

Constitution and Self-Consciousness in Hegel's Philosophy

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Abstract : According to Hegel's philosophy, constitution of any given nation is the best expression of its national Self-Consciousness. Since constitution is the place in which freedom and Universal Rights is expressed, and since the essence of Self-consciousness is freedom, the development of self-consciousness and consequently freedom, is the direct cause of the development of constitution. Self-consciousness develops in the human history according to its own internal and external dialectic; therefore, it is essentially a dynamic phenomenon. However, constitution is supposed to be a stable foundation for the legal system of state and society. Therefore, the dilemma is: how the dynamic and contradictory nature of Self-Consciousness is the foundation of constitution that supposed to be the stable base of legal system of state and society. According to Hegel's philosophy, the contradiction between the dynamic self-consciousness and the static constitution and state has an essential role in the formation of social movements within any given state. Self-consciousness is the phenomenology of Spirit in the human history. Subjective Spirit expresses itself in the different shapes of Self-consciousness in human spirit. These different shapes of self-consciousness must be identical with its contradiction; Objective Spirit. State is the highest form of the objective Spirit. Therefore, state and its foundation namely 'constitution' must be identical with Self-consciousness. "Spirit cannot remain forever alienated from its expression." Hegel states. Self-consciousness is the Subjective Spirit, it freely develops according to its internal and external contradictions, but since it must be always identical with its expression namely constitution, its development results to alienation. The way by which self-consciousness became again identical with the constitution determines the nature of legal and political development of any given society and state. In the democratic states, self-consciousness shows itself partially in the public opinion. In the process of election, this public opinion changes the ruling parties that construct the government. In democracies, self-consciousness or subjective spirit is in a dialectical relationship with state or the Objective Spirit. Therefore, it cannot remain alienated with its expression that is political system and its constitution. But, in the autocracies Self-consciousness cannot easily express itself in the government and its constitution. More Self-consciousness develops more it becomes alienated with its expression that is the state and its constitution. Rebel and revolution are the symptom of alienation of Spirit (self-consciousness) with its expression (state and its constitution).

Keywords : alienation, constitution, self-consciousness, spirit

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