



Universiteit
Leiden
The Netherlands

Generating freedom: Hegel's conception of political order

Tijsterman, S.P.

Citation

Tijsterman, S. P. (2024, April 16). *Generating freedom: Hegel's conception of political order*. Retrieved from <https://hdl.handle.net/1887/3736094>

Version: Publisher's Version

License: [Licence agreement concerning inclusion of doctoral thesis in the Institutional Repository of the University of Leiden](#)

Downloaded from: <https://hdl.handle.net/1887/3736094>

Note: To cite this publication please use the final published version (if applicable).

7. CITIZENSHIP, SELF-GOVERNMENT, AND DEMOCRACY

7.1 Introduction

The previous chapter has already discussed citizenship as part of the organic conception of the state. This chapter investigates citizenship in more detail.

Hegel's theory of citizenship has generally been met with deep distrust, as it diverges from the main tracks that have come to dominate reflection on citizenship, liberal and republican. The liberal theory takes citizenship first of all as a legal status which gives citizens a set of (natural) rights. This status enables them to pursue their personal ends. The liberal model of citizenship has individual or private freedom as its key value. Within this model, citizens can do whatever they want as long as they respect the rights of others. In other words, they must keep the law. In addition to this basic normative requirement, citizens must also keep a critical eye on government to prevent the violation of freedom rights (*cf.* Leydet 2011 section 1.2). This liberal position fears that Hegel's state-centred conception of citizenship does not sufficiently recognise individual rights and autonomy. Karl Popper (1995, 246), for example, famously summarises Hegel's philosophy as "the state is everything and the individual nothing".

The republican approach, in contrast, regards citizenship as participation in the self-government of a political community. It understands freedom as political freedom. Citizens must participate in collective decision-making so that the laws, which structure the community, can be considered self-imposed. In contrast to the liberal model, citizens should orientate their thinking and acting towards the common good (for instance Barber 2003; *cf.* the discussion of Athenian citizenship in chapter 2). In light of this republican ideal, and also of the ideal of popular sovereignty, Hegel's state appears unacceptable. It concentrates the task of decision-making on a bureaucratic class. Citizens, except for some corporatist representatives, appear as not much more than passive subjects, as Hegel rejects their right to vote for representatives in parliaments on a one-man-one-vote basis.

However, Hegel's views on citizenship are more relevant than the cursory contrast to the main ideas of liberal and republican suggests. Hegel offers, based on his organic ontology, a sophisticated criticism of some of the key assumptions of both models of citizenship. Against liberalism, he criticises the absolute value of individual rights and its inability to understand how communal life conditions these rights. Against the republican-democratic tradition, he points out the fundamental epistemological problems – how to perceive the common good – which a democratic organisation of the political realm entails. At the same time, this criticism lays the foundation for a theory of citizenship which succeeds in combining both individual freedom and self-government, one of the gravest *desiderata* of our age.

This chapter starts with a discussion of Hegel's conception of sovereignty, which rejects both sovereignty of the person (liberal) and of the people as a whole (republican-democratic). The following section (7.3) investigates Hegel's position with regard to individual rights (the liberal position). What rights do individuals have in his organic conception of citizenship? The subsequent section (7.4) investigates Hegel's rejection of a democratic approach (one-man-one-vote) to political rights. It reconstructs his argument of why such a basis must render the political order irrational. The consequent section (7.5) investigates Hegel's alternative conception of self-government, in particular how trust and insight, and participation in the corporations and the public domain are essential elements of self-government in modern societies.

7.2 Citizen sovereignty?

CITIZENSHIP AND SOVEREIGNTY

A good starting point for exploring Hegel's idea of citizenship is his conception of sovereignty. Sovereignty concerns the question of the highest authority in a political community. Where does the right to rule ultimately reside? Modern conceptions of citizenship reject the idea that the ultimate authority resides with God, tradition, a single individual (the monarch) or a specific class (aristocracy or bureaucracy). Instead, citizens, taken as equals, must be in charge. All exercise of political power must be justified by reference to their will because the right to rule can only be theirs.

Modern political reflection is divided on the question of what it means for citizens to be sovereign. The liberal approach, which goes back to Locke's idea of a social contract, regards individual citizens as sovereign. As explained in chapter two, this tradition regards individuals as free by nature and attributes to them a set of equal, pre-political and inalienable rights, which inhere in their common humanity. These rights justify them in pursuing their self-chosen ends. Individual autonomy constitutes the sacred value on which the political order should be built.

As individuals are the ultimate source of political power, political rule requires their consent. This consent can be taken as implicit insofar as the authority of the state can be deduced from and justified by reference to the protection or promotion of individuals' fundamental rights. The fundamental features of the liberal conception of order are based on this implicit consent. Any further exercise of power requires more explicit consent. One way to organise this consent is the election of representatives, who, in decision-making, substitute the citizens who have voted for them. Represented and representative stand to each other in the liberal account in a principal-agent relationship, according to which the represented are the principals; they remain in charge and can take back control by not re-

electing their representatives. The function of elections, therefore, is to organise explicit consent and keep the government accountable.

This liberal individualistic model is not the only way to conceive of citizen sovereignty. Sovereignty can also be attributed to the people, the citizenry as a collective. Freedom, then, concerns the right of the *citizenry* to rule itself, which amounts to determining its laws, or, to take up Rousseau's terminology, the general will (CS, I-6). This is the ideal of popular sovereignty. As it does not imagine the political community as an aggregate of individuals but as a unity, the majority has the right to speak for all when determining the law, an idea deeply problematic to the idea of individual sovereignty.

The sovereignty of the people in determining the law generally comprehends more than mere consent to the law. Sovereignty also amounts to the power to shape social relations in accordance with the values the community cherishes. In that sense, sovereignty includes a conception of social power.

For Rousseau, political freedom as popular sovereignty implies the rejection of representation. Only individuals who directly express their consent to the law can be said to govern themselves and be free. When only others have voted for the law, even in your name, the law is, according to Rousseau, not really yours (CS, II-1). The ideal of popular sovereignty, however, does not necessarily imply a rejection of representation. According to many voters and politicians in real existing democracies, elections can also realise popular sovereignty, as long as majorities, who represent the will of the people, are effective in bringing about policies that reflect the wishes of the majority.

Current liberal democracies combine both understandings of citizen sovereignty (*cf.* Mounk 2018). On the one hand, liberal-democratic constitutions should protect the (sovereign) rights of individuals and of the minority groups against the state and majorities that endeavour to impose their will. Representation is, from this perspective, foremost a device to keep the government accountable (*cf.* Chapter 2). On the other hand, liberal-democratic constitutions should also facilitate the transformation of majority standpoints into effective policies and social change. Representation, from this perspective, is a means to formulate the political will of the people. Liberal democracies, therefore, are inherently ambivalent: the primacy of the law stands against that of politics; the *bourgeois*, the citizen as rights holder, against the *citoyen*, the citizen as a self-governing political agent.

HEGEL'S REJECTION OF CITIZEN SOVEREIGNTY

Hegel rejects both these conceptions. The right to rule does not depend on the consent of individual citizens nor on that of the majority. The rights of individual citizens, which they can invoke against others and the community, are not absolute. Likewise, majorities do not have the right to make decisions for the whole. Hegel rejects "the liberal inversion" (Gauchet 2015, 170), the idea that civil society, the collection of holders of primarily civil or political rights, is

the originator and in charge of the state, the sphere of politics. Instead, sovereignty resides in the organic political community as a whole, which by its inner constitution organises its own reproduction.

Hegel's rejection has an ontological and a normative dimension. To start with the former, the idea of citizen sovereignty images the law and the constitution as flowing from the will of citizens, either as individual rights-holders or as collective citizenry. They constitute a kind of starting point. This depiction envisages citizens to stand outside of the law and the constitution, as they have the power to offer their consent and change the laws and constitutional rules. This perspective does not acknowledge that the community and its laws constitute citizens more than citizens constitute the law.

To understand this criticism, Hegel's understanding of the constitution must be considered briefly. For him, the constitution does not primarily consist of the technical organisation of the branches of government to pursue a distinctive end, such as the prevention of domination. The constitution amounts to the organisation, the 'constitutedness' of a political community. In this understanding, the constitution does not only contain explicit laws about the rights and duties for citizens as individuals and part of collectives, and the rules for organising the relations between the branches of government, but also the habitual, non-formalised modes in which the community functions, including its culture. This broad understanding of the constitution is similar to the concept of regime.

In Hegel's approach, the constitution in a narrow sense, i.e. the fundamental rights of citizens, including their political rights, and the relations between the branches must fit the constitution in a broader sense, the specific mode of life of the political community. "Each nation [...] has the constitution appropriate and proper to it" (*PR*, §274R). The constitution is the outcome of a long historical trajectory of slow, often almost imperceptible, change to meet new circumstances and to further rework relations of dependence. Hegel's position stands in sharp contrast to the Enlightenment idea that constitutions can be made. From Hegel's perspective, this would amount to the imposition of a political framework that does not correspond with the organic relations of this community. Hegel gives as example the Spanish constitution:

What Napoleon gave to the Spaniards was more rational than what they had before, and yet they rejected it as something alien, because they were not sufficiently cultivated [*gebildet*]. The constitution must embody the nation's feeling for its rights and [present] conditions; otherwise it will have no meaning or value, even if it is present in an external sense. (*PR*, §274A)¹⁴³

¹⁴³ Hegel's conservative position does not imply the full rejection of constitutional reform. His claim that the political constitution should correspond with the broader constitution of the political community also implies the need for reform when constitution in the narrow sense does not fit changing circumstances.

From this ontological perspective, the idea of individual sovereignty must be rejected. Individuals do not have an original, natural right that they can invoke against the constitution, as they only have their civil and political rights, just like their existence, within a constitutionally structured whole.¹⁴⁴ For similar reasons, Hegel rejects the idea of popular sovereignty, the idea that the citizenry as a whole is the highest authority for determining the law and, by implication, the constitutional order. The people, as a collective capable of ruling itself do not precede the political community but come into being within a constitutionally structured political community. Therefore, the idea of both the sovereignty of the person and popular sovereignty conjures up Baron Münchhausen's attempt to pull himself and the horse he is riding out of the morass by his own hair. From the Hegelian organic position, adherents of citizen sovereignty do not comprehend the nature of political life. They mistakenly assume that a starting point of political order can be singled out. From this assumption, they erroneously attribute voluntarism to individuals or the people in the sense that the political structure of the community is something to which they can give their consent directly.

Hegel also rejects citizen sovereignty from the normative perspective of freedom. The realisation of freedom requires a rational organisation of the state, the state as "hieroglyph of reason" (*PR*, §279A). This rational organisation amounts to the full interpenetration of the particular and universal (the ideal of objective freedom). The parts of the political order, including individual subjects, must freely and fully develop, while these parts, including individual moral subjects, must use their freedom to attune to each other and the whole. The previous chapter has worked out how several integrative processes bring about this objective freedom.

This understanding of a free community implies that no part, i.e. no branch of government (parliament, king or executive) or group in society, should be able to impose its will on others and the community one-sidedly. Hegel refers to the parts of a free organic unity as "moments", which are "ideal". This means that these parts can only have their existence in the whole and by the whole (*cf. PR*, §277-8). If a part exercises its will without attuning to the will of this whole (i.e. others) it is part of, the ethical whole loses its "ideality" and, by implication, its (objective) freedom. It now becomes disharmonious and irrational, being held together by the exercise of force of some parts on other (*cf. last part of 6.4*). This perspective implies that no branch of government or part of society can be the exclusive carrier of sovereignty.

Sovereignty, therefore, resides in Hegel's organic account of order in the living internally differentiated community as a whole. This organic understanding of sovereignty has an internal and external element. Internal sovereignty means that the state, in and by its

¹⁴⁴ To be clear, Hegel does not deny that citizens can have fundamental rights within a constitution but not against a constitution.

vast set of interdependent relations, is able to regenerate itself as a whole in freedom. It is the social power of the political community to give itself existence in the world. As no distinctive institution or person can claim to be the highest authority, sovereignty resides “in between” those institutions and actors that in their interplay reproduce political order. A state is also sovereign in the external sense if no other state has authority to rule over it. Sovereign states are not only able maintain themselves as a free unity in the flow of internal processes but also against the aggression of other states.¹⁴⁵

Hegel’s organic conception of sovereignty becomes clear in his discussion of the monarchical branch of government. Even though Hegel refers to the monarch as the sovereign power, he makes clear that the king does not carry sovereignty in an absolute, i.e. non-ideal, way. Absolute monarchy renders the political order irrational and unfree as one ‘moment’ can determine unilaterally, without integrating other branches and social interests, the political will of a political community and change the social relations accordingly.¹⁴⁶ This non-ideal exercise of sovereign power results in domination. The great accomplishment of the modern state is the integration of monarchical power within the ideality of the constitution: the monarchical power has become dependent on the other branches of government, including the citizens who are represented in the legislature (*PR*, §273R). For similar reasons, Hegel denounces feudal remnants in some of the constitutions of his age, such as hereditary taxation rights (*PR*, §277). If the holders of such privileges can invoke them as their absolute property against the community, they claim the right of being exempted from the processes of integration, which undermines the rationality and freedom of the political community.¹⁴⁷

The normative reasons for Hegel’s rejection of citizen sovereignty must be apparent at this point. If individual rights, such as property rights or the rights to give consent to law, would be considered as inhering in the person and, therefore, to be absolute, they could reject to identify themselves as participants in a larger whole which has rights against them. The refusal of sovereign individuals to attune to needs of the community would entail relations of dependence that are not mutually beneficial. Similarly, the direct exercise of popular sovereignty also renders social relations irrational, as a numerical majority claims the right to impose its will on the community. In a free political order, however, the law must have carefully integrated all particularity, which requires processes of thorough mediation. Majority rule exemplifies rule by force instead of in freedom.

Sections 7.4 and 7.5 will work out in more detail the implications of Hegel’s organic account of political order for democracy and self-government. However, before investigating

¹⁴⁵ The relations between states are outside the scope of this study.

¹⁴⁶ Here, again, the ideality of the powers of the state is not a condition for order as such – absolute monarchy is also a kind of order – but for a free order.

¹⁴⁷ Hegel anticipates here one of the key factors of Tilly’s theory (2007, chap. 6) of democratisation: the integration of autonomous power centres in the state.

Hegel's relation to republican ideals of citizenship, I will first examine the implications of his account of citizenship for the rights of individuals, the fundamental tenet of the liberal conception of citizenship.

7.3 The rights and duties of individual citizens

Hegel rejects the liberal assumptions that individuals are sovereign and the state should be organised as an instrument to protect citizens' pre-political freedom and facilitate their autonomy. Instead, he inverts the liberal prioritisation, claiming the political community to be an end in itself. This section investigates whether and, if so, how Hegel's organic conception of citizenship conflicts with liberal citizenship.

Liberals worry that Hegel subordinates, or even sacrifices, the individual to the state. Several fragments, indeed, appear to support such an illiberal reading.

This substantial unity [of the state] is *an absolute and unmoved end in itself*, in it, freedom enters into its highest right just as *this ultimate end* possesses *the highest right in relation to individuals*, whose *highest duty is to be members of the state*. (PR, §258; italics: ST)

This notion of the state being an absolute end, having the highest right in relation to individuals and the idea that it is the highest duty of individuals to be a member of the state all suggest that individuals' rights do not count. In addition to this, Hegel also refers to the state as the "essence" of citizens' "self-consciousness" (PR, §257), which, from a twentieth-century perspective, appears to be close to a totalitarian confluence of the individual and the state.

These assessments, however, result from reading Hegel from a mechanical ontology, in which the whole either is the outcome of the interactions of the parts or the whole imposes its viewpoints on the parts, limiting their freedom. Such a perspective, by necessity, misrepresents that in Hegel's account of citizenship the state, the political community, is a sphere of ethical life, an organic whole, whose members in a set of integrative, recognitional processes have fully adjusted to each other. This communal life does not stand opposed to the exercise of free agency but constitutes its foundation. "The state is the sole *precondition* of the attainment of particular ends and welfare" (PR, §261A; italics ST). Only within a state can agents set and realise their purposes. The state is the formative ground of who one is and what ends one happens to pursue. Hegel expresses this dependence of individuals on a larger social whole with the notion of substance. Hegel thus rejects the separation of subject and object, whereby the subject stands against the state. Individual agents have their self-consciousness in the state they participate in. For exercising free agency, i.e. determining their ends and realising them, they must comprehend the social reality they participate in by taking up the standpoint of the whole, and adjust their will

accordingly. “The determinations of the will of the individual acquire an objective existence through the state, and it is only through the state that they attain their truth and actualisation” (*PR*, §261A).

The liberal account of politics also misinterprets Hegel’s claim that the state is a purpose in itself, assuming mechanically that this can only imply that society or individual citizens are mere means. State as a purpose in itself must come at the expense of autonomy, individuals’ freedom to set their own ends. However, in Hegel’s conception, the part and the whole must not be opposed to each other as the whole includes the parts, and the parts need the whole. Consequently, when he claims the state to be a purpose in itself, this purpose includes its members’ particular ends. Parts and whole always relate reciprocally. Not surprisingly, the *Philosophy of Right* has ample fragments that also emphasise the importance of particular ends.

It has often been said that the end of the state is happiness of its citizens. This is certainly true, for if their welfare is deficient, if their subjective ends are not satisfied, and if they do not find that the state as such is a means to this satisfaction, the state itself stands on an insecure footing. (*PR*, §265A)

This fragment must not be interpreted as the opposite of an earlier fragment that emphasises the state being an end in itself. In Hegel’s organic account, the state is both an end in itself and a means. The state as an end in itself includes that well-being of its parts.

So far, I have attempted to make clear that Hegel’s organic account of order should not be framed as deeply illiberal. Now, I want to investigate the status and the kind of rights that Hegel’s organic political order entails. Hegel describes the relationship between citizens’ rights and those of the state as a form of reciprocity. Citizens have “duties towards the state to the same extent as they have rights” (*PR*, §261). This reciprocity between citizens and the state differs from the reciprocity typical of liberal tradition, which understands the political order in terms of a social contract between individual persons or between citizens and the state. This liberal tradition understands the social order as based on reciprocal transactions whereby the give and take – the mutual rights and duties – directly correspond with each other and can be understood on the level of individuals. Individuals transfer some of their pre-political rights to the government, for instance, the right to punish or to protect their property. The state, which receives these rights, has the duty to protect property or to punish crime. Citizens, who have now gained the right to be protected, must obey government.¹⁴⁸

In Hegel’s organic understanding, the rights and duties of citizen and the state should not be understood as direct transactions in which the give and take fully correspond. The organic whole cannot be disentangled into transactions between individuals, let alone

¹⁴⁸ This liberal perspective also entails a propensity to investigate whether the amount of taxes that are paid correspond with the services that the state provides.

transactions between individual members and the government. The correspondence between rights and duties in the rational state must be taken as equivalence: the parts must contribute to the whole in about the same measure as the benefits which accrue to them from the whole. An organic whole will be out of balance, i.e. objectively unfree, if the duties of membership are, for some parts, much more onerous than the fruit it bears.

What does this mean in practice for citizens' rights and duties? A fully developed rational order grants a wide gamut of individual rights. Individuals have the civil right (which the state must guarantee) to hold property, the right to pursue their own ends (the right of personhood), including the right to choose their own occupation, and freedom of expression. In addition, citizens have the (social) right to welfare: the state must facilitate the possibility that they find satisfaction of their needs. Against these rights stands the duty to keep the law, including tax-paying (*PR*, §269). In terms of the content of rights, citizenship of Hegel's rational state does not seem to differ much from a liberal state.

Nevertheless, Hegel's organic understanding has specific implications for the practice of citizenship. Unlike the liberal conception of citizenship, which regards citizens' rights to inhere in them and, so, as their absolute property, citizens must acknowledge the communal basis of their rights (Ferro 2016, 5). They must comprehend that their rights and liberties have no reality outside the political community (*cf.* Buchwalter 1993, 5). In other words, citizens should recognise the state for what it is: not merely an instrument but also an end in itself, i.e. their substance, the bedrock of their individual and collective life (Znoj 2017, 33). Citizenship is the "disposition which in the normal conditions and circumstances of life habitually knows that the community is the substantial basis and end" (*PR*, §268R). In practice, this means that citizens must have an attitude of trust towards the state and its political institutions.¹⁴⁹ From such a perspective, citizens should not relate to their rights as inalienable property. They must be willing to accept, when necessary, the reconfiguration of the rights regime for the sake of the good of the whole, itself the basis of these rights.

As citizens must acknowledge and accept that community may have priority over their private good, Hegel seems to include in his conception of citizenship the moral requirement that citizens exercise public virtue. This brings up the question of how this need for civic-mindedness relates to what Constant called ancient freedom. What kind of identification with the community does Hegelian citizenship require? Hegel explicitly distinguishes his model of citizenship (or patriotism) from the ancient practice of citizenship (*cf.* Moland 2007). In ancient communities, the relationship between citizens and the community was much more direct. Citizens depended for their well-being directly on the flourishing of the community. *Vice versa*, the community depended more directly on the contributions and behaviour of its members as well. Consequently, citizenship was a social

¹⁴⁹ Section 7.5 will work out how this trusting attitude is the key element of the exercise of self-government.

role supposed to trump all other identities and their corresponding duties. The state could demand from individuals direct and extraordinary deeds of self-sacrifice (*PR*, §268R).

In modern communities, however, the relationship between the individual and the community has changed. They contain a civil society, a sphere of social differentiation, in which citizens are legitimately preoccupied with their particular interests and concerns. Like Constant, Hegel thinks this condition has rendered patriotism in its ancient form obsolete. Hegel reformulates the ideal of civic virtue (or “patriotism”¹⁵⁰) to meet modern conditions. For him, patriotism (still) is the recognition of the substantiality of the state, but in free communities, i.e. the ethical life of the state, this does not require more than law-abidance. Citizens are not required, under normal circumstances at least, to sacrifice their particular ends and give themselves entirely to the good of the community. So, citizenship is still a social role which is foundational for the free political order’s existence. Without citizens’ allegiance to the constitutional order, it cannot have existence. At the same time, the exercise of citizenship is not very central to citizens’ concrete existence. Citizenship allows for developing other (professional) identities, which the individual regards as more expressive of who they are. Hegelian citizenship is not *intensive*, a social role that entails continuous, thorough effort for being upheld, but *extensive*, implied in the vast array of social roles constitutive of modern life.

This reformulation of classic citizenship also has consequences for how citizens relate to their fellow citizens. The classic ideal of citizenship implies that citizens directly recognise each other as equals (*cf.* Chapter 2). In a face-to-face communicative setting, such as a public forum, each could appeal to their fellow citizens with their concerns. Citizens could recognise each other directly as equal members of a *res publica*. This form of recognition of citizenship, however, could only function in relatively small-scale, homogeneous communities with relatively little variation in citizens’ way of life.

For Hegel, citizenship still implies mutual recognition. Citizens recognise the legitimacy of other citizens’ interests and are willing to adapt their ends to render communal life satisfying to all members. Due to civil society’s plurality, citizens would be overcharged, if every citizen had to recognise directly the legitimacy of the concerns of their fellow citizens and integrate them into their own ends. Instead, citizens indirectly recognise others and their rights and interests by recognising the constitutional order, i.e. the state and its laws, which

¹⁵⁰ Hegel’s choice of the term patriotism for citizenship is explainable by the limitations of the German language. Unlike French which can make a distinction between *bourgeois* and *citoyen*, German only has one term for citizenship: *Bürgertum*. Hegel had already used this term for the non-political mode of living in civil society [*bürgerliche Gesellschaft*], that is, where the French would use the notion of the bourgeois. In order to refer to political citizenship in the modern state, Hegel falls back on the term patriotism. He, however, explicitly wants to take away the connotation of a full devotion to the community.

organises the recognition and mutual adaptation of all rights, interests, and duties that make up social life. This recognition often takes the form of a trusting attitude (*cf.* 7.5).

Does this recognition of the constitution as one's substance mean that Hegel's citizenship ultimately amounts to 'constitutional patriotism'? Habermas (1992) has coined this concept for the kind of loyalty of citizens to a political community that is not founded on a shared ethnicity or nationality but on the values enshrined in the constitution, such as equality and justice. The commitment to the constitution in Hegel's conception of citizenship is not based on ethnic alliance or strong nationalistic sentiments. However, this support cannot be reduced to a commitment to abstract foundational values. Support for the political order is ultimately based on the constitution's ability to effectively generate a way of living together that citizens *experience* as free. To experience subjective freedom, the political community must be 'home' to its citizens; they must be able to affirm it and experience a sense of self-government. Modern states succeed in being a home for their citizens, despite, or better, because of the pluralism in ways of living that the free development of civil society entails. For this, the ability of the constitution to harmonise diverse ways of living is crucial.

7.4 The rejection of self-government as electoral democracy

After examining civil and social rights, I will now turn to the implications of Hegel's organic conception of the state for citizens' *political* rights. Hegel's account of citizenship diverges with regard to participation from the mainstream models. In the republican-democratic tradition, citizenship amounts to self-government, because of which the participation of citizens is an intrinsic good. The liberal perspective has qualms about the value of self-government. As it prioritises the freedom of the individual, it fears that majority rule could undermine the fundamental rights of individuals and minorities. Nevertheless, the liberal tradition generally supports political rights for instrumental reasons. By participating in elections, citizens can foster their interests in political decision-making and keep government accountable to prevent state domination.

In contrast to both traditions, Hegel is critical about attributing political rights to *individual* citizens. He rejects the 'Athenian' democratic ideal of direct participation, which Rousseau reintroduced in the modern era.

The idea [*Vorstellung*] that *all* individuals ought to participate in deliberations and decisions on the universal concerns of the state – on the ground that they are all members of the state and that the concerns of the state are the concerns of *everyone*, so that everyone has a *right* to share in them with his own knowledge and volition [...] appears plausible precisely because it stops short at the *abstract* determination of membership of the state and because superficial thinking sticks to abstractions. (*PR*, §308R, emphasis in original)

In addition to this, Hegel also rejects *indirect* democracy, the political system in which citizens as individual elect others to represent them in the legislature. Hegel does not merely reject *universal* suffrage, like conservatives who fear the influence of the many. He rejects the principle of one-man-one-vote suffrage as such, including the typical 19th century practice of census suffrage, in which the right to vote only pertains to men with sufficient income or property.

This conception of citizenship appears fully out of touch with modern ideas of democracy. This anti-democratic attitude is often explained as reflecting the anti-popular prejudices and fears of his age and class. The British commentator M.B. Foster, for example, said in 1936 that there is “something almost laughable” about Hegel’s “nervous solicitude” towards popular political participation (quoted in Franco 1999, 330). Moreover, a critic like Adorno claims that Hegel’s account of democracy betrays the purpose of his project: the realisation of freedom (Adorno 1994, 116; also Ferro 2016, 12).

This section argues that, in contrast to these views, Hegel’s rejection of individual democratic rights should not be put aside as a mere reflection of historical prejudices nor as incoherent with the tenets of his project to establish how political orders can be free. Instead, this rejection and his preference for a corporative organisation of representation should be understood as a logical consequence of the underlying organic conception of political order. From this perspective, the democratic organisation of politics, based on equal rights for all individuals, tends to generate an irrational and unfree political order.

The first part of this section looks at why, according to Hegel, corporative representation contributes to the rationality of the political order. Then, it will work out why, in contrast to this, the democratic organisation of political decision-making tends to render political order irrational.

THE RATIONALITY OF CORPORATIVE REPRESENTATION

As worked out in the previous chapter, the central purpose of the legislature is to revise the law to keep and render the political community rational. The law should structure the political community – the arena – in such a way that all of its members, different as they are, can thrive, which is to exercise their agency successfully. In terms of the purpose of the political order, freedom for *all*, Hegel’s political order could be said to be democratic. In terms of the organisation of the political domain, however, he rejects democracy; a rational political order requires corporative representation.

This preference for corporative representation follows Hegel’s idea that the corporative structuration into which civil society develops constitutes an increase in rationality. As explained in the conclusion of the previous chapter (6.5), the structure into which civil society develops matters; it is the social form of freedom. Incorporated individuals are more rational than abstract persons: they are more integrated as they have brought their

desires, thought and skills into line with the greater whole of the corporation they participate in. The structuration into corporations renders the whole also more rational as the social differentiation in different professions contributes to the thriving of the whole. Consequently, the generation of a rational political order must concentrate on bringing the various spheres of society (the corporations, but also other collectives, such as communes) into harmony with each other.

Therefore, the legislature should have as its basis all relevant social interests and modes of life that make up the community and contribute to its thriving. For being rational, laws should build on the reasonable self-development of civil society. All relevant social interests must, consequently, be present in parliament and articulate themselves politically (*all* because rationality consists in the comprehension of the whole). Parliament must represent civil society “as what it is” (*PR*, §308). Hegel’s model of representation, therefore, has a strong similarity to Pitkin’s notion of “descriptive representation” (1967). It must mirror the structure of professions, estates, communes and other circles into which civil society has come to organise itself. Representatives, in this understanding, do not make decisions in lieu of the *individuals* who have elected them. Instead, the representatives, taken together, render present in parliament all aspects of the organic unity (*PR*, §311R). In Hegel’s terminology, representation should be objective.

In this account, laws are rational to the degree they succeed in integrating the different social interests with each other. The outcome of the legislative process should be beneficial to both particular groups and the community as a whole. It should express the throughline of the community: the unity which is present in and fosters society’s differentiation. which beneficial to the whole, understood as an organic, interrelated and differentiated unity. We could refer to this purpose of the law as organic universalisation. For uncovering this common good, parliament must be more than an arena in which specific interests stand against each other. “[T]he purpose of the assembly is to provide a forum for live exchanges and collective deliberations in which the participants instruct and convince one another” (*PR*, §309). As explained in the previous chapter, the assembly needs for finding a more universal perspective that looks beyond particular interests the universal estate’s more synoptic insight into society’s organic interdependence.¹⁵¹ State officials contribute to this by framing as servants of the minister the proposals parliament should deliberate on and by participating in these deliberations themselves as members of parliament.

Next to the skills of the civil service, the disclosure of the universal interests also depends on the skills of the representatives. They should not absolutise their own interests

¹⁵¹ Furthermore, the legislative assemblies should only bring incremental alteration to the existing rights and duties and only on the initiative of ministers. This measure also should limit the possibility for groups to push their particular interests unreasonably. Finally, Hegel wants to moderate the rule of unmediated particularity by an Upper House, which as representative of the relatively non-commercial and stable landed interests could function as a kind of counterweight against commercial interests in parliament.

and try to impose them on others. Crucial is that representatives are not “commissioned or mandated agents” (*PR*, §309) who act as mere mouthpieces of their narrowly understood particular interests. In Hegel’s picture, the corporative representatives should exercise a certain level of statesmanship. On the one hand, they should have an adequate understanding of their corporation’s reasonable needs and interests. On the other, they should have an eye for the broader conditions and a willingness to recognise other sectors’ interests. The members of a corporation should elect as representatives those who have “a better understanding of [...] matters of [universal concern] than they themselves possess” and who “will not subordinate the universal interest to the particular interest of the community [...] but will give it their essential support” (*PR*, §309). In other words, corporate representatives must already be more rational than the corporation’s average members (who themselves are more rational than unorganised citizens).

THE DANGERS OF DEMOCRATIC REPRESENTATION

Hegel’s argument for corporative representation goes together with a rejection of democratic representation, the political system in which citizens *as individuals* elect their representatives. For democratic representation, the structuration of civil society is irrelevant for the attribution of political rights and the organisation of elections. This democratic model fits, according to Hegel, an abstract (or mechanical, i.e. non-organic) representation of society, in which all have an equal right to contribute to political decision-making (by electing representatives). The democratic organisation of politics on a one-man-one-vote basis is atomistic. It separates the sphere of politics from the organic self-organisation of civil society.

The idea [*Vorstellung*] that those communities which are already present in the circles referred to above [i.e., corporations, communes, etc.] can be split up again into a collection of individuals as soon as they enter the sphere of politics, – i.e. the sphere of the highest concrete universality – involves separating civil and political life from each other and leaves political life hanging so to speak, in the air; for its basis is then merely the abstract individuality of arbitrary will and opinion, and is thus grounded only on contingency rather than on a foundation which is stable and legitimate [*berechtigt*] in and for itself. (*PR*, §303R)

Briefly formulated, democracy renders the political order irrational. “[T]o implant in the organism of the state a *democratic* element” would render it “*devoid of rational form*” (*PR*, §308R). In an order based on democracy, citizens also turn out to be irrational, with wills that are “arbitrary” and “grounded on contingency” (as cited in the block quote above). Hegel associates a democratic people with violence, predicting they would become a “formless mass whose movement and activity can consequently only be elemental, irrational, barbarous, and terrifying” (*PR*, §303R). In a democratic order, citizens will not participate, i.e.

vote, reasonably; they cannot make proper judgments about the public interest nor, which might be more surprising, about their private interests. Hegel goes against the widely held (“ordinary consciousness”) key assumption of liberalism that individuals are the best judges of their own interests by default. It is not the case that

delegates of the people, or indeed the people themselves, *must know best* what is in their own best interest, and that their own will is undoubtedly the one best equipped to pursue the latter. [...] The reverse is in fact the case, for if the term “people” denotes a particular category of members of the state, it refers to that category of citizens *who do not know their own will*. (PR, §301R)

For understanding this startling assessment of the irrationality of democratic citizens, Hegel’s conception of the will, in particular, the distinction between the will for itself [*für sich*] and in itself [*an sich*] has to be unpacked. The will *for* themselves refers to whatever individuals take – i.e. interpret – to be their will: their ends, preferences, desires, values, together with the thinking constitutive of these. This will for itself can also be referred to as the subjective will.

The will in itself is the will of the social organicism individuals participate in and, as such, internally differentiated. This will refers to both the inner principle by which society organises itself and the form – the political reality or substance – in which societal life comes into existence. The will in itself, consequently, contains and conditions individuals’ agency: the development of their will and possibilities of finding satisfaction.

In a rational state, the will in itself is rational; the social whole is structured in such a way that all particular spheres harmonise with each other (objective freedom) and enable individual agency (subjective freedom). On the one hand, this rational will permeates all social relations, beyond the consciousness of individuals. The subjective wills to a considerable degree overlap with this rational will, resulting from a historical development and continuing integrative processes (*cf.* Chapter 6). On the other hand, this presence of the rational will is not a secure possession of the political community. The political community, in particular the political state, must consciously and continuously (re)produce the rational will. The legislature must, in the light of constantly changing conditions, revise the laws so they can remain rational. The rational will, therefore, is also the normative standard for the law. This standard is immanent but not overt in social relations. To uncover this will, careful judgment in the legislative and executive branches of the state is required.

The rational will, which inheres in the social relations, constitutes the standard for Hegel’s theory of political order. Hegel rejects democracy for not recognising this standard as it places the purpose of political order fully in the hands (or better: wills) of individual citizens, who, as equals, determine what they consider as good. It does not recognise any other source of authority or goodness than whatever citizens want, i.e. their subjective will.

This voluntaristic account of democracy does not recognise that rationality and freedom require attuning to this rational will, which requires processes of thorough integration.

This procedural understanding of democracy, however, does not seem to be the only possible conception of democracy. Within the deliberative conception of democracy, the purpose of participants is to formulate laws that meet a standard of rationality. Participants in the democratic process must formulate laws which do justice to the comprehensive conditions of communal life. This rational attitude also includes a willingness to attune their will, i.e. their thinking and desiring, to the whole. Individuals must overcome their self-centred and isolating adherence to their particular interests by developing a new sense of their particular interests, by relating it to the reality of the community as a whole. In other words, individuals must, in the democratic process, transform and transcend their will.

Hegel's social theory assumes the possibility for individual wills to transform as the *Philosophy of Right* is an account of how individuals become more rational. The will has for Hegel an inner orientation to become rational and free.¹⁵² This means that individuals are willing to bring their desires and thoughts into line with the deeper, rational political reality (cf. Chapter 3). Citizens can come to will 'for themselves' the rational will 'in itself'.¹⁵³ As this rational will already inheres in individuals' subjective will, conditioning their agency, it appears that they must, as a matter of logic, want this rational will while exercising agency. Democracy, therefore, can be imaged as a system in which citizens as equals discover the rational will in a deliberative process of mutual learning. The electoral system, together with a free public sphere and, eventually, direct participation in deliberations, could enable citizens to discover who they are in the whole, what their particular interests are, what they have in common, and, ultimately, how the law should be brought in line with reason. In this conception, citizens as equals could be at the foundation of the reproduction of the political community as a free order.

Despite its affinity with deliberative democracy, Hegel also rejects this conception of democracy when based on equal democratic rights. The democratic organisation of the political domain does not allow citizens to become rational. In a democracy, individuals' subjective wills are destined to become (or remain) irrational; the will for itself and in itself do not come together. "[P]eople's apparent political disposition [the will for itself] should be distinguished from what they genuinely will [the will in itself]" (PR, §268A). It is in a democracy that citizens "do not know their own will" (PR, §301R; already quoted above). In a democratic organisation of political life, they do not succeed in entering into the deeper

¹⁵² As explained in chapter 3, the rational has an intrinsic appeal. In this respect, Hegel's philosophy continues Plato's assessment of the rational as good. See: Schindler (2008).

¹⁵³ The rational will in itself is the will of the community as a whole and as such complex and differentiated. When the individual will for itself becomes in itself, it resonates with this rational will: it also wants this larger will and participates in it, but it is at the same time wanting this rational will from a particular perspective.

layers of their will and existence; they do not gain insight into the rational will in which they partake, nor, by inference, do they develop insight into their particular interests (which requires understanding of the universal interest).

To know what one wills, and even more, to know what the will which has being in and for itself – i.e. reason – wills is the fruit of profound cognition and insight and this is the very thing which “the people” lack. (*PR*, §301R)

This brings up the question of how the democratic organisation of political life hinders citizens from realising their inner potential of becoming reasonable and establishing a rational and free political order. What is the problem with equal political (voting) rights?

To understand Hegel’s rejection, we have to keep in mind that it is ‘hard work’ for individuals to become reasonable, and not entirely within their control. As explained in Chapter 6, the development of the will, the formation of thinking and desiring, depends, in Hegel’s organic ontology, on different integrative processes, of which civil society’s market integration is as crucial as the other processes. The development in civil society, in which individuals become ‘incorporated’, renders them more rational as they now integrate into their will that of others. Moreover, they also come to realise that the corporation is not just a means but that they are *participating* in an ethical whole, which is also an end in itself. This development in civil society functions as a pre-formation for individuals’ political existence, which also requires the awareness of participating in a larger whole and a willingness to attune to this whole.¹⁵⁴ It could be argued that this formation would qualify individuals to cast their votes wisely and contribute to finding the rational in deliberative settings.

Hegel, however, would dispute that in a democratic political system, civil society would provide a sufficient basis for reasonable political participation because the democratic organisation itself undermines civil society’s integrative processes. Because democracy takes the individual in abstraction as the point of departure, the corporations in a democratic order must lose their political status, which was crucial for solidifying them into the social whole. The democratic organisation of society, thus, does not only organise the political realm in accordance with an abstract account of civil society but also counters the inner tendency of civil society’s relations to become more reasonable. Hegel, thus, defends the position that democracy is a force of individualisation, which undermines the conditions of its own existence, in particular the experience of participating in ethical structures.

A free and rational political order requires individuals to attune their thinking and desiring to the whole in which they participate. Judgments are reasonable insofar they have integrated those of others (Ferro 2016, 15). Citizens must work themselves upwards towards the standpoint of the whole. The ideal and practice of democracy do not sufficiently foster

¹⁵⁴ Hegel, like Tocqueville (see also: Villa 2005), is a precursor of the 20th century sociological tradition which emphasises the importance of the social formation in civil society (the development of “social capital” for a functioning democracy (Putnam 1994).

this disposition. Because of its central tenet of equality and citizen sovereignty, democracies tend to place subjective individual judgments on a pedestal and regard them all as equally relevant. How could individuals, who are orientated on their own ends, come to be aware that they should align themselves to a supra-individual standard which is both immanent (in between all participants) and transcendent (as it requires the particular will to rise above itself)? A rational order requires its members to convert, but its democratic organisation does not offer tools to realise this. In Hegel's organic ontology, as explained in 6.4, single institutions, in this case a deliberative setting, do not generate a rational order.

Hegel's problem with democracy is ultimately epistemological. Individuals cannot know the general interest and, by inference, their particular interest. The members of a democratically organised order have not gone through the process of formation, which connects them inwardly to the arena they participate in. This democratic organisation throws the individual will back on itself; it cuts it off from the will in itself, from the broader order in which it participates. The democratic individual will remains within the cognitive mode of Understanding. It clings to the ends which arise for the individual and regards the world from the perspective of the realisation of these ends. But these ends, ultimately, remain 'ungrounded'. The will can have anything as its content. "[F]or its basis is then merely the abstract individuality of arbitrary will and opinion, and is thus grounded only on contingency rather than on foundation which is stable and legitimate [*berechtigt*] in and for itself" (PR, §303R).

At the same time, this underdeveloped democratic will is unaware of its own limitations. Thrown back on itself, it overestimates the adequacy of its judgment; it does not know what it does not know. It takes its contingent ends as the good. It attempts to find recognition for its judgments, but not being rational, it cannot give proper grounds: "for inwardly, they in fact will the thing (*Sache*), but they fasten on to details and delight in the vanity of claiming superior insight" (PR, §268A).

At the same time, democracy also entails a motivational problem. Typical of Hegel's rational state is the absence of force. Individuals freely attune their will to the rational will, because it appeals to them as the realisation of freedom. The will has an internal orientation to this rational will. The partial experience of this freedom, as in the corporations or family, motivates to realise this freedom more fully. Members of the abstract version of civil society, i.e. persons, are cut off from this rational ideal. They absolutise their particular ends. Why would they, in this setting, take the perspectives of others into account?

At this point, Hegel's association of democracy with violence becomes clear. A democratic political community in which citizens do not have a cognitive and moral orientation on the rational will opens the room for other ways of influencing the will of others. Without the standard of the rational will, there is no way to distinguish real interests from apparent interests. This impossibility becomes consequential with the social and

political problems civil society is likely to generate (*cf.* Chapters 4 and 5). In that setting, demagogues and faction leaders will endeavour to transform the will of others for creating power-winning camps; they will forge emotional instead of rational ties and commit “affinity fraud”,¹⁵⁵ i.e. make them believe something is their interest (*cf.* Heyde 1987, 236–37). “[E]lections come under the control of a few people, of a faction, and hence of that particular and contingent interest which it was specifically designed to neutralise” (*PR*, 311R).

When the strongest factions succeed to impose their will, the state has failed its *raison d’être*: to realise objective and subjective freedom. Thus, the democratic organisation of politics “achieves the opposite of its intended purpose [*Bestimmung*]” (*PR*, 311R): arbitrariness instead of rationality, exclusion instead of inclusion, and domination and violence instead of freedom and self-determination.

For similar reasons, Hegel is also critical of public opinion, “the unorganised way in which the will and opinions of the people make themselves known” (*PR*, §316A). Modern states, recognising subjective freedom, must allow the freedom of expression. Public opinion is “a major force [...] in our own age, in which the principle of subjective freedom has such importance and significance” (*PR*, §316A). At the same time, “[p]ublic opinion [...] deserves to be [...] despised” (*PR*, §318). Public opinion contains the substantial will of a political community, the will in itself, but “only in a more or less obscure manner” (*PR*, §318). All kinds of contingent elements must contaminate public opinion and it “contains no criterion of discrimination and lacks the ability to raise its own substantial aspect to [the level of] determinate knowledge” (*PR*, 318).¹⁵⁶

To summarise, Hegel offers a sophisticated critique of democracy and public opinion that differs from the usual conservative elitist arguments against democracy as its point is not the depravity and foolishness of the many versus the virtue and wisdom of the few. Democracy is, in Hegel’s analysis, an abstract, mechanical representation of the political order which does no justice to the real-existing, reasonable organic relations. In this respect, democracy is closely related to civil society, both regarding the social order from the perspective of equal rights for each of its individual parts. Chapters 4 and 5 concluded that, a liberal political order, a political community organised as civil society, cannot realise freedom. This section has established that this also applies to a democratic order. A political community with democracy as its structuring principle must undermine its reasonable organic relations. This fundamental critique of democracy raises the question of how Hegel’s account of a free political order can include self-government. It is this question to which I turn now.

¹⁵⁵ This notion refers to the phenomenon of large parts of the electoral crowd voting against their personal interests (cited in: Ferro 2016, 17).

¹⁵⁶ Hegel also sees an important role for public opinion in free states. The next section works this out.

7.5 Reconceptualising self-government

Hegel's corporate understanding of citizenship seems to have given up the ideal of republican self-government. Hegel rejects popular sovereignty, direct participation of all citizens in government and even universal voting rights. In the deliberations of parliament, not 'average citizens' but only carefully elected corporative representatives and members of the universal estate are supposed to participate. Despite accepting freedom of expression and, consequently, the presence of public opinion, Hegel does not seem to attribute a constructive function to citizens' political ideas. Citizenship for the majority of citizens appears to be largely passive; they are supposed to concentrate on their work while relating to the political realm only indirectly by trusting their corporative representatives and the universal estate. What Hegel portrays as a free political order seems to be a corporative-bureaucratic state, ruled by state officials in collaboration with a corporative elite. The members of Hegel's political order are *bourgeois*, stuck in civil society, and not *citoyens* of a self-governing republic who actively participate in fostering the *res publica*.

This section will fundamentally qualify this portrayal and argue that Hegel offers a full-fledged model of self-government, which adjusts the ancient ideal to modern circumstances. In his model, not all citizens lead political lives to the same degree. As discussed in the previous chapter, modern states contain a political class, who live for and by the state and whose way of life differs from most citizens. Their purpose is to determine the universal good within society's plurality and implement this. This public task requires the right kind of ethos, a "political sense" [*Sinne des Staates*], that is "principally acquired through habitual preoccupation with public affairs" (PEAW, 257/475-6).

The majority of society have their place in civil society, where work and private (family) life are their prime drivers. For Hegel, just as for Constant, this division in political activity between the political estate and civil society results from the free development of civil society in the modern age, which gives people the choice of how to spend their lives. For Hegel, this division is acceptable as it does not conflict with the principle of equality of civil society. Unlike Plato's caste-like distinction between the ruling class of guardians and the workers, Hegel's universal estate stands just as other professions open for all citizens with the right education: "it remains open to him to enter any sphere, including the universal state, for which his aptitude qualifies him" (*PR*, §308R).

More importantly, Hegel rejects the assessment that citizenship for the majority, who have their life in civil society, is doomed to be unpolitical and parochial, fully preoccupied with their private concerns. Hegel claims that "the destiny of individuals is to lead a universal life" (*PR*, §258R). Individuals must align their particular lives with the larger (political) conditions of their community. Citizens in Hegel's political order, including those at home in civil society, could be said to govern themselves. Hegel's organic theory of political order, thus, contains a reconsideration of the republican ideal for modern circumstances.

The ideal of self-government or political freedom refers to a situation in which citizens *experience* ownership of the political realm; they take the *res publica* to be in their hands. Self-government is also an ideal of belonging; self-governing citizens do not experience alienation from the political domain but consider it theirs (*cf.* Pocock's approach to Athenian citizenship in chapter 2). In this section, I will single out two aspects of self-government. First, citizens identify with the constitution, the laws and other decisions of their community. They can confirm that the laws they live under are good and recognise them as theirs. The political will of the community, the will in itself, and their will, the will for itself, overlap. Citizens could be said to give their (implicit) consent to the order in which they participate. Second, self-government also implies that the political order emerges from their activities.¹⁵⁷ Free citizens, consequently, regard themselves as indispensable for the existence of the political community. Their actions matter for the political community's existence.¹⁵⁸

This section investigates how a political order with a crucial role for the civil service and without direct political participation and general elections can be said to meet both criteria for self-government. For this, I will first take up Hegel's rejection of elections, now focusing on why they do not contribute to self-government. After this, I will examine how trust and insight are crucial elements of Hegel's conception of self-government. In the final sub-section, I will discuss what active participation in Hegel's self-government consists in.

AGAINST SELF-GOVERNMENT BY VOTE

In Hegel's model of self-government, elections only play a limited role. Hegel rejects society-wide parliamentary elections on a one-man-one-vote basis. Only within the corporations can elections be used for selecting the prominent members who will represent the corporation in parliament. In 7.4, I have explained how the democratic structure of equal political rights for all citizens renders the political order irrational (objectively unfree). This section complements that analysis by examining from the perspective of subjective freedom why elections do not foster self-government.

This assessment of elections goes against the widely held view that elections are highly suitable for organising self-government as they forge a connection between citizens and the state. According to this view, elections enable citizens' input in the decision-making process. Elections help to generate a political order which reflects citizens' ideas, values,

¹⁵⁷ These features of self-government could be interpreted as citizens' experience of resonance with the political order that they participate in. Resonance in Rosa's approach contains the three moments of being affected, self-efficacy and transformation (2020, 33). Self-governing subjects feel affected by the order they confirm, while their way of life could be regarded as an answer to this order, in which they are self-efficacious. Finally, this notion of self-government is based on a continuous transformation of the citizen and the overall order.

¹⁵⁸ Chapter 3 also discussed a third aspect of political freedom: they should be able to affirm their social role in the ethical sphere, in this case being a citizen. This has been addressed already in 7.3.

concerns, interests and preferences. Citizens, consequently, can recognise themselves in the political order and imagine it as resulting from the way they have cast their votes. In addition, the vote could also be interpreted as a formal expression of consent to the laws or the constitutional structure as a whole.

Hegel, however, rejects the belief that voting facilitates self-government. First, he comes up with the practical argument that in large states, single votes do not have much impact on the political domain; voting does not really allow citizens to impose their ideas and values on the state. Different from Constant's enthusiasm for electoral democracy, Hegel predicts high levels of abstinence. He also reflects on how the practice of universal suffrage could result in the opposite of what it intends to realise: a culture of political disillusionment and feelings of political insignificance.

As for the mass elections, it may be noted that, in large states in particular, the electorate inevitably becomes *indifferent* in view of the fact that a single vote has little effect when numbers are so large; and however highly they are urged to value the right to vote, those who enjoy this right, will simply fail to make use of it. (*PR*, §311R)

Next to this, the formal consent that citizens express in the moment of voting cannot establish 'ownership' of the law, constitution and political order as a whole. In Hegel's understanding, identification with the political order is a stable and structural attitude. The moment of voting in which citizens say at a specific point in time yes to a law or to a representative is too formal and ephemeral to forge the thorough identification with the law self-government requires.

Ultimately, Hegel rejects voting as a mechanism to organise self-rule because that idea is based on an erroneous conception of self-government. Vote-centric theories assume self-government means a correspondence between the laws and the citizens' subjective will. Citizens must have given their input (values, ideas, interests, etc.) in the decision-making process, or they must have given their formal consent. Instead, Hegel's conception of self-government has the rational will as its standard. Citizens' subjective wills are not relevant as long as these wills for themselves differ from the will in itself (*cf.* 7.4). In Hegel's perspective, a political order in which decision-making and the law mirror citizens' subjective will is not self-governing.

The central question in Hegel's self-government account does not ask how citizens can impose their will on the law (i.e. citizen influence) but how their will can be transformed into willing the rational law. Self-government amounts to appropriating the rational will. Citizens should come to see that the laws, the constitutional setting and the community as a whole are rational and good, enabling their life with others. Self-government means that citizens come to will the will in itself.

IDENTIFYING WITH THE POLITICAL DOMAIN: TRUST AND INSIGHT

For citizens to be self-governing, they must recognise the goodness of the law and the constitution. The default form of such an awareness, for Hegel, is trust. This attitude generally is a matter of habit. Citizens, in their daily behaviour, for example in the exercise of their profession, routinely take the law to be good and act in line with it (*cf.* Siep 1992, 273). This trust extends to the political order as a whole, its constitution and laws and the state officials and representatives (*PR*, §309).¹⁵⁹

This disposition [of patriotism or citizenship] is in general one of trust (which may pass over into more or less educated insight), or the consciousness that my substantial or particular interest is preserved and contained in the interest and end of another (in this case the state), and that the latter's relation to me as an individual (*PR*, §268).

This centrality of the attitude of trust in Hegelian citizenship could appear unsatisfactory, as such a practice of citizenship looks pretty passive. We generally hold that citizenship requires active involvement in the *res publica*, for which citizens are supposed to share their viewpoints in deliberations. Hegel's citizenship, however, is not limited to the attitude of trust but includes forms of active participation as well, which I investigate in the following sub-section. The discussion of the objection that Hegelian citizenship is too passive to count as self-government must be postponed to that section.

This section investigates another objection to this centrality of trust in Hegel's conception of citizenship. Trust seems to be an unthinking, unreflective and uncritical attitude. By trusting, citizens seem to assume the goodness of the political order without knowing why. This brings up the suspicion that trust is irrational, potentially even the result of manipulation by the holders of power in the state. It goes against the liberal belief that citizens need to be vigilant. In addition, Hegel's emphasis on trust also seems to imply that only the members of the universal estate have insight into the rationality and goodness of the law, while ordinary citizens just have to trust.

For Hegel, the fact that trusting subjects are unable to give explicit reasons does not imply that trust is unreasonable. Trust constitutes a suitable response to the experience of participating in a rational, organic ethical substance, such as the state. Trust is the non-articulate, implicit judgment to participate in an order that is good. Trust is a kind of non-propositional (or non-representational), participatory knowing. While participating in a political order, the trusting subject senses to be at home in it.

This sensing of the rationality of the political order should not be taken as something mysterious. Trust is an implicit judgment which responds to the experience of participating

¹⁵⁹ Modern accounts of trust, such as Pippa Norris's (1999, 10), distinguish different objects of trust. Hegel does not make such a distinction explicit. For him, not unlike Norris, the different levels of trust are related. Trust in the constitution entails trust in the specific laws, which entails trust in state officials and *vice versa*.

in a social structure. Participants detect that the arena corresponds to their needs as an agent. Citizens who experience free agency, for instance having a flourishing professional life or being able to “walk the streets in safety at night” (*PR*, §268A), will respond by trusting the political order in which they have their lives. Trust, however, is not blind. Negative feedback will entail the attitude and implicit judgment of distrust. Institutional settings that trample on their members' interests and well-being will not meet trust.

For Hegel, trust could be said to be more rational than the kind of articulate representational thought of the Understanding [*Verstand*]. Judgments are for Hegel rational to the degree they are comprehensive. For assessing the meaning and relevance of something, the whole of which this something is an aspect must be considered. Trust is a response to the experience of participating in a whole with different aspects and over a longer period of time. Representational thought (the Understanding), in contrast, does not succeed in taking the whole into account; for understanding social reality, it isolates aspects from the broader social reality in which they are woven.

Individuals who try to give reasons for their trust often fail to do so successfully, as it is difficult to explain why the social whole is trustworthy. Trust is generally taken for granted.

They trust that the state will continue to exist and that particular interests can be fulfilled within it alone; but habit blinds us to the basis of our entire existence. It does not occur to someone who walks the streets in safety at night that this might be otherwise, for this habit of [living in] safety has become second nature, and we scarcely stop to think that it is only the effect of particular institutions. (*PR*, §268A)

Consequently, citizens who try to move beyond mere trust by giving explicit judgments about political life tend to offer a skewed picture. In the mode of Understanding, they do not see that they participate in an organic, interdependent, institutionally ordered whole (which they did experience in their trust). Instead, they focus on single, relatively isolated aspects and see relatively simple – i.e. mechanical, non-organic – causal relations. Within this mode, they tend to understand political order as based on the exercise of power.

Representational thought often imagines that the state is held together by force; but what holds it together is simply the basic sense of order which everyone possesses. (*PR*, §268A)

For a rational judgment, laws and political decisions must be considered in the light of the whole. Without this rational perspective, subjects cannot evaluate laws or decisions properly nor understand the relevance of single events, such as scandals. In the mode of Understanding, their judgments are inadequate; they do not penetrate social reality in its organic richness. Such subjects tend to be one-sidedly critical, an attitude which entails a distinctive kind of joy. Instead, citizens “delight in argument [*Raisonieren*] and fault-finding, for it is easy to find fault, but difficult to recognise the good and its inner necessity” (*PR*,

§268A). Because of the limitations of the Understanding and the adequacy of trust, Hegel prefers the latter over the former.

Hegel's emphasis on trust does not imply a rejection of explicit political knowledge. Citizens can also acquire comprehensive knowledge about political reality, which is necessary for making "more rational judgements" (PR, §315). Trust "may pass over into more or less educated insight" (PR, §268), i.e. "[i]nsight with regard to the condition and concept of the state and its affairs" (PR, §315). This insight does not necessarily amount to the philosophical knowledge the *Philosophy of Right* offers. Citizens are not expected to have in-depth knowledge of the inner workings of the constitution as explained in the previous chapter (let alone to interpret this as the unfolding of the Concept). Citizens, however, can be expected to recognise the laws and government actions as rational. They can see that these meet the conditions of society and foster one's particular interests, which they now take to be related to the good of the community.

Developing "educated insight" is necessary in Hegel's conception of citizenship. Trust without insight is too vulnerable to sustain the political order. The expression of criticism in the political community can easily unsettle and challenge citizens' trust. If citizens do not have rational insight, having Understanding as their mode of cognition, they will not be able to assess adequately the state of affairs that has provoked the discontent. Insight enables citizens to weigh circumstances in a more balanced and comprehensive way. If the political order is sufficiently rational, i.e. trustworthy, citizens will use their insight to maintain their trust.¹⁶⁰

The development of insight is necessary for a second reason as well. The unarticulated implicit judgment of trust is not sufficient to become subjectively free: "the universal [in a rational state] does not attain validity or fulfilment without the interest, knowledge, and volition of the particular" (PR, §260). In trust, knowledge of the law and the political system remains mainly unarticulated; the volition of this order remains largely implicit in their activities. Free citizenship requires a political consciousness that explicitly confirms the goodness of the political order in general and the laws it produces.

The need for rational insight brings up the question of how citizens complement their (dis)trust with more insight. As already addressed in the previous chapter, the representative assembly is crucial for this. "The role of the Estates is to bring the universal interest into existence not only *in itself* but also *for itself*, i.e. to bring into existence the moment of subjective *formal freedom*, the public consciousness as *empirical universality* of the views and thoughts of *many*" (PR, §301, emphasis in original). Parliamentary

¹⁶⁰ The distinction between trust and insight must be taken to be gradual. Citizens do not go from an attitude of complete trust to the acquisition of full knowledge about the grounds. Moreover, insights into the grounds of the political order's goodness does not substitute trust, but rather bolsters it. Hegel also seems to assume that the development of reasonable insight also presupposes trust.

deliberations, therefore, should not be understood only as an instrument to find laws which are reasonable (the universal interest *in itself*) but also to offer citizens insight into the rationality of the law by showing how it fosters the good of society as a differentiated whole (the universal interest *for itself*). “If the Estates hold their assemblies in public, they afford a great spectacle of outstanding educational value to the citizens, and it is from this all above that the people can learn the true nature of their interests [i.e., their particular and the universal interest]” (*PR*, §315A). To perform this function, citizens must be able to follow the parliamentary proceedings. “[S]uch publicity is the most important means for education as far as the interests of the state in general are concerned” (*PR*, §315A).

By following the proceedings in parliament, citizens obtain grounds for the law's goodness, which helps them overcome the distorted understanding of political reality typical for the Understanding. The publicity of parliamentary meetings constitutes “a remedy for the self-conceit of individuals and of the mass” (*PR*, §315) and also for ungrounded distrust. Following the deliberations in parliament, citizens become aware of the broader social conditions of their lives and redefine their conception of their particular and the general interest, gradually substituting Understanding for Reason. Only as participants in or observers of the deliberations of parliament do citizens develop the cognitive skills for obtaining insight into political reality.

As a rule, it is accepted that everyone already knows what is good for the state, and that the assembly of the Estates merely discusses this knowledge. But in fact, precisely the opposite is the case, for it is only in such assemblies that those virtues, abilities and skills are developed which must serve as models [for others]. (*PR*, §315A)¹⁶¹

For developing insight, parliamentary proceedings should be more than an exchange of particularities. Parliamentary deliberations must obtain a universal form: arguments to sustain contributions should not only refer to particular ends but must show how these particular ends relate to the good of all.¹⁶² To realise this, representatives must not be mere spokespersons for some specific interest but must also have a sense of the universal (see 7.4). Moreover, the experience and skills of ministers are crucial for presenting the rationality of the political order. Observing ministers acting as statesmen in parliament helps citizens to relativise their earlier political ideas. “It then becomes evident that a man's imaginings at home in the company of his wife or friends are very different from events in a great assembly, where one ingenious idea [*Gescheitheit*] devours another” (*PR*, §315A).

¹⁶¹ This function of parliament corresponds with what Sen (1999, 9) refers to as the constructive value of democracy. One of the reasons for him why democracy is a universal value is that only public discussion and exchange of information, views, and analyses enables citizens to gain insight in their needs, including their economic needs.

¹⁶² Here, the notion of the common good has a performative function (cf. Van Erp (2000, para. 2.4).

At this point, the reason why Hegel's account of political order, including his emphasis on trust, should be regarded as self-governing emerges. Due to the justified trust and insight into the goodness of political order and the laws it generates, this order comes to be experienced as self-willed. The law is no longer an external rule but expresses the rational standard citizens have come to be committed to themselves. In Hegelian terminology, the will in itself has become the will for itself.

Besides this, citizens also come to see that the existence of this order depends on their activities, particularly their work. The deliberations in parliament show that the different sectors of society are indispensable for the existence and thriving of the community as a whole. Citizens contribute by their work in civil society to the *res publica*. Therefore, the activities in civil society must not be considered unrelated to citizens' political self-government. The private in Hegel's conception of political order is not fully separated from the public. The proceedings in parliament must recognise the contribution of each of society's sectors to the whole.

CITIZEN INVOLVEMENT: CORPORATIONS AND PUBLIC OPINION

The cognitive appropriation of the rational will and the contribution to the public good by one's work do not suffice for republican self-government. Republican citizenship also requires active participation in *political* deliberations in some form. Hegelian citizens, in contrast, seem to be only passive spectators who follow parliamentary proceedings in which *only* state officials and carefully selected corporative representatives participate. They should understand the law that the political state generates as rational but are not supposed to voice their viewpoints.

This apparent passivity of citizens could entail three dangers which republican citizen engagement is supposed to avert. First, citizens without a chance to participate could easily become politically apathetic. Especially when the state is so well-organised, why would they not exclusively direct their attention and energy to their private concerns? With this behaviour, however, citizens would not realise the purpose of Hegelian citizenship: to lead a universal life, a life attuned to sociopolitical reality. The lack of participatory venues, thus, seems to undermine the possibility of citizens to become free.

Second, the absence of venues of participation could also generate political frustration. Out of concern for the public good, part of the population might want to participate in political discussions and decision-making processes. Hegel's state does not seem to accommodate this republican desire to deliberate and vent one's opinions and criticisms except for a few corporative representatives and members of the universal estate of the civil service. When widely shared, this frustration could entail the risk of political instability.

Third, this setting also entails a risk of administrative despotism, as citizens cannot hold the government directly accountable in elections. How to prevent the political class, eventually together with the corporative elites, from developing into a political establishment that fosters its own interests over those of society or which, because being unaccountable, misbehaves in applying the law? The absence of direct citizen influence seems to risk rendering Hegel's political order authoritarian.

Against these dangers, I want to argue that Hegel's theory of political order contains measures to prevent them. Hegel's reconceptualisation of self-government to meet modern circumstances must be taken seriously.

To start, Hegel's emphasis on the development of trust and insight, his criticism of direct participation and his rejection of universal suffrage, including the possibility of holding government accountable via elections, do not imply that the majority must keep out of politics. Such a conclusion seems to result from our inability to imagine meaningful citizen participation in any other way than direct participation or one-man-one-vote elections.

First, Hegel's account of order includes the active political participation on a more local level in the communes and corporations.¹⁶³ As explained in Chapter 4, corporations are not mere associations to foster the interest of their members. Corporations are forms of ethical life, ethical wholes, which realise a distinctive account of the good life. To do so, corporations develop and maintain professional norms, for which they have an educational system which trains new members. Moreover, corporations organise welfare so all members, including the old and sick, can thrive. These corporations are, to a large degree, self-governing bodies. They are, for their existence and flourishing, dependent on their members' participation. They have to hold the offices necessary for their functioning.¹⁶⁴ Moreover, members also discuss and determine its internal ends, the 'good'. Citizens, thus, experience in their corporations a direct form of self-government.

The corporations also constitute a channel for participation in the self-government of the state. The representatives of the corporations in parliament are supposed to be prominent in their corporations. The members of the corporation must identify and stand in close with them. These representatives are supposed to introduce the members of the corporations to those state-level political issues which are of concern to the corporations. The corporations, thus, are also a venue for political discussion in which members and their representatives participate. In these discussions, corporative members can contribute their experiences and viewpoints about regulations and executive interventions. These discussions are not supposed to be inconsequential, as the representatives are supposed to take this

¹⁶³ Hegel also mentions communes as forms of local self-organisation. Their function is similar to the corporation, though not structured by their productive activity but by space.

¹⁶⁴ It is not clear to what degree offices within the corporation are professionalised. Even though some degree of professionalisation seems to be unavoidable when corporations grow in size and importance, it is against their self-governing spirit to become organisations which primarily provide services for their customer-members.

feedback with them into parliament. Hegel's rejection of one-man-one-vote elections, thus, is not supposed to prevent the participation of 'regular citizens' who are at home in civil society. On the contrary, corporative representation (together with communal representation) is supposed to offer citizens influence on issues close to their concrete way of life and competence. From this perspective, Hegel's account of the state entails the democratisation of all domains of life.

With regard to the second risk, frustration for those who feel the urge to participate in deliberations for the public good, Hegel's state turns out to offer venues for participation within the corporations and communes. In these, they can discuss internal affairs and how these relate to the community at large. Moreover, citizens can also contribute to public opinion, as I will explain later in this section.¹⁶⁵

Hegel's political order also targets the danger of political apathy. To understand how, it is crucial to underline that civil society for Hegel is more than a market in which individuals pursue their private self-interest. If that were the case and politics took place only in the sphere of the state, citizens destined to remain in civil society would probably preoccupy themselves with their private lives, lacking interest in politics, just as Constant feared. In such a civil society, they would learn how to transcend their self-interest. Civil society, in Hegel's account, is not only an abstract market but also a sphere of association. The members of civil society do not remain private persons but organise themselves in corporations. In them, individual agents experience themselves as participants of an ethical whole and come to recognise their responsibility to contribute to its thriving. Due to the interaction with their representatives, corporative members start acknowledging how their well-being is fundamentally tied up with the larger community. Therefore, civil society does not provoke political apathy but instead helps to develop concern with the political community.

Hegel does not neglect the danger of administrative despotism either: he considers the corporations as a control mechanism of the political state. "The institutions which prevent this [universal] class from adopting the isolated position of an aristocracy and from using its skills as arbitrary means of domination are the sovereign, who acts upon it from above, and the rights of the corporations, which act upon it from below" (*PR*, §297). Representatives express in parliament the feedback of their corporation on the concrete effects of the law. In addition, representations can also signal problems with the implementation of the law by the public administration, including potential abuse of office. Hegel also suggests some form of ministerial accountability in parliament. "This check on the

¹⁶⁵ As usual, Hegel's political order allows for social differentiation. Consequently, citizens are not supposed to participate actively in the same measure. Just as for the order as a whole a distinction can be made between citizens having their home in civil society and those who as state officials live for the political state, so can we make a distinction within civil society and its corporations between more (such as the representatives) or less politically active members.

executive is the best guarantee for having ministers who are competent and whose attitude is governed by right" (*LNR*, §149R). Even though Hegel rejects an absolute separation of powers as the *Federalist Papers* argued for, his organic account of the division of power includes mechanisms of critical feedback and control.

In addition to the vivid, self-governing and politically orientated corporations, Hegel's state contains a public sphere in which citizens discuss political affairs and, by expressing their views, contribute to public opinion. This presence of a public sphere is not just the consequence of the civil right to freedom of opinion. A public sphere is also an institutional requirement. As the proceedings in parliament have an educational function, the political order needs outlets which describe and comment on political affairs. The public sphere constitutes another antidote to political apathy as citizens are more engaged in states where public affairs can be followed and discussed. "In a nation where this publicity exists, there is a much more lively attitude towards the state than in one where the Estates have no assembly or where such assemblies are not held in public" (*PR*, §315A).

This possibility to contribute to public opinion might be surprising in light of Hegel's rejection of public opinion in the previous section (7.4) as something to be "despised" (*PR*, §318). This rejection was based on public opinion's tendency to be unreasonable: it does not have the tools to distinguish the rational (i.e. based on a comprehension of all conditions) from the arbitrary.

Public opinion, however, does not need to be so. The more reasonable the citizens who contribute, the more enlightened the public opinion. This rationality depends on the rationality and instructiveness of the parliamentary deliberations to which public opinion responds. Moreover, citizens' participation in their corporations should foster their rationality. In other words, the more rational a state is, the more rational the public sphere and public opinion are. Altogether, this would "permit [...] public opinion to arrive for the first time at true thoughts and insights with regard to the condition and concept of the state and its affairs, thereby enabling it to form more rational judgments on the latter" (*PR*, §315). In a free state, public opinion (as expression of the will for itself) does have considerable overlap with the political will (in itself).

Hegel also sees a critical-constructive function for public opinion in a rational, educated political order. Precisely because public opinion is relatively reasonable, the political system (ministers, civil servants) should also "respect" public opinion (*PR*, §318). "It is only by informing the public of every move they make that the two houses remain in touch with the wider implications of public opinion" (*PR*, §315A). As public opinion contains the rational mixed with the arbitrary, and as it is unable to distinguish between them itself (it is not a domain which succeeds in fully working out the rational), the political state should 'listen' to public opinion critically, discerning within all of its noise true and relevant expressions of dissatisfaction and critique.

In addition, the free expression of public opinion, in combination with ministerial answerability and other controlling mechanisms, could contribute not only to averting governmental despotism but also to the quality of government. “The main guarantee of the competence of ministers is their answerability to parliament, to which they have to indicate clearly what they intend. So a minister’s position is the most dangerous in the state, for he has to defend himself against the monarch, against his colleagues, against public opinion, and against parliament” (*LNR*, §140R).

In Hegel’s conception of a free order, the public domain and the public opinion that it generates are important processes by which the political order reproduces itself as an organic whole in which all parts find their home. Hegel’s order approximates the idea of a democratic regime in which the people rule by public opinion.¹⁶⁶ Clearly, this rule by public opinion must not be confused with popular sovereignty. For Hegel, the people can be said to rule themselves, but only as part of a rational constitutional structure that constitutes them as a people and renders their will more rational. Moreover, in this structure, only the political state, particularly the legislature, articulates the general will authoritatively. Therefore, public opinion cannot be said to be sovereign, as nothing in Hegel’s conception of order is. However, in a rational state, it influences the political will as it comes into being in the branches of government, just as the deliberations of the legislature and the actions of the government have contributed to rendering this will more reasonable.

7.6 Conclusion

Hegel’s organic theory of order contains a coherent reconceptualisation of citizenship, which attempts to do justice to the full development of civil society, the sphere based on individual autonomy, which results in a differentiated economy. In this setting, the ancient ideal of citizenship and self-government no longer fits as it presupposes citizens to relate directly to their shared political life. Hegel, however, also rejects liberal citizenship, the modern alternative to republican citizenship, organised around private freedom and individual rights. For realising freedom, a political order must be self-governing. Hegel argues that this is still possible under modern conditions.

For the reconceptualisation of republican citizenship, Hegel regards the modern state as an internally differentiated, interdependent organic whole with the rational will as the immanent standard for its thriving. This standard allows citizens to follow their ends, but they should also integrate the well-being of the whole in their will. Citizens should attune their will, their conception of their particular interest, to the broader conditions of the order in which they are embedded.

¹⁶⁶ According to Rosanvallon (2008, 30–31), authors in the wake of the French Revolution saw public opinion as the way in which the general will could make itself known.

As a consequence of this purpose, Hegel rejects all accounts of citizenship that do not recognise this inner standard. Hegel rejects the idea that sovereignty resides in civil society (against the state), either in the individual or in the collective (the people). For Hegel, sovereignty in free communities can only reside in the constitutionally structured whole, in which, in modern societies, the professional civil service plays a crucial role (7.2). Hegel's citizens do have 'liberal' freedom rights, but they should not absolutise these; they should acknowledge that these rights are embedded in the political order at large (7.3). Finally, Hegel argues against a democratic political order that gives citizens equal voting rights so they can influence political decision-making equally. Such an organisation of political life is in his perspective atomistic, based on an abstract representation of civil society. Consequently, it would thwart civil society's inner development towards rationality. A democratic system, based on the aggregation of voters' subjective wills, would open the door to arbitrariness, manipulation by powerful interests and, ultimately, tyrannical majority rule (7.4).

Instead of individual (political) rights, Hegel's account of self-government ultimately requires attuning to and appropriating the rational will. Citizens should develop more reasonable desires and gain insight into the community's universal interest. This brings Hegel's account of citizenship close to the older republican tradition for which the prospering of the political community is critically dependent on citizens' public virtue. For Hegel, however, this development of citizens' will must be facilitated by the rational architecture of the modern political order, which also allows the pursuit of particular interests in civil society. In this constitutional order, membership of the corporations, due to their educational and deliberative dimension, helps individuals to become more reasonable. Here, citizens overcome their abstract subjectivity, come to organise forms of solidarity and gain a more objective understanding of their interests (7.4). In addition, Hegel emphasises the role of the representative assembly in educating citizens about the interests of the community and their interests. They learn to see themselves as participants in a larger ethical structure that enables their life and which they consequently affirm as good. The insight can complement and reinforce citizens' natural trusting attitude by which they relate to their community and political institutions (7.5).

Hegel's account of citizenship is not limited to appropriating the rational will as something externally given. It also includes participation in forms of political deliberation. As rational politics amounts to a continuous adaption of the universal in the light of changing all social conditions, it requires the input of citizens' feedback. The rational order allows citizens to voice their experiences and opinions, both in the corporations and communes but also in the public sphere. Due to this impact of citizens on the political decision-making and the correspondence between the will of the people and the political will, Hegel's state could be said to amount to popular self-government even though the people are not sovereign (7.5).

To conclude, Hegel's account of citizenship rejects democracy as equal voting rights or equal direct participation for all individual citizens, but this does not render it anti-democratic. The underlying purpose of Hegel's theory could be said to be democratic as a political order must include the flourishing of *all* sections and, by implication, *all* citizens. Hegel's analysis points to the paradox that the democratic *organisation* of society could undermine the democratic *ideal* of inclusivity. This rejection of equal voting rights does not imply the absence of means for citizens to give their input. Hegel's rational state is a mixed regime, which combines the rule of the many (self-rule in the corporations and communes, corporative representation in parliament, public opinion), the few (the professional bureaucracy) and the one (the largely symbolic constitutional monarch). A constitutional priority of the democratic moment of this mixed regime in the form of universal elections is bound to destroy the freedom of the whole.

