

HEGEL AND THE REPRESENTATIVE CONSTITUTION

Hegel and the Representative Constitution provides the first comprehensive historical discussion of the institutional dimension of G. W. F. Hegel's political thought. Elias Buchetmann traces this much-neglected aspect in unprecedented contextual detail and makes the case for reading the *Philosophy of Right* from 1820 as a contribution to the lively and widespread public debate on the constitutional question in contemporary Central Europe. Drawing on a broad range of primary source material, this volume illuminates the wider political discourse in post-Napoleonic Germany, carefully locates Hegel's institutional commitments within their immediate cultural and political context, and reveals him as something closer to a public intellectual. By exploring this indispensable thinker's demand for the constitutional protection of popular participation in government, it contributes beyond Hegel scholarship to shed new light on the history of democratic theory in early nineteenth-century Europe and encourages critical reflection on questions of representation today.

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For Franziska

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Conventions and Abbreviations

All translations are my own except where specifically noted. Emphasis in the original, usually expressed through spaced letters, is rendered as *italics* in my quotations.

Anonymous works are generally given by title. Where identification of the author has been successful, their names are given in square brackets. Where authorship remains well-founded conjecture, a question mark has been added.

When reproducing the views of historical authors, I largely follow their use of language, which, like their viewpoints, is seldom gender-neutral.

The following abbreviations are used:

- B* *Briefe von und an Hegel, 4 vols.*, edited by Johannes Hoffmeister (Hamburg, 1977).
- BZ* *Hegel in Berichten seiner Zeitgenossen*, edited by Günther Nicolini (Hamburg, 1970).
- E* *Encyklopädie der philosophischen Wissenschaften im Grundrisse (1817)*, edited by Wolfgang Bonsiepen and Klaus Grotzsch (Hamburg, 2000). [*GW13*]
- GW* *Hegels Gesammelte Werke. Kritische Ausgabe*, Deutsche Forschungsgemeinschaft in Verbindung mit der Rheinisch-Westfälischen Akademie der Wissenschaften (Hamburg, 1968–).
- K* *Verzeichniß der von Herrn Dr. Hegel und dem Dr. Herrn Seebeck hinterlassenen Bücher-Sammlungen* (Berlin, 1832).
- LW* ‘[Beurtheilung der] Verhandlungen in der Versammlung der Landstände des Königreichs Württemberg, im Jahr 1815 und 1816. XXXIII Abteilungen’, in *Schriften und Entwürfe I (1817–1825)*, edited by Friedrich Hogemann and Christoph Jamme (Hamburg, 1990). [*GW15*]

- PR *Grundlinien der Philosophie des Rechts. Naturrecht und Staatswissenschaft im Grundrisse*, edited by Klaus Grotzsch and Elisabeth Weisser-Lohmann (Hamburg, 2009). [GW14,1]

Following established convention, paragraphs rather than page numbers are given in bracketed citations (§), accommodating readers referring to any edition in any language. Following Hegel's own habit of referring to remarks on specific paragraphs separately as *Anmerkungen*, I have marked them with an A. For the preface, pages refer to this edition. Standard English editions, which I have consulted while translating, sometimes adopting and often adapting their turns of phrase, are G. W. F. Hegel, *Elements of the Philosophy of Right*, edited by Allen W. Wood, translated by H. B. Nisbet (Cambridge, 1991) and G. W. F. Hegel, *Outlines of the Philosophy of Right*, translated by T. M. Knox, revised, edited and introduced by Stephen Houlgate (Oxford, 2008).¹ Major differences are discussed in the text or footnotes. Both translations have proven immensely beneficial to generations of Hegel scholars, this one included, yet they have clearly favoured intelligibility over literalness. They also reproduce the book in the form Eduard Gans gave it for his edition in 1833 rather than the way in which Hegel actually published it in 1820. Thus, they contain additions from VPR22 and VPR24, which I have marked as Z in reference to Gans's term *Zusatz*.

- VPG *Vorlesungen über die Philosophie der Geschichte*, edited by Eva Moldenhauer and Karl Markus Michel (Frankfurt am Main, 1986).
- VPR17 'Naturrecht und Staatswissenschaft', Nachschrift Peter Wannemann, Wintersemester 1817/18, in *Vorlesungen über die Philosophie des Rechts*, edited by Dirk Felgenhauer (Hamburg, 2013). [GW26,1]
- VPR18 'Natur- und StaatsRecht', Nachschrift Carl Gustav Homeyer, Wintersemester 1818/19, in *Vorlesungen über die Philosophie des Rechts*, edited by Dirk Felgenhauer (Hamburg, 2013). [GW26,1]
- VPR19 'Philosophie des Rechts', Nachschrift Johann Rudolf Ringier und Anonymus (Bloomington), Wintersemester 1819/20, in *Vorlesungen über die Philosophie des Rechts*, edited by Dirk Felgenhauer (Hamburg, 2013). [GW26,1]

¹ This is but the latest edition since Knox's first translation in 1942.

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- VPR₂₁ ‘Die Philosophie des Rechts’, Nachschrift Anonymus (Kiel) Fragment, Wintersemester 1821/22, in *Vorlesungen über die Philosophie des Rechts*, edited by Klaus Grotzsch (Hamburg, 2015). [GW26,2]
- VPR₂₂ ‘Philosophie des Rechts’, Nachschrift Heinrich Gustav Hotho, Wintersemester 1822/23, in *Vorlesungen über die Philosophie des Rechts*, edited by Klaus Grotzsch (Hamburg, 2015). [GW26,2]
- VPR₂₄ ‘Philosophie des Rechts’, Nachschrift Karl Gustav Julius von Griesheim, Wintersemester 1824/25, in *Vorlesungen über die Philosophie des Rechts*, edited by Klaus Grotzsch (Hamburg, 2015). [GW26,3]
- VPR₃₁ ‘Rechtsphilosophie’, Nachschrift David Friedrich Strauss, Wintersemester 1831/32, in *Vorlesungen über die Philosophie des Rechts*, edited by Klaus Grotzsch (Hamburg, 2015). [GW26,3]