

Hegel and Prussianism

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Despite the effort of Bosanquet,¹ Muirhead,² Basch,³ and many others, it is still frequently stated or implied, in both popular and scholarly literature, that Hegel (1) constructed his philosophy of the state with an eye to pleasing the reactionary and conservative rulers of Prussia in his day,⁴ and (2) condoned, supported, and through his teaching, became partly responsible for some of the most criticized features in "Prussianism" and even of present-day national socialism.⁵ In this article I propose to give reasons for denying that Hegel the man is justly accused of servility to the Prussian government, and that there is any warrant in the text of his *Philosophie des Rechts* for the charge that Hegel the philosopher was an exponent of "Prussianism" and "frightfulness."

After occupying a philosophical chair at Heidelberg for two years, Hegel was appointed Professor of Philosophy at Berlin in 1818, and delivered his Inaugural Lecture on October 22nd. During the winter he lectured on "Natural Law and Political Science" (*Naturrecht und Staatswissenschaft*) as well as on his *Encyclopedia*, and at this time or a little later he must have started to write his *Natural Law and Political Science in Outline, or Fundamental Principles of the Philosophy of Law*⁶ (*Naturrecht und Staatswissenschaft im Grundrisse—Grundlinien der Philosophie des Rechts*) as a textbook for future courses of lectures on this subject, which really comprised jurisprudence, ethics, and political philosophy. The book was not published until 1821.

The evidence that he started to write it shortly after his arrival in Berlin is contained in a letter from him to Friedrich Creuzer, formerly his colleague in Heidelberg. Creuzer had sent him a copy of the new edition of his work on ancient mythology, and Hegel replies (30 October 1819) that his acknowledgment has been delayed because he had hoped to send as a return—though too poor a return—"some sheets of my sections on the Philosophy of Law." He had been ready to go to press with his book when the Carlsbad Decrees were issued. "Now that we know where we stand with our exemption from censorship, I propose to print at once."⁷ Since the *Philosophie des Rechts* is divided into sections, it is plain that it is to this book that Hegel refers. To enable us to understand the rest of his statements, a short excursion into history is required.

The Congress of Vienna, which settled the map of Europe in 1814, was a triumph for conservatism, for diplomats to whom the revolutionary ideas emanating from France were anathema. It was a defeat for Stein, who for years had labored to make the Germans a united people, and who by his reforms had tried to give them civil and political liberty. He retired into private life, but it was his ideas that led in 1815 to the formation of a German Students' Association with "Honour, Liberty and Fatherland" as its motto. Two years later some hundreds of students from all over Germany held a festival on the Wartburg as a demonstration in favor of freedom and German unity. Fries, Hegel's predecessor in his Heidelberg chair, was one of the speakers on this occasion, and his enthusiastic address is the subject of some criticism in the preface to Hegel's *Philosophie des Rechts*.

In 1819 Kotzebue, the writer, was murdered by a student named Sand on suspicion of being a Russian spy whose activities were inimical to the cause of German liberty. This event caused such a sensation that the Governments of the German States felt that they now had an opportunity to take action against revolutionary ideas prevalent in the universities. After a conference at Carlsbad they issued what are known as the "Carlsbad Decrees" on 20 September 1819. These provided for a strict censorship of periodicals and pamphlets, as well as for the suppression of the Students' Association. At the same time Fries was dismissed from his chair at Jena. On 18 October university teachers in Prussia were officially made aware of the decrees, and they were also informed that *all* their publications would be censored; the exemption from censorship that the Prussian universities, together with the Prussian Academy, had enjoyed would now be suspended.

It is clear from what Hegel says to Creuzer that his book on the *Philosophie des Rechts* was completed by 29 September 1819, the date of the Carlsbad Decrees. Between that date and 30 October, the date of

Hegel's letter, he had been officially informed of the position about the exemption from censorship hitherto enjoyed by university professors, i.e., he had been informed that the exemption was suspended. But now that the atmosphere of uncertainty had passed he proposed to go ahead with his book and submit it to censorship in the ordinary course. The manuscript was sent to the publisher, and some of it may even have been printed at this time, because there is a receipt, signed by Hegel and dated 15 December 1819, acknowledging a payment on account of royalties on his forthcoming book on *Naturrecht*.⁸ Having second thoughts, however, he must have decided to withhold the book until the excitement arising from Kotzebue's murder had died down, because the date appended to the preface is 25 June 1820, while the date on the title page is 1821.⁹

What emerges from these facts is that despite the title page date, Hegel's book was begun almost as soon as he arrived in Berlin. This might at first sight lend plausibility to the conjecture that, on entering the service of Prussia, he decided to write a book on political philosophy supporting the Prussian status quo. But his interest in the subject was not new in 1818; it had been a dominant one ever since his student days. Nor were the conclusions embodied in his book new in substance. His opinions developed, as one might expect, with advancing years; but there is no radical change. From first to last he is fascinated by what he regarded as the unity of Greek life, and his problem remains the same: how is it possible to combine the individual Greek's complete devotion to his city with the modern emphasis on the paramount importance of individual freedom? There is hardly anything in the *Philosophie des Rechts* to surprise readers of Hegel's earlier writings on political philosophy; in particular, the theory of the state contained in the book published in 1821 is simply a working out in detail of the material already contained in the relevant portion of the *Encyclopedia* of 1817. Hence, there is no ground for supposing that, when Hegel went to Prussia, he began by reconstructing his philosophy of the state to suit the mind and practice of his new masters.

Moreover, the reason why publication was delayed for eighteen months after the book was ready can hardly have been anything except fear of the censor. But if it had been written to gratify the Prussian government, how could he have had such fears? Their very existence implied that his book contained matter which might be unpalatable to the authorities on the score of its liberalism.

How did Hegel overcome any difficulty that might have been expected from the censor?¹⁰ Two courses were open to him. He might have revised his book and accepted Prussian conservatism; or he might have

written a preface explaining that, while his ideas were more liberal than those of his government, he shared its opposition to revolutionary ideas and the dangerous excesses to which they might lead their advocates. It was the latter course which he actually chose. The preface, however, has been called "servile" because it (1) denounces Fries, (2) condemns the Wartburg Festival, and (3) by identifying the real with the rational, justifies the status quo.

1. Now it may be admitted that, in writing as he did, Hegel had his eye on the censor; and it was a cruel thing to attack Fries—a former colleague as *Privatdocent* in Jena—when he was in disgrace and suffering personal hardship. But is Hegel using servility, or is he using legitimate explanation of his own independent position in order to satisfy the censor? The latter is the only answer which fits the facts.

His poor opinion of Fries was of long standing. In 1811, on the publication of Fries's *Logic*, he jotted down his impressions of the book: "Superficiality, vague chit-chat—wholly platitudinous—trivial argumentation, like that used to children—empty narrative, devoid of philosophic precision, etc."¹¹ These unpublished remarks are more sweeping than those in the preface to the *Philosophie des Rechts*, but their content is the same. The criticisms of Fries in this preface were thus not made to order; nor were they the first criticism of Fries that Hegel published. There is a caustic footnote about him in the introduction to the *Science of Logic*,¹² published in 1812.

2. If Hegel's attack on Fries is nothing new, is the condemnation of the Wartburg Festival a departure from his convictions in order to please a censor? At first sight it may seem that it is. At this festival the writings of von Haller were burned, and in the body of the *Philosophie des Rechts* (sec. 258) there is a trenchant criticism of von Haller's book—"this welter of crudity." The Festival was a demonstration in favor of liberty—the leitmotiv of Hegel's book—and German unity, of which he was the prophet in his essay on the German constitution, written in 1802, though not published until 1893. But it is not the objects of the festival to which he raises objections in his preface; it is the methods adopted to obtain them. Feeling and enthusiasm, he holds, are dangerous guides: in this instance they led to the murder of Kotzebue, and murder, however conscientiously committed, is still murder. This is the theme of much of the second part of the *Philosophie des Rechts*, and the condemnation of the Wartburg Festival follows from the argument there; the assumption of adaptability to a conservative regime is not required to account for it. The Festival is specifically condemned in the preface in order to obviate the misunderstanding that the only alternative to von Haller, condemned in the body of the book, is Fries.

3. The statement that “the real (*wirklich*) is the rational” was misunderstood by some of Hegel’s contemporaries to imply that what exists (e.g., the Prussia state) is rational, and he inserted some explanatory sentences into the second edition of the *Encyclopedia* in 1827 in order to remove the misapprehension. It should have been clear, however, to readers of the *Philosophie des Rechts* that, whatever Hegel meant by his identification of the real and the rational, he did not mean to justify the status quo, because the rational state described in the third part of his book was not a description of any state actually existing at the time. (It is sometimes said to have been a description of Prussia, but the differences are so striking, as we shall see in part II of this article, that no contemporary of Hegel’s could reasonably have made such an assertion.) Hegel doubtless gave a meaning of his own to the word *wirklich*, and he had explained this meaning as early as 1812 in the *Science of Logic*, but it could have been gathered by an attentive reader from the *Philosophie des Rechts* itself (e.g., preface and sec. 1) without knowledge of Hegel’s other books.

Against this view that the preface is simply explanatory of Hegel’s general position in the body of his book, and not “servile,” there is sometimes adduced a sentence which occurs in it as follows: “*Bei uns die Philosophie . . . eine öffentliche, des Publikum berührende Existenz, vornehmlich oder allein im Staatsdienste, hat*” (“with us [i.e. in Prussia as distinct from Greece] philosophy has an existence in the open, an existence in touch with the public, an existence principally or only in the service of the state”). What does Hegel really mean here? Carritt, for instance, interprets the words as an assertion that “the proper exercise of philosophy is in the service of the state,”¹³ or that “philosophy is to be the servant of the state.”¹⁴ Now since Hegel, in the *Encyclopedia*, ascribes philosophy to the section on Absolute Mind, which transcends Objective Mind, the section in which the state appears, it would be odd if he were to maintain in the *Philosophie des Rechts* that the higher is the servant of the lower. What Carritt’s interpretation seems to overlook is the sense in which Hegel normally uses *Existenz*. In speaking of the *Existenz* of philosophy he is speaking of philosophy’s existence as an institution, as an organization of the objective world. The difference between Prussia and ancient Greece, so far as philosophy is concerned, is that in the former philosophy is an organized study in the universities, whose professors are ex officio civil servants, i.e., “in the service of the State.” Hegel is simply stating an obvious fact about philosophy as an organized study in Prussia; he makes no assertion about the “*proper exercise*” of philosophy or about what philosophy “*is to be*.” I can find nothing in the German to justify Carritt’s use of the words italicized, and nothing in Hegel’s meaning to justify a

charge of servility against him on the strength of his use of this phrase.¹⁵ There is no “servility” in holding that, if a civil servant cannot reconcile his philosophy and his political allegiance, he should demit his office, if his office consists in teaching philosophy.

The question whether Hegel was a man of cringing disposition is relevant to a consideration of the charge that he truckled to the Prussian government. To answer such a question a whole biography would be required, but reference may be made here to some of Hegel’s actions during his Berlin period (1818–31) when he was at the height of his powers and his fame, and when he was being accused of servility by Fries and others who were jealous of his success. In youth he had been an enthusiast for the French Revolution as the assertion in practice of man’s natural right to freedom. In 1826, on the anniversary of the taking of the Bastille, he drank a toast with his students in honor of the event; “he explained its significance and said that a year never passed without his celebrating the anniversary in this way.”¹⁶ In youth he had advocated the unification of Germany; in Berlin he remained faithful to this ideal and had not forgotten that he was a south German himself. In 1826, for instance, when he founded his *Jahrbuch für wissenschaftliche Kritik*, he endeavored to secure the cooperation of Bavarian scholars and hoped that the periodical might help the cause of German unity.¹⁷ When he was leaving Heidelberg for Berlin he said in his letter of resignation that he hoped, in going to Prussia, to have administrative as well as teaching responsibilities.¹⁸ Perhaps he hoped to have charge of the Academy or to have some share in the Ministry of Education, but any such hope was vain. If he was so sound a conservative as some have held, why was he never given such an administrative post?

When his colleague de Wette was dismissed from his chair for writing a letter of sympathy to the mother of Kotzebue’s murderer, Hegel was one of the subscribers to a fund to help him in pecuniary difficulty.¹⁹ He brought with him from Heidelberg an assistant, Carové, whose membership in the Students’ Association made him suspect to the faculty in the university as well as to the government, and Hegel was forced to dismiss him. In his place he appointed von Henning, but it took him ten weeks to get the appointment confirmed, because von Henning also was suspected of demagogic sympathies. In 1820 he posted bail for a student arrested on suspicion of disaffection.²⁰ Another Berlin student was for the same reason inhibited from attendance at the university in 1819. He appealed to Hegel for aid and, despite Hegel’s continued efforts, his reinstatement could not be secured. When he was eventually reinstated in 1823, it was not Hegel’s but another’s pleadings which secured this result. Von Wittgenstein, von Kamptz, and other “demagogue-hunters,”

who might with some fairness be called "servile," attacked Hegel and attributed the "disordered" minds of students in part to the unhealthy "mysticism" and "pantheism" of his philosophy.

It is difficult to fit facts like these—and Dr. Hoffmeister adduces others—into a picture of Hegel as a reactionary conservative, the trusted ally of the Prussian regime. Like other men, he had his faults, but servility was not one of them.

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So far we have been concerned with Hegel the man and his relations with the Prussian government. We now turn to the *Philosophie des Rechts* in order to discover whether it actually contains adulation of Prussia or approval of those aspects of Prussianism and national socialism which are commonly criticized in this country. If it did contain these things, it would be hard to explain why Hegel's influence in Germany waned so rapidly after his death, or why his works went out of print during the heyday of Prussianism. English readers sometimes forget that when Hegel was being translated into English in the 1890s his philosophy was dead in Germany.

The rational state that he describes in the last part of the *Philosophie des Rechts* is not, he explains, any existing state; political philosophy is not the same as the empirical study of political institutions. Yet he is often said to have identified the rational state with the Prussia of his own day. This is impossible; the differences between what he regarded as "rational" political institutions and those under which he actually lived are too many and too striking. Three of them may be briefly mentioned here:²¹ (1) He holds that "subjective freedom" requires trial by jury; questions of fact should be settled by the defendant's peers (secs. 219ff.). In Prussia there were no trials by jury when his book was published. (2) He advocates parliamentary government, and is at some pains to describe in detail the constitution of the two houses and the manner of appointment of their members. Further, he advocates the publicity of their proceedings—all this in the interests once more of "subjective freedom." He is a supporter of monarchy, but only of monarchy of a kind so limited (*constitutionelle Monarchie*) as to be compatible with liberty; i.e., although the monarch is at the head of the state, his functions are restricted; he is one organ of the body politic, the executive and the legislative being the other two (secs. 275–315). Prussia in Hegel's day was an absolute monarchy, and the estates did not meet as a parliament. Stein had proposed to give Prussia

a "constitution," but it did not receive one in Hegel's lifetime. (3) He argues for the freedom of the press and allows the expression of public opinion. It is true that he thinks that there are limits to this freedom, but the important point is that he does hold that personal freedom is robbed of its rights if the individual is not at liberty to hold opinions of his own and to utter them (secs. 316–19). We have seen already in this article that such freedom was not enjoyed in the Prussia of his day.²²

Hegel thought that Plato had described in the *Republic* not a utopia or a castle in the air, but the rational essence (the *ti ēn einai*) of Greek political life, and in more than one place he develops his own views in contrast with Plato's in a way which suggests that he was trying to do for the modern world what he took Plato to have done for Greece. His rational state, then, is a description of the essence of modern political life, exemplified to some extent in existing states, however bad, just as the essence of manhood is exemplified to some extent even in the cripple. Now he holds that in anything finite there may be a discrepancy between what it is implicitly and what it is overtly; e.g., a man is man, as distinct from an animal, in virtue of his rationality, and implicitly or in essence or in principle any particular man is rational; actually, however, he may act in defiance of this rationality, though he does not thereby cease to be man, i.e., he remains rational in essence. If he learned, however, that rationality *was* his essence, and believed this, he would bring his conduct more into line with his genuine manhood, i.e., his rationality. Similarly, a bad state is still a *state* only because the conception or the essence of political life works within it; and if it comes to recognize that its actual institutions or actions clash with the conception or essence that makes it a state, it will proceed to reform itself and bring itself more into accordance with that conception or essence. It is this essence which Hegel describes in the *Philosophie des Rechts*, and his book amounts therefore to an invitation to statesmen to reform their states in accordance with his principles, principles which he professes not to have invented but to have discerned already at work (*wirkend*, i.e., *wirklich*) in varying degrees within existing states, and in virtue of that fact entitling them to be called states. It is, then, a precise reversal of the truth to regard Hegel's book as a justification of the status quo.

But surely, it will be said, even if this interpretation be sound on the whole, still there are detailed passages in Hegel's book where he (1) asserts or implies that might is right, (2) defends the suppression of freedom of conscience, and (3) holds that the individual is a mere means to the state's ends.

1. Carritt, for instance, says that by adopting Schiller's epigram, *Die Weltgeschichte ist das Weltgericht*, Hegel "frankly identifies might with

right."²³ It is true that the epigram might be adopted by a thinker who intended to make this identification, but did Hegel intend to make it? In the *Philosophie des Rechts* (fn. to sec. 258) he distinguishes between von Haller's advocacy of the rule of the might, or the rule of force, and his own doctrine that it is the right which is in the long run mighty. What triumphs in history, he thinks, is the right of God's purpose, the rightness of which is intrinsic to itself, not dependent—as the might is right doctrine implies—on its might. (See, e.g., the closing paragraph of his *Philosophy of History*, where he contends that the true theodicy is the demonstration, provided by the philosophy of history, that the history of the world is the process of the realization of *Spirit*, not force or might.) Hegel's belief that it is possible to discern in history a progressive development—a development of mind—is doubtless open to numerous difficulties, but it is to turn his doctrine upside down to hold that he thinks that the triumph of one "world-historical" nation over another is a triumph of mere brute force (or *Naturgewalt*) when he thinks in fact that it is a triumph of reason. Had he held that might was right because it was mighty, he would surely have advocated despotic government, or absolute monarchy. As it is, when he treats of sovereignty (sec. 278) he clearly distinguishes, like Aristotle, between the sovereignty of a despot who rules by whim, and so by force, not by law—the type of sovereignty that he rejects—and the sovereignty of limited monarchy that implies law and constitution, and so rests on rationality, not whim or force—the type of sovereignty that he advocates. He speaks there of the common misunderstanding that confuses might with right and tries to remove it, but despite his plain words, he seems so far to have failed to convince some readers that he himself distinguished these two conceptions and gave priority to the second.

2. While he repudiates the doctrine that might is right, he does not repudiate freedom of conscience. He specifically allows conscientious objection to service in warfare (second fn. to sec. 270) and speaks of man's conscience as a "sanctuary which it would be sacrilege to violate" (sec. 137). It is true that this is not his whole teaching about conscience; it is not enough, he thinks, that a man should be conscientious; mere conviction does not ensure infallibility. To be justified, a man must be conscientiously convinced of what is inherently right (sec. 141). This, however, is a long way short of advocating the suppression of conscience altogether.

3. But did Hegel not maintain that the individual was a mere means to the ends of the state? Carritt confidently gives an affirmative answer,²⁴ though it seems to me that Hegel's own answer is negative. Not once only but repeatedly in the *Philosophie des Rechts* (preface, secs. 46, 185, 206, 299) Hegel criticizes Plato, and each time the point of his criticism

is that Plato's republic did not allow enough freedom of choice to the individual. He objects that Plato makes the state everything, the individual nothing (*Zusatz* to sec. 184), that Plato stifles individuality by denying private property and family life to the guardians and by refusing to allow members of the lower classes to choose their own walk in life. Self-subsistent individuality, Hegel continues, was unknown to the Greeks and was introduced into the world by Christianity, and it is to make room for this principle in his state that he advocates, e.g., a parliamentary constitution and facilities for the expression of public opinion. Whether his criticism of Plato is justified or not is not here in question, but the fact that it is directed against Plato's alleged subordination of the individual to the state is surely sufficient reason for refusing to ascribe to Hegel precisely what he asserts is Plato's chief error.²⁵

The view here put forward that Hegel rejects the doctrine that might is right, allows freedom of conscience, and does not make the individual a mere means to the ends of the state is supported by his explicit statements in the passages already cited. These statements, moreover, are not merely incidental remarks or casual phrases inconsistent with his main doctrine: on the contrary, they are integral to that doctrine itself. He tries to find a place in the state *both* for individual liberty *and* for strong government, and he holds that it is a sign of the strength and depth of the modern state that its subsistence is compatible with allowing its particular members to develop to "self-subsistent individuality" (sec. 260). His political doctrine of the state and the individual accords with his logical doctrine of the universal and the particular and his metaphysical doctrine of the infinite and the finite. The all-powerful state in which the individual counts for nothing, or which "absorbs into itself the strength of its individual members" (*Zusatz* to sec. 184), would, in his view, be just an analogue of Schelling's absolute—"the night in which all cows are black." In the *Philosophie des Rechts* he attempts to steer a course between the Scylla of individual license, on the one hand, and the Charybdis of despotism, on the other, and hence it is only to be expected that, in some passages taken by themselves, he should seem to founder on one or other of these rocks. Any such passages, however, should surely be interpreted in the light of his main thesis, and while this thesis has perhaps been sufficiently indicated by citations already, it may be worth clinching the matter by quoting Hegel's own summary (sec. 260) of his general view of the state:

The State is the realization of concrete freedom. But concrete freedom consists in this, that personal individuality and its particular interests not only attain their complete development and gain explicit

recognition for their rights (in the family and the system of "civil society"), but pass over of their own accord into devotion to universal interests. When that happens they know and will the universal . . . and are active in its pursuit. The result is that the universal does not prevail or attain perfection except along with the interests of individuals and through the cooperation of their knowledge and will. Individuals likewise do not live like private persons for their own ends alone but, in willing them, will the universal at the same time.

How far Hegel succeeded in his endeavor to do justice to the rights of individuals is a matter for philosophic criticism; but any such criticism will misfire which, despite, e.g., the passage just quoted, maintains that in his view the individual is a mere means to the ends of the state.

"Prussianism" is associated not only with the suppression of conscience and individuality and the doctrine that might is right, but also with the glorification of war. Hegel's view on this subject is summarized by Carritt as follows: "War is justified on the grounds that by it domestic discontent and hankering after liberty are quelled and the inconsiderable nature of human happiness demonstrated by 'hussars with shining sabres.'" ²⁶ What Hegel actually says is: "War is not to be regarded as an absolute evil"—the emphasis is on the word "absolute"—

or as a merely external accident resulting it may be from the injustice or the passions of nations or their rulers. . . . It is a matter of necessity that the finite, i.e. life and possessions, should be definitely established as something merely contingent, because the notion of the finite is the contingent. . . . Edifying sermons are preached about the vanity of temporal goods, but war is the state of affairs which makes us take this vanity in earnest. . . . Everyone thinks when he hears such sermons, however much he may be moved by them, that he will be able to preserve his own possessions. But if their insecurity is made a serious matter by hussars with shining sabres, then preaching turns into curses against the invader (sec. 324).

It is true that Hegel goes on to affirm that peoples stagnate if they remain at peace and that war does result in the composing of domestic feuds, but his main point is that war is an unavoidable necessity. "In time of war," he continues, "right has lost its sway; might and chance rule." And yet "combatants regard it as a passing phase which ought not to be, and for this reason, even in war-time envoys are respected and war is not waged against private individuals or family life." "In modern times" (1820!) "war is humanely waged" (sec. 338). In face of these quotations, can it be

maintained either that Carritt's summary is fair or that Hegel is an apostle of frightfulness?

Finally, how does the teaching of *Philosophie des Rechts* compare with the practice of fascism and national socialism? So far as these ideologies make the unity of national life an ideal, Hegel is at one with them. In Italy the use of corporations in the organization of industry is strikingly reminiscent of his proposals, and the resemblance is doubtless not accidental. The relation between the *Deutsche Christen* and the German government recalls Hegel's proposed partnership between church and state. But it is only if half its doctrine is ignored that the *Philosophie des Rechts* can be interpreted as an apologia for the most criticized aspects of national socialism. Above all, where in the totalitarian states are his safeguards of "subjective freedom"? Where in his book is there any warrant for a secret police? What would he have thought of the treatment of the Jews? An answer to this question may be inferred from a passage in the *Philosophie des Rechts* itself, where he says that those who would exclude the Jews even from civil rights on the ground of their race forget that the Jews are *men*, with the rights of men, and that in fact experience has shown that thus to exclude them is the worst of follies (second fn. to sec. 270).