marx. One can easily find classic topics of Marxism in Hegel’s works, though disguised under different names: the division into capitalists and proletariat, the phenomenon of alienation, insurmountable contradictions of the capitalistic system, or even imperialism as its final stage (see Hegel, *Elements of the Philosophy of Right*, § 243–248). Contrary to Marx, whose idea of solving these contradictions boiled down to destroying elementary institutions of civil society (mostly the right of ownership) and building a new order on the ruins of the old system, Hegel does not propose rejection or destruction of this society – as this would equal to returning to the barbarian state – but its neutralization, that is preservation of civil society with all its institutions while easing internal tensions and conflicts with ethical influence of the political community of the state.

³⁰ As Hegel writes: “despite an excess of wealth civil society is not rich enough, i.e. its own resources are insufficient to check excessive poverty and the creation of a penurious rabble” (G.W.F Hegel, *Elements of Philosophy of Right*, § 245).

In reality – as Hegel points out – even in the most individualized community there are always some forms of bonds between people, which can ease internal tensions of civil society much more effectively than institutions of “an external state”. These are all sorts of communities of ethical nature. Such associations as the family, groups of friends, local or religious communities, or, so important to Hegel, professional corporations, allow to protect the losers on the civil society ring from slipping beyond its framework. The stabilizing role of various ethical communities shows that a very important aspect of a rationally organized state is to provide institutional conditions in which they can exist. It must be admitted, though, that for Hegel all these ethical bonds constitute only a certain preparatory stage. They teach us how to sacrifice for the common good, even if this is only the good of a particular community, not the truly common good. The latter becomes our goal when we identify ourselves with the ethical community of the state.

Hegel’s vision of the state as an ethical community constitutes the major polemics with the modern style of political thinking that absolutizes an autonomous individual. Adopting such an assumption, what this current was only able to perceive beyond an individual was a certain external organization, established by people to protect and support their private interests. Such a state, deprived of ethical contents, which – as it was in classic republics – allowed citizens to identify themselves with their own political community and to find the meaning of their existence in it, is reduced to institutions regulating the life of civil society. But even within the frames of such an “external state”, the ethical element, though marginalized, never disappears completely³¹. And this does not concern only experiencing bonds within smaller, non-political communities. Even in a night-watchman state we can find people who combine their personal goals with service for the political community. These are – called the general state by Hegel – people who perform various functions in the state apparatus, the administration, the judiciary, the army or the police.

Civil society is therefore not the self-sufficient whole, but it refers us to broader and more elementary reality. Only the state understood as political organization of the ethical community of the nation turns out to be the primary – self-contained and self-sufficient (and perfect in this sense) form of the existence of human Spirit. This concept of

³¹ This will be so, we should add, as long as the natural environment in which human individuals appear is still the ethical community of the family.

the state covers the already indicated dimensions of human freedom: it preserves the validity of the abstract right of a person and the moral right of the subject to act in line with their internal conviction, recognizes autonomy of the family in its relevant sphere, as well as principles of civil society. It combines them into one entity, glued by additional rights and institutions, which are manifestations of this broader, political perspective. Thus personal liberties or entitlements of individuals are not limited or threatened in any way. Participation in political life of the community does not have to lead to an individual's resignation from pursuing their private goals. Thanks to political activity, an individual may directly experience the feeling that care for the common good gives us self-fulfillment. Man who realizes that he or she is a particle of the ethical community of the state, discovers a new dimension of freedom and does not lose any other dimensions.

Hegel points at this new dimension of freedom, invoking the word "patriotism", well known in the republican tradition. This word seems to be difficult to understand for people totally concentrated on their private goals. From the point of view of individuals concentrated on themselves, sacrificing their life for the homeland does not make sense. However, this is only an illusion, whose nihility is revealed in extreme situations, for instance at war, when we realize that our homeland faces a real threat of annihilation. In such moments, even if we have to put our life on the line, people believe it is their highest moral duty and the fulfillment of their freedom to sacrifice for the state. Patriotism, however, does not only stand for readiness to make the highest sacrifices when our homeland is in need, it is a permanent attitude we find in everyday life and our ability to perform extraordinary actions stems from it in extraordinary situations.

Describing rational elements of the modern political system of the state understood as the ethical community, Hegel consistently picks those elements which demonstrate primacy of the community over an individual. He continuously emphasizes that the major goal of institutions in such a state is to develop the awareness of ethical bonds that citizens have with their political community, which leads to arousing and strengthening patriotic feelings.

The political system of the state is simply the structure and internal division of its powers. But the division of power, indispensable in every political organism, has little in common with the theory, popular since Montesquieu times, claiming that the division and mutual check of powers is the guarantee of individuals' freedom and country

stability. This theory assumes that the legislative, the executive and the judiciary powers exist totally independently and by their nature they compete with each other, their cooperation being possible only through the balance of powers. According to Hegel, the popularity of such concepts demonstrates that the ethical bond of the state is in ruin³².

The necessary structure of powers, developed by the state understood as a political form of the ethical community, looks different. It contains the power to determine what is valid as general law, the legislative power; the power applying such law to particular cases – the executive power; and the most important of them – the power of the ruler, who, as the subject of ultimate decisions, combines all powers in one coherent whole³³. Characteristically, we will not find any remark concerning the judiciary, which, according to Hegel, does not belong to the political sphere but to the sphere of civil society! Although we may easily find traces of such system structure in every political organism in history, Hegel's description concentrates on the most developed (and contemporary for him) form he calls constitutional monarchy³⁴.

One must emphasize here the position of a sovereign monarch. The state as an ethical community must be directed by one, common will. Hegel is aware of the significant difference between the executive power, which does only what it was commissioned to do, and the power that makes ultimate decisions³⁵. This distinguished role of a monarch, personifying the unity of the community, is revealed especially when the state develops relations with other states. Thus, the ruler's powers comprise the field of foreign politics, including its derivative – the possibility of war. Uniform command is the necessary condition for successful defense – the army must be directly subordinated to the ruler as the highest-rank commander. Another prerogative is that of mercy – the possibility of suspending, for the benefit of the state, the judgments given by the judiciary. All these tasks attributed to the ruler do not, however, pave the way for a despot. A sovereign ruler of a modern state “is bound by the concrete decisions of his counselors,

³² See *ibidem*, § 272.

³³ See *ibidem*, § 272, *Addition*.

³⁴ To some extent, Hegel refers here to the classical, republican model of a mixed system: “The monarch is a *single* person; *the few* come on the scene with the executive; and *the many en masse* with the legislative” (*ibidem*, § 273).

³⁵ “The state is the self-determining and completely sovereign will, the ultimate source of decisions” (*ibidem*, § 279, *Addition*).

and if the constitution is stable, he has often no more to do than sign his name. But this name is important. It is the last word beyond which it is impossible to go”³⁶.

While the conviction that the state should be ruled by one person – be it the king, the president, the chancellor or someone else – seems to be quite obvious, we may be surprised to see that Hegel believes that the most rational form of such power is hereditary monarchy. His argumentation, however, cannot be neglected. If the state is treated as an ethical community, the ruler is not an official, but a personification of the state – the embodiment of its unity and whole³⁷. A hereditary monarch has special predispositions for this role. Contrary to an elected ruler, who always brings his privacy and inevitably mixes it with state matters, the life of a neutral heir revolves around the throne since his childhood. Nobody can identify with their state and community as deeply as such a hereditary ruler.

Execution and application of sovereign decisions differ from taking them. This is the task of the executive power, whose officials perform their functions by virtue of powers given by the monarch and on his behalf, creating a hierarchic, multi-rung ladder of state administration, topped by persons appointed directly by the ruler. Access to these posts is determined by free decisions of citizens and is open to everyone possessing required competencies. The most important thing for Hegel is that members of this authority accomplish tasks aimed at common good. They are not only private individuals, members of civil society, but also conscious citizens of the state as the ethical community. Thanks to education and legal awareness, but most of all, thanks to identifying their own goals with common good, members of state administration and officers of the judiciary and the police, constitute an important pillar of the modern state, integrating the community and counteracting centrifugal trends existing within civil society.

People participating in the executive power on various levels and thus directly interested in the good fortune of the political community account for small percentage of the whole population. In a modern state, therefore, we need institutions which develop the attitude of conscious patriotism – internal conviction of the necessity to serve and to be involved in matters important to the whole community – in

³⁶ *Ibidem*, § 279, Addition.

³⁷ See *ibidem*, § 281.

as many citizens as possible. This task, according to Hegel, is to be performed by the parliament as a representative body of the legislative power.

Surprisingly, the main function of the parliament is not to determine the rational shape of acts of law³⁸. The representation of the nation is not needed because such representatives possess special knowledge or legislative competencies. Compared to the educated and experienced group of state clerks, they are usually ignorant of state matters. The parliament plays the role of an addition, only confirming what has been prepared earlier by the circle of experts in government administration. The actual reason behind the appointment of the legislative power institution representing the nation is the recognition of autonomy of individuals and their right to independent judgment, also in the political sphere³⁹. The idea is to involve a larger group of citizens in thinking about state matters, to go beyond those already engaged in the executive power actions. Through participation in political life, members of parliament develop a conviction that the state is not something external and alien and thus they identify with the community and their feelings of responsibility and patriotism grow.

If we want the parliament to accomplish that goal, the method of its appointment and its internal structure must truly reflect the shape of the society. That is why Hegel clearly rejects the principle of general, direct election, as it is based on the conviction that the legislative body must be a representation of abstract, isolated “unorganized” individuals. The real political community is a living organism consisting of a network of smaller, local communities and these communities – through their delegates – should be represented in the parliament. Here Hegel criticizes the party system which, contrary to appearances, does not contribute to political activity of citizens and in fact undermines the ethical bond with the state. A political party does not represent organized individuals, those who belong to particular ethical communities. It is an external association of random people who establish a party in order to improve their bargaining power in their pursuit of individual goals. In countries with the party system the common good is left at the mercy of competing private and party interests, which accounts for the fact that masses of citizens turn away from public matters. Hegel’s comments remain true these days:

³⁸ See *ibidem*, § 314.

³⁹ See *ibidem*, § 301.

“As for popular suffrage, it may be further remarked that especially in large states it leads inevitably to electoral indifference, since the casting of a single vote is of no significance where there is a multitude of electors. Even if a voting qualification is highly valued and esteemed by those who are entitled to it, they still do not enter the polling booth. Thus the result of an institution of this kind is more likely to be the opposite of what was intended; election actually falls into the power of a few, of a caucus, and so of the particular and contingent interest which is precisely what was to have been neutralized”⁴⁰.

Regardless of whether the parliament is composed of members forced by parties or – as Hegel postulates – natural leaders of local communities, they still constitute a small part of the whole society. This does not mean, however, that other citizens are deprived of any possibility of participating in political life of their country. The institution of public opinion is a significant supplement to the legislative power, as it performs the same task – respecting the rights of autonomy of individuals – on a much broader scale. The institution of public opinion is based on two principles: transparency of parliamentary sessions and freedom of speech. Thanks to them each citizen may follow the course of political debates and may also openly present their own opinion in every matter. It does not mean whether the citizen’s statements will make sense or not; it is important that they require prior interest in public matters, which proves that citizens are aware that they belong to the ethical community of the state.

CONCLUSION

The selected elements of Hegel’s analysis of the rational shape of the modern state clearly reveal the horizon of his thought. Although he avoids the word ‘republic’, as in his times it had specific connotation marked by the revolution, there are serious reasons to include Hegel in the classical republican tradition – especially in its current that was capable of adopting and assimilating the most valuable elements of the modern reflection on freedom. The state described by him, combining freedom and reason, may be called a republican rule of law state.

⁴⁰ *Ibidem*, § 311.

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