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EDITORS

MAURICE COWLING
G. R. ELTON
E. KEDOURIE
J. G. A. POCKOCK
J. R. POLE
WALTER ULLMANN

HEGEL'S THEORY OF THE MODERN STATE

SHLOMO AVINERI

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Chapter Four

THE NEW ERA

FROM JENA TO WATERLOO

Hegel moved to Jena in 1801 and stayed there as a *Privatdozent* at the University until 1807. It was during these years that Germany became ever more engulfed in the political consequences of the French Revolution; this was the period in which the Holy Roman Empire was finally dissolved and Prussian military might suffered the humiliating defeat at the Battle of Jena.

The political events at the turn of the eighteenth century had somehow dimmed the lustre of Jena as the capital of the German Enlightenment; but the tiny duchy of Saxe-Weimar, with Goethe as the ducal chief minister, still stood for all that was best in the tradition of German intellectual life. In the 1790s the University of Jena was famous for the scope of its academic freedom. Fichte's lectures there symbolized the intellectual reception of the French Revolution in Germany; its theological faculty was imbued with critical rationalism; and it was there that the empirical sciences were first introduced into German academic life. Inspired by Goethe, Duke Carl August did not join in the repressive measures introduced by other German potentates after the outbreak of the French Revolution, and Jena thus remained relatively free from the restrictions which were imposed upon the other German universities at the time of the wars against France.¹

It was in this atmosphere that, together with Schelling, Hegel edited in Jena the *Kritisches Journal der Philosophie*. It was a fighting journal, which sought to combat accepted opinions and to use critical faculties against obscurantism and traditionalism.² This

¹ Cf. Kaufmann, *Hegel*, pp. 71–119; Rosenkranz, *Hegels Leben*, pp. 147ff.; Heinz Kimmeler, 'Dokumente zu Hegels Jenaer Dozententätigkeit (1801–1807)', *Hegel Studien* iv (1967), 22ff.

² Hegel to Hufnagel, 30 December 1801 (*Briefe von und an Hegel*, i, 65). See Hegel's programmatic introduction to the *Journal*, in *Gesammelte Werke*, ed. H. Buchner and O. Pöggeler (Hamburg, 1968), iv, 117–28.

From Jena to Waterloo

belief in the liberating force of philosophical speculation was expressed, albeit in somewhat hyperbolic language, in one of Hegel's letters of that period in which he writes that a nation will remain barbarian until it can give voice to its cultural heritage in its own language; he, Hegel, 'will teach philosophy to speak German'.³

The period of Hegel's stay in Jena saw the fiercest battles between the French army and various coalitions of German states ranged against it. What characterized Hegel's political attitude during this period, as well as during his subsequent periods in Bamberg (1807–8) and Nuremberg (1806–16), was his firm support for the French, his rejoicing at the Prussian defeat at Jena, his opposition to the German nationalist anti-French upsurge in 1813 and, above all, his admiration for Napoleon, the great modernizer of Europe and of Germany.⁴ Much more than mere infatuation with Napoleon, which was quite common among intellectuals at the time, was involved here, and Hegel's correspondence of that period provides ample textual evidence to support the contention that his political views were related to a fundamental theory about the historical significance of what was happening in Germany.

On the eve of the Battle of Jena, Hegel wrote to his friend Niethammer that 'all wish the French army luck', and commented that the Prussian army can expect nothing but defeat.⁵ While fearing that the manuscript of the *Phenomenology*, which had been sent to the printer in Bamberg, might have been lost due to the havoc wrought by the French army, he reported on his first-hand impression of seeing Napoleon:

This morning I saw the Emperor [Napoleon] — this world-soul (*diese Weltseele*) — ride through the town . . . It is a marvellous feeling to see such a personality, concentrated in one point, dominating the entire world from horseback . . . It is impossible not to admire him.⁶

The Prussian defeat at Jena put an end to the old Prussian army, shattered the fabric of the old military-dynastic Prussian system,

³ Hegel to Voss, 1804 (*Briefe von und an Hegel*, i, 99–100).

⁴ All this was too embarrassing for Rosenkranz, who conveniently glossed over Hegel's political orientation at that time (*Hegels Leben*, p. 227).

⁵ Hegel to Niethammer, 13 October 1806 (*Briefe von und an Hegel*, i, 121).

⁶ *Ibid.*, p. 120. It should be remarked that Hegel called Napoleon a 'world soul', a slightly romantic notion different from that of 'world spirit' which he uses in his philosophy of history and which cannot, of course, be identified with any particular person. Hegel's pro-French attitude in Jena was described in some detail in 1840 by one of his erstwhile students there, Georg Andreas Gabler, who later succeeded to Hegel's chair in Berlin (see *Hegel-Studien* iv, 65–73).

and paved the way for the reforms inaugurated by vom Stein and for the emergence of a modernized and liberalized Prussian state. Though his own house was burned down by the French, the University was closed down and he left without employment, Hegel saw the Battle of Jena as an event of world historical importance:

Philosophy is something lonely; it does not belong on the streets and in the market-place, yet it is not alien to man's actions . . . As a matter of fact, there is no better proof [than contemporary events] that education (*Bildung*) is triumphing over rudeness (*Rohheit*) and spirit over spiritless understanding and mere cleverness (*Klugelei*). Science (*Wissenschaft*) alone is the theodicy.⁷

This link between philosophy and the actual world, this postulate of philosophical principles being realized in the political and historical realm, also appears in a fragment from the Jena period in which Hegel states that:

Through consciousness spirit intervenes in the way the world is ruled. This is its infinite tool – then there are bayonets, cannon, bodies. But the banner [of philosophy] and the soul of its commander is spirit. Neither bayonets, nor money, neither this trick nor that, are the ruler. They are necessary like the cogs and wheels in a clock, but their soul is time and spirit that subordinates matter to its laws. An *Iliad* is not thrown together at random, neither is a great deed composed of bayonets and cannon: it is spirit that is the composer.⁸

Hegel ended his lectures at the University in September 1806 on a similar note of restless anticipation of the new world, heralded by philosophy and ushered in by the handmaids of political change and upheaval:

We stand at the gates of an important epoch, a time of ferment, when spirit moves forward in a leap, transcends its previous shape and takes on a new one. All the mass of previous representations, concepts, and bonds linking our world together, are dissolving and collapsing like a dream picture. A new phase of the spirit is preparing itself. Philosophy especially has to welcome its appearance and acknowledge it, while others, who oppose it impotently, cling to the past.⁹

These thoughts are at the center of the *Phenomenology of Spirit*, finished by Hegel at about the same time. The *Phenomenology* is Hegel's first major attempt at a comprehensive philosophical system. Though much was to be remodelled and refined in his later writings, the basic structure of his argument here is, in a way, simple. While Kant maintained that ultimate reality is opaque to human

⁷ Hegel to Zellmann, 23 January 1807 (*Briefe von und an Hegel*, I, 137). This description of Prussia is very similar to the one contained in 'The German Constitution' (*Political Writings*, pp. 163–4; see above, p. 49).

⁸ Printed by Nicolai in *Hegel-Studien* IV, 14.

⁹ Lecture of 18 September 1806 (*Dokumente*, p. 352).

knowledge, Hegel returns to the classical Aristotelian position that reality is intelligible. Kant's *Ding-an-sich* ultimately left human knowledge knocking, to no avail, at a closed door. Hegel, however, tried to do away with the Kantian distinction between the noumenal and the phenomenal. Hence the title *Phenomenology of Spirit*, which implies that ultimate reality, *Geist*, is manifest in its phenomenological appearances and intelligible through them. Yet while the classical Greek tradition viewed the *logos* as given, Hegel sees it as unfolding in the procession of human manifestations – in history. Reason does not exist *a priori*; its potentiality has to be actualized in practice, it develops in human consciousness. History is thus not a meaningless calendar of senseless events but a hierarchy of reason, and an adequate philosophical understanding has to look for the keys to its meaning. The *Phenomenology* is Hegel's first systematic attempt to write this philosophical history of the human spirit. This biography of the spirit is thus, for Hegel, the philosophical history of man.¹⁰

It is in the context of this development of consciousness that Hegel maintains that his own epoch stands at the beginning of a new dawn. In his preface to the *Phenomenology*, he writes:

It is not difficult to see that our epoch is a birth-time, and a period of transition. The spirit of man has broken with the old order of things hitherto prevailing, and with the old way of thinking, and is in the mind to let them all sink into the depths of the past . . . It is here as in the case of the birth of a child; after a long period of nutrition in silence, the continuity of gradual growth in size, of quantitative change, is suddenly cut short by the first breath drawn – there is a break in the process, a qualitative change – and the child is born. In like manner, the spirit of the time, growing slowly and quietly ripe for the new form it is to assume, disintegrates one fragment after another of the structure of its previous world . . . This gradual crumbling to pieces which did not alter the general look and aspect of the whole, is interrupted by the sunrise, which in a flash and a single stroke, begins to view the form and structure of the new world.¹¹

¹⁰ A detailed analysis of the *Phenomenology* cannot be given here. The reader will find illuminating attempts to decipher it in Alexandre Kojève, *Introduction to the Reading of Hegel*, ed. A. Bloom (New York, 1969); Jean Hyppolite, *Genèse et structure de la Phénoménologie de l'Esprit* (Paris, 1946); Manfred Riedel, *Theorie und Praxis im Denken Hegels* (Stuttgart, 1965); and Judith N. Shklar, 'Hegel's *Phenomenology*: an elegy for Hellas', in Pelczynski's *Hegel's Political Philosophy*, pp. 73–89. Though Baillie translates the title as *Phenomenology of Mind*, it seems that *Spirit* is a more adequate rendering of Hegel's *Geist*.

¹¹ *Phenomenology* (Baillie's translation), p. 75. For an excellent commentary on the preface to the *Phenomenology*, as well as a new translation of it, see Kaufmann's *Hegel*, pp. 303–459; cf. Jean Hyppolite, *Studies on Marx and Hegel*, trans. J. O'Neill (London, 1969), pp. 35–69.

Yet the birth of the new world is, despite this dramatic description, a lengthy process. The new world makes its first appearance 'merely in general outline', and it is the task of the philosopher to be midwife to this new consciousness.¹² The new world is initially as little fully realized as a new-born child is at first a mature person: 'A building is not finished when its foundation is laid.'¹³ The work of intellectual discovery is as yet hard and arduous. What the *Phenomenology* seeks to show is how out of the Enlightenment, through the birthpangs of the French Revolution and reign of terror, a new form and mode of experience arises, that of 'the moral life of the Spirit', about to be realized in post-revolutionary Europe.¹⁴

Since Hegel thus saw that the principles arrived at through modern philosophy were about to manifest themselves in historical actuality, his political attitude became a corollary of these considerations. And the major political factor of this period was the transformation and modernization of the German political system as a consequence of Napoleonic victories. Through annexations in the Rhineland, the establishment of the Kingdom of Westphalia and the introduction of French-inspired reforms in pro-French German states such as Bavaria, the principles annunciated by the French Revolution were being adopted in Germany. 'The French nation,' Hegel writes, 'has managed to free itself, through a blood-bath, from many arrangements which human spirit had to overcome like baby-shoes . . . and spiritless fetters.'¹⁵

Hegel comments frequently on the introduction of new, French-inspired social and political institutions. Remarking on the political changes in Germany, Hegel calls Napoleon 'the great constitutional lawyer in Paris', who teaches the German princes the meaning 'of the concept of a free monarchy'.¹⁶ It is a lengthy process, Hegel notes: 'It is, though, quite a lot what Germany has learned from France, and the slow nature of the *Allemands* will profit over time from this. One cannot demand everything at once.'¹⁷ Yet Hegel is

¹² *Phenomenology*, p. 76.

¹³ *Ibid.* p. 75.

¹⁴ *Ibid.* p. 610. One of the Enlightenment's main achievements has been, to Hegel, the overcoming of the dualism between the secular and the divine: 'Both worlds are reconciled, and heaven is transplanted to the earth below' (*ibid.* p. 598). Hegel's contemporaries saw in the *Phenomenology* 'a basic book of the liberation of man, a key to the new gospel of which Lessing had prophesied' (Windischmann to Hegel, 27 April 1810, quoted in Kaufmann, *Hegel*, p. 324).

¹⁵ Hegel to Zellmann, 23 January 1807 (*Briefe von und an Hegel*, I, 138).

¹⁶ Hegel to Niehammer, 29 August 1807 (*ibid.* I, 185).

¹⁷ Hegel to Niehammer, November 1807 (*ibid.* I, 198).

also aware of the ambiguous nature of Napoleonic rule – the combination of immense personal authority superimposed on the principles of the French Revolution. And he fears lest only the external element of Napoleonic rule be taken over from the French:

Until now our emulation of the French has limited itself only to one half of it while neglecting the other. It is the other half which is the most noble one – the liberty of the people, its participation in elections and decisions, or at least presentation of governmental regulations before the opinion of the people.¹⁸

It is at this time that Hegel accepted the editorship of a pro-French newspaper in Bamberg in Bavaria. To his friend Niehammer, who found this position for him after the closing of the University of Jena had left Hegel stranded without employment, he writes that he would welcome such an opportunity, since 'as you know, I follow world affairs with curiosity'.¹⁹

What Hegel finds essential for the making of a modern form of government is its accountability to the public for public expenses and the public debt, as well as its tolerance of the freedom of the press. He calls this freedom 'this conversation of the government with the people [which is] . . . one of the greatest elements of strength of the French and English people'.²⁰ As a resident now of Bavaria, Hegel was able to witness at first hand the transformation of this feudal patrimony into a modern state. He expected representative institutions to be introduced into Bavaria, and when the Napoleonic Code was adopted as the law of the land to supersede the archaic traditional customary law, Hegel greeted it with the remark: 'The importance of the Code does not compare, however, with the importance of the hope that can now be surmised that the further parts of the French and Westphalian constitution will also be introduced [in Bavaria].'²¹

Later, in 1808, Hegel was summoned to become the Rector of the Gymnasium in Nuremberg. Under the reforms in Bavaria, Hegel's friend Niehammer became head of the educational system in the new government, and it was he who offered this position of Rector to Hegel. The school in question was a very distinguished institution, the oldest humanistic Gymnasium in Germany, founded by Philip

¹⁸ *Ibid.* I, 197.

¹⁹ Hegel to Niehammer, 20 February 1807 (*ibid.* I, 145). To another friend he confides that 'as you know, I always had an infatuation with politics' (Hegel to Knebel, 30 August 1807, *ibid.* I, 186). Hegel did, however, run into numerous problems with the censors (*ibid.* I, 240ff.).

²⁰ Hegel to Niehammer, 22 January 1808 (*ibid.* I, 209).

²¹ Hegel to Niehammer, 11 February 1808 (*ibid.* I, 218).

Melanchthon. A Protestant like Niethammer, Hegel found himself ranged against the old Catholic hierarchy of Bavaria, which tried to ensure its traditional hold over education and prevent the introduction of an open-minded, humanistic curriculum into the school system. Using the French system as a model, Niethammer's educational reform was part of an overall effort at modernization in highly conservative and Catholic Bavaria, and Hegel's position thus placed him for a number of years in the middle of one of the most important political battles of early nineteenth-century Germany.

Hegel put great hopes in what was being done: 'A new world may arise in Bavaria; one has hoped for this for a long time.'²² In an eloquent letter to Niethammer, he goes back to his earlier notions about the relationship between philosophy and actuality, expressing the belief that it is the realm of ideas that revolutionizes the world:

Daily do I get more and more convinced that theoretical work achieves more in the world than practical. Once the realm of ideas is revolutionized, actuality does not hold out (*Ist erst das Reich der Vorstellung revolutioniert, so hält die Wirklichkeit nicht aus*).²³

Hegel threw himself with all his zeal into this attempt to revolutionize the realm of ideas. He himself took over the teaching of philosophy in all forms at the Gymnasium, and even wrote a philosophical propaedeutic. His rectorial addresses, given at the end of each school year, preserve some of the direction of his thought and educational policy.

In one of these addresses, he sets up the development of the judicial system and the state of the educational system as two criteria for judging the nature of any society.²⁴ On another occasion, when military training was being introduced into the highest form at the Gymnasium, Hegel extols this introduction of a citizens' army

²² Hegel to Frommann, 9 July 1808 (*ibid.* i, 235). Haym points out that due to the reforms, Bavaria came to be considered a model *Intelligenzstaat* and attracted to its service some of the best intellectual minds in Germany (*Hegel und seine Zeit*, pp. 261–4).

²³ Hegel to Niethammer, 28 October 1808 (*Briefe von und an Hegel*, i, 253–4). On Hegel's skirmishes with the local Catholic reaction in Nuremberg, see his letters to Niethammer of 3 November 1808 and 10 October 1816 (*ibid.* i, 337, and ii, 141, respectively). See also his letter to Schelling of 23 February 1807 (*ibid.* i, 149), in which he discusses the struggle for educational reform in Bavaria.

²⁴ Rectorial address of 1809, in G. W. F. Hegel, *Nürnberg Schriften*, ed. J. Hoffmeister (Leipzig, 1938), p. 303. The main theme of this address is that educational reform in Bavaria is to be praised for not creating a hiatus with the past, but building on its foundations.

which, he points out, has always been, ever since the Greek polis, at the root of the popular identification with the political structure; a standing, professional army, on the other hand, usually goes hand in hand with a growing estrangement between the government and its citizens.²⁵

In 1811, the expected platitudes about school preparing young people for life are followed by remarks about the way in which the individual can find himself integrated into the real world only if he is integrated into the universality of the state. These two forces, the individual and the claims of society, are the two poles around which adult life centers, and one has to attain integration in both.²⁶ The educational function of the new state is stressed time and again: 'What is being done for the education of the young in modern times . . . is only one single aspect of the newly constituted life of the state.'²⁷ Conversely, the role of the educational system is expressed by Hegel in terms taken from the modernized French experience – to prepare civil servants for the state.²⁸

This impact of immediate political events is even more evident in Hegel's rectorial address of 1813, delivered at the height of the popular German agitation against the French. As we shall see later, Hegel opposed this first fervent expression of German nationalism, and in his address of that year he carefully warns against an uncritical and too-easy infatuation with the new fashionable ideas. The state and social life have been most carefully modernized and transformed in the last decade in Germany, he says, and one should be most careful to preserve these achievements and not undercut such real progress by rocking the boat: 'When laws and institutions, which should be the solid ground for that which is ever-changing, are themselves made changeable, on what then can the ever-changing base itself?'²⁹

Here, for the first time, a new tone begins to be heard in Hegel: the voice that called for change and modernization, for scrapping the old order lock, stock and barrel, is now undergoing transformation into a voice calling for moderation, for a careful preservation of the existing scheme of things. This has sometimes been viewed as if Hegel had changed from a fiery young critic to an accommodative moderate, if not a staid conservative. The point, however, is that

²⁵ Rectorial address of 1810 (*ibid.* p. 321).

²⁶ Rectorial address of 1811 (*ibid.* p. 341).

²⁷ Rectorial address of 1815 (*ibid.* p. 370).

²⁸ *Ibid.* p. 360.

²⁹ Rectorial address of 1813 (*ibid.* p. 359).

in the meantime the socio-political order has been completely transformed. The order Hegel is now beginning to defend is not the old order he had so radically attacked in 1801. It is not Hegel's views which have changed in the crucial decade between 1805 and 1815, but the whole fabric of German social and political life which has been transformed under the tremendous jolt it had received from the Napoleonic wars. The German system Hegel appears to be defending around 1815 is precisely the system he wished to see established in 1802. Dialectically, however, the new system emerged not through an internal transformation of German conditions out of their own accord, but as an outcome of the impact of French victories. This transformation of German political life thus came about either through defensive modernization, as in Prussia, or through direct French intervention in local conditions, as in the Rhineland, Westphalia, Bavaria and Württemberg. The old order of 1802 disappeared totally, and it was the new, French-inspired, modern, anti-feudal, order which Hegel now felt had to be defended against the dubious attacks of nationalists and romantics.

All through the last years of Napoleon's rule Hegel stood by his support of the French. In 1809, he congratulates Niehammer on the French victory over the Austrians at Regensburg.³⁰ In 1813, with the beginning of German resistance to the French, he opposes in the strongest terms these first expressions of vehement German nationalism. A few days before the battle of Grossgörschen, Hegel comments icily on 'Cossacks, Bashkirs, Prussian patriots and all sorts of liberators'.³¹ A year later he adversely refers to the illusion of the public and the 'rabble' (*Pöbel*) about 'freedom'; his wife, he reports, dreams of 'a camp full of wild soldiers, Cossacks, Prussians'.³² In another letter, commenting on the younger generation's enthusiasm for the 'liberators', Hegel says: 'I am ready to fall down on my knees if I see one liberated person',³³ and the attempt to revive the traditional German dress as an expression of nationalist anti-French feelings, supplied Hegel with an occasion for a few more caustic remarks. The free-wheeling enthusiasm and subjective romanticism

³⁰ Hegel to Niehammer, 7 May 1809 (*Briefe von und an Hegel*, I, 283). Hegel's only brother, Georg Ludwig, died in Russia while serving with the Württemberg contingent in Napoleon's army.

³¹ Hegel to Niehammer, 21 May 1813 (*ibid.* II, 6).

³² Hegel to Niehammer, 29 April 1814 (*ibid.* II, 27).

³³ Hegel to Niehammer, 23 December 1813 (*ibid.* II, 14).

associated with the national uprising of 1813 runs contrary to all of Hegel's conceptions about the nature of politics.³⁴

Napoleon's defeat and abdication come as a great shock to Hegel. Sarcastically commenting on 'our yet-to-be-achieved freedom', he writes to his friend Paulus: 'What do you say to our great Napoleon?'³⁵ In a letter to Niehammer he tries to console himself that Napoleon's ultimate defeat has actually been implied by him in his *Phenomenology*, and continues:

Great things are happening around us. It is an immense spectacle to see an enormous genius destroy himself. This is the most tragic thing that exists. The whole mass of mediocrities presses incessantly with all the absolute iron of its gravity until it lowers the heights down to its own *niveau*, or crushes them.³⁶

When Napoleon returns from Elba, Hegel entertains no hope for a comeback: he knows that all is lost. Yet in an introspective letter he says that if he had harboured any hopes for a possible Napoleonic victory, he would have 'put a rifle on his shoulder' and gone to join him.³⁷

Der Kaiser, der Kaiser gefallen. The dream of a new world seems to have collapsed. But the world-historical individual, Hegel would later remark in his *Philosophy of History*, referring directly to the Napoleonic experience, is not distinguished by his personal fate but by the objective outcome of his acts.³⁸ *Si monumentum vis, circumspectare.* And Napoleon's actions, whatever his personal fate, have helped to pave the way for a new world; and the point was to defend it even if its creator has himself disappeared. Indeed, in Bavaria Hegel was immediately confronted with the attempt of the old Bavarian ultra-montane party to dismantle the reforms of the past decade. In the most political of his rectorial addresses Hegel warns against this attempt to resurrect the past or to turn the clock backwards:

We must oppose this mood which always uselessly misses the past and yearns for it. That which is old is not to be deemed excellent just because it is old, and from the fact that it was useful and meaningful under different circumstances, it does not follow that its preservation is commendable under changed conditions – quite the contrary... The world has given birth to a great epoch.³⁹

³⁴ Hegel to Paulus, 9 October 1814 (*ibid.* II, 42–3).

³⁵ Hegel to Paulus, 18 April 1814 (*ibid.* II, 23).

³⁶ Hegel to Niehammer, 29 April 1814 (*ibid.* II, 28). In yet another letter, of 1 July 1814 (p. 29), he calls the Prussians 'liberation beasts' (*Befreiungsbestien*).

³⁷ Hegel to Niehammer, 19 March 1815 (*ibid.* II, 50).

³⁸ G. W. F. Hegel, *Reason in History*, trans. R. S. Hartman (New York, 1953), p. 41. ³⁹ Rectorial address of 1815 (*Nürnberger Schriften*, pp. 370–3).

The new era

This belief in ultimate progress, though mediated through what sometimes appears as meaningless skirmishes, is most vividly expressed in an almost poetic passage in which Hegel wishes to assure the beleaguered Niethammer that their common attempt to withstand the post-Napoleonic reaction will ultimately prevail. In a language whose images strangely evoke Tolstoy and Stendhal, and which must have been influenced by the traumatic impact of the gigantic Napoleonic battles, Hegel writes:

I stand by my belief that the world spirit has given [our] time the order to advance. This order is being obeyed. This advance goes on, through thick and thin, like an inscrutable, armoured, closed phalanx, its movement as imperceptible as that of the sun. Innumerable light troops, fighting for and against it, flank it on both sides, most of them not even knowing what it is all about; they are being hit on the head as if by an invisible hand. All flinching and wise-cracking and yelling is helpless against it. It can perhaps read this colossus up to his shoelaces, put some shoe polish or dirt on them, but it cannot loosen them up . . . The surest thing, both internally and externally, is to keep this advancing giant straight in sight.⁴⁰

RATIONALISM VERSUS POSITIVE LAW AND THE NEW GERMAN STATE

In 1817, Hegel published in the *Heidelberger Jahrbücher* a long commentary on the proceedings of the Württemberg assembly of estates of 1815-16. This essay on *The Württemberg Estates* marks the second time that Hegel discusses conditions in his native homeland; but the conditions there had changed drastically since 1798, when he had written his draft notes for his unfinished first essay on Württemberg.⁴¹

The post-1815 Kingdom of Württemberg was a very different political animal from the much smaller duchy of pre-Napoleonic days. Through annexations of smaller neighbouring principalities and ecclesiastical lands, as well as through the mediatization of imperial knights who had previously been tenants-in-chief of the Empire (*Reichsunmittelbar*), the ancestral territory of ducal Würt-

⁴⁰ Hegel to Niethammer, 5 July 1816 (*Briefe von und an Hegel*, II, 85-6).

⁴¹ See Pelczynski's introductory essay to *Hegel's Political Writings*, pp. 18-26; also Rosenkranz, *Hegels Leben*, pp. 308-12. Beyer has recently claimed that an anonymous article on Württemberg in the *Württembergischer Volksfreund* was authored by Hegel, but this has been convincingly contested; see Wilhelm Beyer, 'Hegels Mitarbeit am *Württembergischen Volksfreund*', *Deutsche Zeitschrift für Philosophie* xiv (1966), 709-17; Hartmut Buchner, 'Ein unbekannter politischer Text Hegels?', *Hegel-Studien*, iv (1967), 205-14.

Rationalism versus positive law and the new German state temberg was almost doubled and its ruler elevated to royal dignity. An overall administrative and judicial reform, spurred on by the Napoleonic impact, had transformed the whole structure of the country, introducing a modern, rational civil service to replace the old, oligarchic, semi-independent and corrupt petty officialdom of the Standing Committee of the old Diet. In 1815, the King asked a newly elected Assembly of Estates to ratify a constitutional charter formalizing these changes, and it was around this issue that a major constitutional crisis developed in Württemberg. The traditional, conservative, aristocratic elements, and especially the erstwhile independent imperial knights, saw in the King's program an attempt to divest them of their old, prescriptive privileges and subject their autonomous status to the new concept of Württemberg's sovereignty and thus put an end to their virtual exemption from any effective political supervision. We have already noted that of all the German *Länder*, Württemberg had been the one whose old oligarchic constitution was the most similar to the system of *liberum veto* of the old Polish Commonwealth. Clinging to these pre-1789 arrangements, the conservatives hoped that by opposing the royal constitution, they would be able to undo the modernizing effects of the decade preceding 1815.

Hegel took the King's side, and his support for the royal program has sometimes been taken to represent support for royal absolutism against parliamentary liberalism; this, however, is a serious misunderstanding of the historical context involved, projecting as it does on 1817-Württemberg the images of later constitutional struggles.⁴² Within the concrete historical context of the period, it was the *opposition* to royal power that represented the most conservative and reactionary element in Württemberg society; it was this aristocratic opposition that believed that a restoration of pre-1789 arrangements would now become possible, once Napoleon had been defeated. The King, on the other hand, stood for an attempt to uphold the social and political achievements reached under the liberalizing impact of French influence in South Germany.

The conservative opposition maintained that the old customary law regulating privileges and limiting the royal authority was still in force. The old imperial tenants-in-chief still saw themselves as independent lords, regulating their relations with the King of

⁴² Haym, *Hegel und seine Zeit*, pp. 349-56. Haym, an 1848 vintage liberal-nationalist, could not but see the arguments of the Frankfurt National Assembly prefigured in the Württemberg debate.

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Württemberg on a contractual basis. The only way a new constitution could be formulated, so they argued, was through a deal, freely arrived at, between the King and the estates, premised on the assumption that the historical rights and privileges of the nobility remained inviolable so long as they had not been freely traded in for royal concessions.

It is against such a feudal conception of political rights as personal property that Hegel uses some of his strongest language in his essay; his argument here follows the one he had voiced fifteen years earlier in the essay on *The German Constitution*. This is the argument of rationalism versus prescription, Hegel states, adding:

'Old rights' and 'old constitutions' are such fine grand words that it sounds impious [to contemplate] robbing a people of its rights. But age has nothing to do with what 'old rights' and 'constitution' mean or with whether they are good or bad. Even the abolition of human sacrifice, slavery, feudal despotism, and countless [other] infamies was in every case the cancellation of something that was an 'old right'. It has often been repeated that rights cannot be lost, that a century cannot make wrong into right, but we should add: 'even if this century-old wrong has been called right all the time', and further that an actual positive right a hundred years old rightly perishes if the basis constituting its existence disappears.⁴³

Hegel's old argument against 'positivity' reappears, this time in a specific political context: 'The fundamental error in the position adopted by the Württemberg estates lies in this, that they start from positive law.'⁴⁴ Recalling the experience of the French Revolution Hegel says that 'one must regard the start of the French Revolution as the struggle of rational constitutional law against the mass of positive law and privilege by which it had been stifled'. The Württemberg estates, however, Hegel adds, would like to disregard the history of the last 25 years:

One might say of the Württemberg Estates what has been said of the returned French emigrés: they have forgotten nothing and learnt nothing. They seem to have slept through the last twenty-five years, possibly the richest that world history has had, and for us the most instructive, because it is to them that our world and our ideas belong.⁴⁵

The problem of traditional as against codified law Hegel sees as settled in favour of the latter because of the ultimate subjectivity of traditional, customary law. The 'Good Old Law of Württemberg',

⁴³ *Political Writings*, pp. 282-3. The strong anti-Burkean tone in this passage is most striking. Hegel's opposition to prescriptive, traditional law comes up again in his polemic against von Savigny, *Philosophy of Right*, §§ 258-9.

⁴⁴ *Political Writings*, p. 281.

⁴⁵ *Ibid.* p. 282.

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which the conservative opposition would like to preserve, is, according to Hegel, conspicuous for its not being known: nobody really knows what it is, since it derives from a multitude of sources and authorities and not all of them are equally clear and explicit.⁴⁶ Furthermore, any attempt to judge present-day conditions by criteria derived from the past is anachronistic; the old feudal order of estates freely negotiating their 'pact' with a prince cannot be the foundation of a modern state. While the old order based itself on private law, the modern state is based on public law: 'The concepts concerning the matter at issue, which we must bring with us to this event, we may not cull from any remote age.'⁴⁷ The purely 'positive' nature of the claims of the conservative opposition is brought up by Hegel time and again:

The Assembly did not reject the King's constitution on the ground that it was contrary to the rights that subjects could claim in a political constitution on the strength of the eternal rights of reason... On the contrary, it rejected it on the ground that it was not the old constitution of Württemberg... The dead, however, cannot be revived.⁴⁸

Hegel then goes on to defend the constitutional charter proposed by the King. It is important to go into some of the details of Hegel's defence since his arguments against the conservative opposition in the Assembly may give rise to the mistaken impression that Hegel was opposed to representative assemblies in general. In fact, what he opposed was the traditional structure and conservative policy of the Württemberg Assembly. As for assemblies in general, in modern states they were 'the formation of a representative constitution, the rule of law, popular influence on legislation'.⁴⁹

The royal constitutional charter proposed a unicameral assembly, made up both of *ex officio* members and elected ones. Crown officials, officers, clergymen and physicians were to be ineligible as elected members. Otherwise, every male member of a Christian ⁴⁶ *Ibid.* pp. 275, 284. In a lengthy passage, not included in the Knox-Pelczynski edition, Hegel enumerates a long catalogue of the possible sources for traditional law (*Schriften zur Politik*, p. 221), calling it a 'paper labyrinth'. Hegel had a similar view of the unreformed, pre-Peel English Common Law (*Berliner Schriften*, pp. 718-24).

⁴⁷ *Political Writings*, p. 247.

⁴⁸ *Ibid.* p. 274.

⁴⁹ *Ibid.* p. 250. The King's greatest achievement, according to Hegel, is that all his subjects are now equal before the law (p. 251). Hegel also supported the demands of his friends in Baden for an Assembly of Estates and condemned the government's harassment of Justizrat Martin of Heidelberg which followed the latter's demands for such an assembly; see Hegel's letter to Frommann of 20 December 1816 (*Briefe von und an Hegel*, II, 65).

denomination over thirty was to be eligible for election, with no property qualifications. Entitled to vote were Christian males of over twenty-five years possessing a net annual income of 200 guilders. One third of the members of the assembly would be elected once every three years. The powers of the assembly would include all fiscal and tax legislation and no new taxes could be levied, or existing ones increased, without its consent. The Crown would have to submit an annual report about expenditures; legislative initiative was to be in the hands of the Crown, yet Assembly members would also be able to propose legislation; and all laws regarding freedom, property and the constitution would have to be ratified by the Assembly. Given the context of 1817, Hegel justly remarks that this is the most liberal constitution ever given by a monarch to his subjects.⁵⁰

Yet despite Hegel's basic support for the royal constitution, he also had a number of reservations, which he described in great detail, and this critique of the royal charter also shows that Hegel's tract was not a mere attempt to whitewash the royal position. Hegel's main objection to the royal charter concerns the injunction against the eligibility for the assembly of members of the professions. In a small country like Württemberg, Hegel notes, most members of the liberal professions would be in one way or another state employees; barring them from assembly membership will leave the assembly in need of members with the necessary intellectual qualities and would also push the assembly into the hands of the lawyers whom Hegel always sees as possessing a built-in conservative, prescriptive and 'positive' conception of what the law is. Hegel remarks that recent historical developments 'have imbued the youth in our universities with a higher interest than mere concentration on future bread-winning and income . . . Are they, along with the whole class of academically educated people, who generally expect the same destiny [to enter public service], to lose the capacity to become members of the estates, representatives of the people?'⁵¹

Hegel's major reservation about the proposed constitution deals, however, with its vision of direct, undifferentiated representation. To him, such a system of direct suffrage means that the individual has no real bond with the body politic, that as a consequence of this he feels estranged from the state and impotent *vis-à-vis* the political power confronting him:

⁵⁰ *Political Writings*, p. 254.

⁵¹ *Ibid.* p. 259.

The electors appear otherwise in no bond or connexion with the civil order and the organization of the state. The citizens come on the scene as isolated atoms, and the electoral assemblies as unordered inorganic aggregates; the people as a whole is dissolved into a heap. This is the form in which the community should never have appeared at all in undertaking any enterprise; it is a form most unworthy of the community and most in contradiction with its concepts as a spiritual order. Age and property are qualities affecting only the individual himself, not characteristics constituting his worth in the civil order. Such worth he has only on the strength of his office, his position, his skill in craftsmanship which, recognized by his fellow citizens, entitles him accordingly to be described as a master of his craft, etc.⁵²

This runs, of course, against the grain of what came to be identified with liberal principles, ever since both Rousseau and *The Federalist* argued, for different reasons, against 'factions' and the French Revolution disbanded all 'partial' organizations. To Hegel, such an abstract identification of the citizen-voter with the universality of the political structure is pure fantasy and wishful thinking; this identification with the state needs mediation. In a passage astonishing for its insights into much later problems of representative government, Hegel says:

It is as well to remember that the exercise of a wholly occasional calling, like that of being a voter, easily ceases to be of interest in a short time and in any case depends on an accidental attitude and a momentary preference. This calling is exhausted by a single action, an action occurring only once in a few years; when the number of voters is large, the individual may regard as very unimportant the influence of his own vote, all the more because the deputy whom he helps to elect is himself in turn only one member of a numerous assembly where only a small number ever give evidence of being of much importance, and where in any case the contribution made by one vote out of many is unimpressive . . .

But experience has shown that the excessive gap between the importance of the effect which is supposed to ensue, and the extremely small influence which the individual seems to himself to have, soon produces the result that the enfranchised become indifferent to this right of theirs.⁵³

A system of representation based on mere property qualifications gives rise, according to Hegel, to the atomization and privatization

⁵² *Ibid.* p. 262. Hegel is afraid lest such an estrangement should cause people to be 'brought up to a sense of merely private concerns . . . gripped by the spirit of narrow-mindedness and private self-seeking' (p. 268).

⁵³ *Ibid.* p. 264. The reader who might consequently see Hegel as a forerunner of the 'corporate state' should bear in mind that it is precisely this mediating role that modern political parties and other voluntary organizations, non-existent in Hegel's days, play in the modern representative system. See esp. Robert A. Dahl's theory of 'polyarchy' in his *Preface to a Democratic Theory* (Chicago, 1956), pp. 63-89.

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of life and encourages the voters to view political concerns solely in terms of their economic interests. Hegel would prefer an alternative in which representation would articulate legitimate group interests, thus integrating every citizen, through his peers, into the political structure:

A living interrelationship exists only in an articulated whole whose parts themselves form particular subordinate spheres. But, if this is to be achieved, the French abstractions of mere numbers and quanta of property must be finally discarded, or at any rate must be no longer made the dominant qualification or, all over again, the sole condition for exercising one of the most important political functions. Atomistic principles of that sort spell, in science as in politics, death to every rational concept, organization, and life.⁵⁴

It is this vision of a modern, differentiated state that Hegel proposes as against the feudal, pre-revolutionary notion of the Württemberg nobility as well as against the more acceptable, yet still slightly mechanistic, form suggested by the royal constitution. The legal bent of the Württemberg opposition clung, in Hegel's view, to another fiction, namely, that the Holy Roman Empire of the German Nation had never ceased to exist. The nobility 'has never accepted the abdication of the Roman Emperor ... and [maintained that] after the dissolution of the Confederacy of the Rhine it has come again into the legal possession of all its former rights'.⁵⁵ To Hegel this is pure fiction and make-believe. Just as in his essay on *The German Constitution* he wished to do away with the legal fictions surrounding the historical Reich and to understand that which is, so here his prime object is to comprehend reality, while the people of the opposition in Württemberg 'declare themselves indeed to be Estates of another world, of a time long past ... The entire Assembly thus takes up a position directly opposed to the actual world situation'.⁵⁶ But the dead cannot, to Hegel, be revived and the old world of the crumbling Empire cannot be resuscitated. On the ruins of the old Empire, which lacked the power to transform itself into a modern state, new states have been established. The German phoenix rejuvenated itself out of the ashes of its own bonfire; but now it has many forms rather than just one. Not one German state has emerged from the debris of the old world, but a plurality of states.

⁵⁴ *Political Writings*, p. 263. While welcoming the demise of the old, restrictive and coercive guild system, Hegel welcomes any attempt to set up voluntary organizations that would 'bring the lower spheres back again into respect and political significance and, purged of privileges and wrongs, to incorporate them as an organic structure into the state'.

⁵⁵ *Ibid.*, p. 272. ⁵⁶ *Ibid.*, pp. 271-3.

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Unlike the old patrimonial 'estates' of the old Empire, these entities are not purely personal domains, based on property and dynastic links. Under the impact of Napoleonic reform and the subsequent history of German politics, they have evolved into modern states, rationally organized, based on the modern principles of the universality of law and representation. The old dream of the Empire is dead; the reality of the new states in Germany is actual:

The age had produced a new task for Württemberg and the demands for its discharge, the task of erecting the provinces of Württemberg into a state. After the nonsensical arrangement called the German Empire ... has reached the end it deserved, an ignominious end suited to it even in externals, the Württemberg of that time acquired an enlargement of territory up to more than double its previous size ... [It] crossed the frontier into sovereignty, into the position of a state, i.e. into that of one of the actual German realms which are taking the place of the nonentity which had borne only the empty name of an 'Empire'.⁵⁷

Hegel has thus come full circle: in 1802 he had hoped to create a focus for political power in the reform of the Empire; but he ended his essay on *The German Constitution* on a note of quiet despair. The Empire could not be rejuvenated; the plan for its reform had only brought into cruel relief the inner rationale of its ultimate demise. Now, Bavaria, Württemberg, Prussia - the new, sovereign modern German states emerging in post-1815 Germany - are the bearers of modernization and transformation: reformed, rationalized, incorporating the lessons of the French Revolution. The call for political unity has become superfluous and the individual states have become the subject of political power in Germany. The idea of the modern state has finally taken root in Germany: 'Twenty-five years of past and mostly terrible history have given us a sight of the numerous attempts to grasp this idea'.⁵⁸

The program of 1802 has been realized, though with a dialectical twist. Political life in Germany has been modernized, though the old Reich has reached 'the end it deserved'. Any movement for political unity in Germany would now run the danger of undoing what has been accomplished. Moreover, since the foundations of a truly political system have already been established in the particular German states, overall political unity in Germany could be based now only on such subjective and arbitrary elements as language and historical memories; and as for such aspirations, we have already seen Hegel's opposition to any ideas of ethnic nationalism.

⁵⁷ *Ibid.*, pp. 247-8. Haym uses this passage to show that Hegel had no 'national feelings whatsoever' (*Hegel und Seine Zeit*, p. 353).

⁵⁸ *Political Writings*, p. 249.

Hence Hegel's total opposition to any attempt during 1813-15 to create political unity in Germany is a vindication of the principles which governed his position in 1802. Thus it was that he opposed the anti-French nationalist sentiments of 1813 and the romantic nationalist attempt to revive the German Empire. The modern German state does exist, and the dead cannot be revived.

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We have seen how Hegel's political writings present a consistent and progressively unfolding panorama of the way in which his political theory evolved through constant confrontation with historical reality. His systematic writings, on the other hand, reflect an attempt to develop the general theoretical framework within which his theory of the modern state could be defended.

Of all Hegel's systematic writings relating to political philosophy, the *Philosophy of Right* (1821) is the best known; it is also the only one which has been translated into English. Yet before his thought found its definitive expression in this work, Hegel had already attempted several times to systematize his thinking on political theory. It is these earlier versions of his mature political philosophy which show a remarkable continuity in the kind of questions Hegel was asking as well as in the general direction of his enquiry. Some of these earlier attempts also include detailed studies of issues which later would be merely summarized, or just hinted at, in the mature *Philosophy of Right*. These earlier attempts are thus indispensable for the understanding of Hegel's political philosophy both on their own merit and as the groundwork of his later thought.

Anyone going through these various attempts at a systematic treatment of political thought cannot but reach the conclusion that Hegel had not only been persistently preoccupied with the same set of problems, but that in a way he was also trying to write the same book all the time: we thus have before us early drafts, so to speak, of the *Philosophy of Right*.

Even the actual titles of the writings involved point in that direction. The *Philosophy of Right* is subtitled 'Natural Law and Political Science'; Hegel's first systematic essay on political thought, published in 1802, is entitled *On the Scientific Modes of Treatment of Natural Law - Its Place in Practical Philosophy and Its Relationship to the Positive Science of Law*. The two other earlier attempts are the *System der Sittlichkeit* ('System of Ethics') and the two

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versions of the *Jenaer Realphilosophie*, both never published in Hegel's lifetime. Their structure, as well as their content, are clearly a prefiguration of what ultimately became Hegel's mature *Philosophy of Right*.

FROM NATURAL LAW TO SOCIAL COHESION

The essay on Natural Law was published in the *Kritisches Journal der Philosophie*, which had been jointly edited by Hegel and Schelling. Both of them saw it as the main weapon in their fight against the old philosophy. In 1801, a year before the publication of the essay, Hegel had published in Jena the first printed work bearing his name, an essay on the difference between the philosophical systems of Fichte and Schelling.¹ Whereas this first essay is still very much within the horizon of Schelling's *Naturphilosophie* and is heavily indebted to it, the essay on Natural Law consciously tries to place spirit above nature and shows an attempt by Hegel to evolve an independent philosophical position, although the terminology is still sometimes exasperatingly Schellingian.²

Despite its title, the essay is wider in scope than a mere treatment of Natural Law. In it Hegel attempts a radical critique of both Kant's formal rationalism and British empiricism. He looks for a valid foundation for legislation that would succeed in preserving the partial truth which, after all, Hegel admits both *a priori* rationalism and empiricism contain.

According to Hegel, the main weakness of the empiricists was their attempt to derive and define the context of such social institutions as marriage and punishment from the empirical characteristics of the historical arrangements bearing these names. Hegel maintains that drawing up such a list or catalogue of empirical functions cannot teach us anything about the essence and nature of these institutions.³ Furthermore, when the empiricists talk about 'coercion' or 'necessity' they are using abstract categories just like the traditional metaphysicists. Despite their disclaimers, the empiricists have recourse to a number of hidden premisses; ultimately, their

¹ 'Differenz des Fichte'schen und Schelling'schen Systems der Philosophie', in G. W. F. Hegel, *Gesammelte Werke* (Hamburg, 1966), iv, 5-92. It was with this essay, Rosenkranz says (p. 149), that Hegel sought to make his impact on intellectual life in Jena.

² *Ibid.* iv, 432; cf. Kaufmann, *Hegel*, pp. 69-108; Lasson's introduction to his edition of Hegel's *Schriften zur Politik und Rechtsphilosophie*, pp. xxxiv-vi.

³ *Gesammelte Werke*, iv, 421-2.

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views relate only to 'understanding' (*Verstand*), which perceives only particular aspects and not the totality involved.⁴

It is, however, in the political sphere proper that Hegel sees the breakdown of traditional Natural Law theories. In Rousseau, the general will is postulated as the ultimate legitimacy of the political order; the problem, however, is how 'this general will becomes necessarily real in the subjects'.⁵ Natural Law theories tend to solve this dilemma by postulating, besides the government, a second repository of legitimacy in the form of supervisory organs, curbing and controlling the government. But this, to Hegel, creates a dichotomy which causes more problems than are solved. For the problem is twofold: firstly, how does one prevent the government, which claims to stand for the general will, from imposing itself on the citizens; and, secondly, how does one prevent the people from directly imposing their unstructured control over the government. To Hegel, Natural Law theories failed to find a middle way between Hobbes and Robespierre.

Hegel criticizes in detail some of the attempts to solve this problem. He criticizes, for example, Fichte's idea of an Ephorate, a board of control, which would supervise the actions of the government. Hegel points out that Fichte's Ephorate is really dependent upon the government's good will, and thus cannot effectively control it. On the other hand, were the Ephorate to be given real political power and made truly independent of the government, it would then become itself a parallel government and the consequences would be a virtual standstill leading to political paralysis.⁶

As against an impotent Ephorate, Hegel envisages the other possibility inherent in Natural Law theories, i.e. making the popular representative body into an effective political organ of supreme control. The dangers Hegel sees in this are clearly an echo of the political turmoil associated with the more violent phases of the French Revolution:

Lastly, however, when the supreme holders of power freely allow this second representative of the general will to convene the community, so that it would judge between them and the controllers - what can one begin to do with such a rabble (*Pöbel*) ... which does not lead a public life and which has not been

⁴ *Ibid.* iv, 428-30. It is of some interest to note that in this context Hegel uses the term 'anti-socialist' to denote those natural law theories which start with 'the being of the individual as the primary and highest [fact]' (p. 431).

⁵ *Ibid.* iv, 443.

⁶ *Ibid.* iv, 445.

educated (*gebildet*) to the consciousness of the common will and to action in the spirit of the whole.⁷

Here Hegel clearly realizes how much Rousseau's advice to force people to be free only begs the question. What Hegel is searching for is something not much different from that which, in his theological writings, he had found in the ancient polis: the consciousness of belonging to a community, that feeling which would not view the community in merely instrumental terms. Belonging to such a community, to a people, is for Hegel 'absolute ethical life' (*absolute Sittlichkeit*) not because the people represents as such any absolute ethical idea, but because this membership is absolute rather than relative, it is its own end rather than a mere means towards an end determined by self-interest, security or the like.⁸

It is the classical *virtus* that emerges here again. Nevertheless, though Hegel is most eloquent about it, it is obvious that he does not expect it to be resurrected, as some of his asides in the direction of Rousseau clearly indicate. Here, too, the historical context of the disappearance of classical virtue is brought up by Hegel: in later Rome people still possessed *individual* courage, but it was *public* courage that disappeared; personal status came to replace public standing, and this sinking into privacy characterized the decline and fall of the Roman Empire.⁹

It is this privatization of life, of which Hegel saw a contemporary parallel in the conditions of the old German Reich, that Hegel considers as the greatest danger to absolute *Sittlichkeit*, to political *virtus*. Though agreeing with Plato that the proliferation of laws and litigation is harmful, he has his own reasons for such a view: the more law-suits you have in society, the more this proves that its members pursue their own, individual private interests and neglect the *res publica*. The danger is that under such conditions the state becomes a mere executor of the economic interests of its citizens. This danger has to be avoided:

It is not enough that . . . complete security and facility of business be guaranteed . . . The ethical whole has rather to keep [property] within the

⁷ *Ibid.*

⁸ *Ibid.* iv, 449.

⁹ *Ibid.* iv, 456-7. It is here that Hegel also suggests a fascinating explanation for the disappearance of slavery in antiquity: 'That relationship of slavery disappeared by itself into the empirical manifestations of the universality of the Roman Empire: with the loss of absolute ethical life, with the humiliation of the noble class, both formerly distinct classes became equal to each other, and with the disappearance of freedom, slavery necessarily disappeared as well.'

feeling of its own nullity . . . and prevent its development (which is natural to it) in the direction of ever-increasing differentiation and inequality. This happens more or less unconsciously in every state, appearing as an external natural necessity . . . in the form of ever-growing state expenses. Consequently, taxation rises, property is diminished and business is curtailed, mostly through war.¹⁰

The antinomy to classical Natural Law theories could not be more explicit: under no condition should the state be conceived as an instrument for the preservation and defence of property. But Hegel goes one step further in this passage: he does not leave it as a mere postulate; he argues that this *is* the inner rationale of the state, that by its very nature the state infringes upon property rather than protects it. The more wealth there is in society, the more the state taxes it. Taxation and war are, as a matter of fact, the great equalizers and each in its own way is a guarantor against the state becoming a front for economic interests. Hegel thus sees the hidden hand of the immanent universality of the state clearly at work, though (as he puts it) 'unconsciously' and appearing as 'external natural necessity', within each given historical society.

The point for Hegel, however, is to make this esoteric reason explicit, to raise this hidden universality to the level of consciousness. This constructive aspect of Hegel's thought is far less well expressed, mainly because the essay was conceived as a critique of Natural Law theories rather than as an independent exposition of Hegel's own views. Some hints are however there: the old *virtus* cannot be revived, mainly because life has reached a stage where economic interests do play a crucial role and have to be legitimized. Social differentiation, which we have seen Hegel deplore, he nonetheless sees as a natural necessity of this state of affairs: it could, though, be utilized to integrate economic interests into the universality of the state.

It is here that Hegel arrives at his theory of social classes, which will later appear in a much more explicit and sophisticated form in the *System der Sittlichkeit*, the *Jenaer Realphilosophie* and the *Philosophy of Right*. At its roots it is an attempt to integrate classical *virtus* into modern, differentiated social life through the mediation of the system of needs. Not everyone can live a public life, but not all life should be thrown wide open to the laws of the market-place. Society should therefore have two classes (*Stände*), one devoted to public life, the 'absolute' class, and the other engaged in economic activity.

¹⁰ *Ibid.* iv, 450-1.

The absolute class possesses the 'real consciousness of ethical life'; its freedom consists in absolutely abstracting from the immediate material conditions of life. This is symbolized in its readiness not only to serve the whole rather than engage in its own particularistic pursuits, but ultimately also in its readiness to die for the community; this is the height of its absolute identification with the community.¹¹

What Hegel says about the commercial class is of significant interest since in it he relates the emergence of the modern world to the appearance of *bourgeois* man:

The power of this estate is thus so determined that it consists in possession generally and in a system of law relating to possession. It constitutes an interrelated system, and . . . the relationships of possession are integrated into a formal unity. Everyone, who is thus capable of holding, possession, relates to all as a universal – as a burgher, in the sense of *bourgeois*. As a compensation for the political nullity [in which members of this estate find themselves] since they are private persons, they enjoy the fruits of peace and business and find in their enjoyment their complete security.¹²

Hegel's attempt to transcend the limits of Natural Law theories is however severely handicapped by his inability, or reluctance, to go into detail about the nature of the relationship between these two classes. Nor is his theory of social classes related in any way whatsoever to a theoretical foundation or to general philosophical principles. It is as if it were introduced as an afterthought; and it has the appearance of a diluted Platonic device. Only at a later stage, when he related his views on labour and the economic process, which had been implied in his early writings ever since his acquaintance with political economy, to a general theory of man's place in the universe, did Hegel develop the theoretical dimension of this class-system. This is to be seen in his manuscript on *System der Sittlichkeit* and the two sets of lectures known as *Realphilosophie I* and *Realphilosophie II*. To these we must now turn.

¹¹ *Ibid.* iv, 462. That Hegel's idea about an 'absolute' (or, later, 'universal') class has Platonic affinities is obvious. But its philosophical justification is very different from Plato's philosophical anthropology, and it is utterly free of Plato's racist overtones. Hence Hegel could, despite the parallel, condemn the closed nature of Plato's 'caste system'. See M. B. Foster, *The Political Philosophies of Plato and Hegel* (Oxford, 1935), who, however, limits himself only to the *Philosophy of Right* and disregards the Jena manuscripts.

¹² *Gesammelte Werke*, iv, 458.

LABOUR, ALIENATION AND THE POWER OF THE MARKET

In the *System der Sittlichkeit* and the two versions of the *Realphilosophie* Hegel introduces for the first time his theory of what he would later call 'objective spirit', though the *Realphilosophie* contains also much else.¹³ Both sets of texts remained unpublished in Hegel's own lifetime. The *System der Sittlichkeit*, composed around 1802–3, was published in its entirety for the first time by Lasson in 1913, though an earlier incomplete version was published by Mollat in 1893. The two versions of lectures known as *Realphilosophie I* and *II*, delivered by Hegel at Jena University in 1803–4 and 1805–6 respectively, were published by Hoffmeister for the first time in the early 1930s.

A careful analysis of these two sets of texts, unknown to most of Hegel's traditional commentators, shows that while Hegel's main concern was always the attempt to achieve a comprehensive system of general philosophical speculation, his preoccupation with problems of a social and political nature consistently remained as the focus of his theoretical interest. These texts also point to a remarkable continuity in his political thought and clearly show that the political philosophy of the *Philosophy of Right* cannot be understood in terms of a mere justification of the Restoration of 1815, since most of its themes and ideas go back to Hegel's thought during the Jena period.¹⁴ Though the *System der Sittlichkeit* and the *Realphilosophie* differ on a number of issues, they will be treated jointly here.

The *System der Sittlichkeit* tries to delineate the context within which a philosophy of social relationships can be justified. *Sittlichkeit*, ethical life, is defined by Hegel as the identification of the individual with the totality of his social life.¹⁵ What Hegel sets out to do is to describe the series of mediations necessary for individual consciousness to find itself in this totality.

Hegel's point of departure is nature; consciousness' first moment

¹³ Rosenzweig, *Hegel und der Staat*, pp. 130ff. That *Realphilosophie I* is an earlier attempt at a comprehensive system has recently been challenged: see the editor's remark to the new edition of *Realphilosophie II* (Hamburg, 1967). We shall, however, follow the traditional way of referring to the two works involved as *Realphilosophie I* and *II*.

¹⁴ Cf. Marcuse, *Reason and Revolution*, pp. 73–90; Lukács, *Der junge Hegel*, pp. 407–31; Mihailo Marković, 'Economism or the Humanization of Economics', *Praxis* v (1969), 460–1.

¹⁵ 'System der Sittlichkeit', in *Schriften zur Politik und Rechtsphilosophie*, p. 419.

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is the realization of its apartness and separateness from nature. This realization gives rise to the impulse to overcome this separation, to integrate nature into oneself. Consciousness seeks its own recognition in its objects. This is the notion of need, in which the human subject relates to objects of nature and seeks to subsume them under his subjectivity and thus restore the primeval identity of subject and object. Man wants to devour the object, and Hegel projects this process in three stages: (a) need; (b) the overcoming and fulfilment of need; and (c) satisfaction.¹⁶ Through satisfaction the individual achieves this transcendence of separation, but only on an immediate level: this satisfaction, in which the object is being destroyed, is purely sensuous and negative. It is limited to a particular object and cannot be generalized. The consciousness of separation remains after each individual act of subsumption.

The emergence of property is seen by Hegel as another attempt by man to appropriate nature to himself, but this time on a higher level. No longer is the natural object appropriated in order to be negated and destroyed; on the contrary, now it is being preserved. But the significance of this appropriated object now no longer lies in its relationship to the appropriating subject, but rather in the fact that other subjects recognize it as belonging exclusively to this one particular subject:

The right of possession relates immediately to things, not to a third party. Man has a right to take into possession as much as he can as an individual. He has this right, it is implied in the concept of being himself: through this he asserts himself over all things. But his taking into possession implies also that he excludes a third. What is it which from this aspect binds the other? What may I take into my possession without doing injury to a third party?¹⁷

It is from these considerations that Hegel derives the trans-subjective, non-individual nature of property: *property pertains to the person as recognized by others*, it can never be an intrinsic quality of the individual prior to his recognition by others. While possession relates to the individual, property relates to society: since possession becomes property through the others' recognition of it as such, property is a social attribute. Thus not an individualistic but a social premise is at the root of Hegel's concept of property, and property will never be able to achieve an independent

¹⁶ *Ibid.* p. 422.

¹⁷ *Realphilosophie II*, 207; cf. *Realphilosophie I*, 240, on the transition from possession to property: 'The security of my possession [becomes] the security of the possessions of all; in my property, all have their property. My possession has achieved the form of consciousness.'

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status in his system. This is significant because though Hegel's description of the economic process is taken, as we have already noted, from classical political economy, he holds a totally different view about the basic nature of property. Property always remains premised on social consensus, on consciousness, not on the mere fact of possession.

Property is thus to Hegel a moment in man's struggle for recognition.¹⁸ It does not derive from merely physical needs, and has thus an anthropological significance which it was always to retain in Hegel's philosophy. Yet there still remains an accidental element in possession, even when turned into property, since the objects of property relate to this or that individual in a wholly arbitrary way.

It is at this stage in his philosophical anthropology that Hegel introduces labour into his system. Only through labour, Hegel maintains, 'is the accidentality of coming into possession being transcended (*aufgehoben*)':¹⁹ Labour, to Hegel, is the sublimation of primitive enjoyment; in labour 'one abstracts from enjoyment, i.e. one does not achieve it . . . The object, as an object, is not annihilated, but another is posited in its stead'.²⁰

Labour is thus a mediated transcendence of the feeling of separation from the object; moreover, by its very nature, it is the locus of a synthesis of the subjective and the objective. The instrument of labour facilitates this mediation, and it is through labour that man becomes recognized by others. Labour is the universal link among men, 'labour is the universal interaction and education (*Bildung*) of man . . . a recognition which is mutual, or the highest individuality'.²¹ In labour, man becomes 'a universal for the other, but so does the other'.²²

Labour appears then as the transformation of the appetites from their initial annihilative character to a constructive one: whereas primitive man, like the animals, consumes nature and destroys the object, labour holds up to man an object to be desired not through negation but through re-creation. While the goal of production is thus explained as recognition through the other, its motive is still need. Consciousness, by desiring an object, moves man to create it, to transform need from a subjective craving and appetite into an external, objective force. Labour is therefore always intentional, not instinctual for it represents man's power to create his own

¹⁸ *Schriften zur Politik*, p. 439. ¹⁹ *Realphilosophie II*, 217.

²⁰ *Schriften zur Politik*, p. 424. ²¹ *Ibid.* p. 430. ²² *Ibid.* p. 428.

world. Production is a vehicle of reason's actualization of itself in the world. In a passage which prefigures his later dictum about the rational and the actual, Hegel remarks that 'Reason, after all, can exist only in its work; it comes into being only in its product, apprehends itself immediately as another as well as itself'.²³

But Hegel's views on labour as the instrumentality through which man acquaints himself with his world and thus develops both this world as well as himself is accompanied by a realization that the conditions of labour postulate not only an actualization of man but also his possible emasculation. To Hegel labour as practised in history has a double aspect. On the one hand, it is the externalization and objectification of man's capacities and potentialities: through labour, nature becomes part of the natural history of man: 'I have done something; I have externalized myself; this negation is position; externalization (*Entäusserung*) is appropriation'.²⁴ But labour also brings forth conditions which frustrate man's attempt to integrate himself into his world. This element of alienation in the process of labour is, to Hegel, not a marginal aspect of labour which can be rectified or reformed: it is fundamental and immanent to the structure of human society, and it is one of the characteristics of modern society that this element is being continually intensified. What we have in Hegel's discussion of this issue is one of the first most radical realizations that the development of modern society – much as it is welcomed by Hegel – adds a further burden to the traditional predicaments of human life.

This vision of the workings of modern society does not come to Hegel through any empirical study of the social or economic conditions in his contemporary Germany. His account of these conditions in *The German Constitution* certainly does not describe a vital, let alone active and productive society. Nor does he refer to other, more developed societies: Hegel's views here are rather a distillation of the model of society presented by modern political economy raised to the level of a philosophical paradigm.²⁵

²³ *Realphilosophie* I, 233.

²⁴ *Realphilosophie* II, 218.

²⁵ That this was Hegel's point of departure was clearly realized by Marx, who wrote in his *Economic-Philosophical Manuscripts*: 'Hegel's standpoint is that of modern political economy. He conceives labour as the essence, the self-confirming essence of man.' But since Marx was not acquainted with the unpublished texts of the *System der Sittlichkeit* and the *Realphilosophie*, he was not aware that Hegel did realize that labour entails alienation. Hence he mistakenly concludes that Hegel 'observes only the positive side of labour, not its negative side'. See K. Marx, *Early Writings*, trans. T. B. Bottomore (London, 1963), p. 203.

The problematic aspect of labour is bound up with its social nature, and is hence inescapable. We have seen that to Hegel labour is the mediation through which man is related to his fellow beings. Now Hegel adds a further dimension: in production, man produces not for himself, but, on a reciprocal basis, for others as well. Labour becomes social labour, and men's aims in the process of labour are not only their individual aims, but broader, trans-individual ones: 'Labour for all and the satisfaction of all. Everyone serves the other and sustains him, only here has the individual for the first time an individuated being: before that it has been only abstract and untrue'.²⁶

Contrary to the atomistic, individualistic view of labour, which sees labour as primary and exchange as secondary and derivative, based on surplus, for Hegel labour is always premised on a reciprocal relationship, subsuming exchange under its cognitive aspects. No one produces for himself, and all production presupposes the other – hence a basic element of recognition is always immanent in labour.

Yet this reciprocity gives rise to a problem: though every human need is concrete, the totality of needs for which the totality of production is undertaken is abstract and cannot be concretely expressed until the whole process of production and distribution has been completed. Production thus becomes abstract and the division of labour appears related to the needs of production and not to the needs of the producers. Man produces not the objects of his own specific needs, but a general product which he can then exchange for the concrete object or objects of his needs. He produces commodities, and the more refined his tastes become, the more objects he desires which he cannot produce himself but can attain only through the production of more objects which he then exchanges. There thus appears a universal dependence of each human being on the universality of the producers and the character of labour undergoes a basic change:

Because work is being done for the need as an abstract being-for-itself, one also works in an abstract way . . . General labour is thus division of labour, saving . . . Every individual, as an individual, works for a need. The content of his labour [however] transcends his need; he works for the satisfaction of many, and so [does] everyone. Everyone satisfies thus the needs of many, and the satisfaction of his many particular needs is the labour of many others. Since his labour is thus this abstraction, he behaves as an abstract self, or according to the way

²⁶ *Realphilosophie* II, 213.

of thingness, not as a comprehensive, rich, all-encompassing spirit, who rules over a wide range and masters it. He has no concrete work: his power is in analysis, in abstraction, in the breaking up of the concrete into many abstract aspects.²⁷

The dialectical nature of social labour is thus evident: on the one hand, by creating sociability, a universal dependence of each on all, it makes man into a universal being. On the other hand, this reciprocal satisfaction of needs creates a hiatus between the concrete individual and his particular and concrete needs. By working for all, the individual does not work for himself any more; an element of distance and a need for mediation is consequently thrust between his work and the satisfaction of his needs. Social labour necessarily entails alienation:

Man thus satisfies his needs, but not through the object which is being worked upon by him; by satisfying his needs, it becomes something else. Man does not produce anymore that which he needs, nor does he need anymore that which he produces. Instead of this, the actuality of the satisfaction of his needs becomes merely the possibility of this satisfaction. His work becomes a general, formal, abstract one, single; he limits himself to one of his needs and exchanges this for the other necessities.²⁸

This universal dependence of man on man, while bringing out man's universal nature, also creates a power over man which grows beyond his control; what men produce under these conditions are not the objects of their immediate desire, but commodities:

This system of needs is, however, formally conceived as the system of universal reciprocal physical inter-dependence. Nobody is for himself [regarding] the totality of his needs. His work, or any method whatsoever of his ability to satisfy his needs, does not satisfy it. It is an alien power (*eine fremde Macht*), over which he has no control and on which it depends whether the surplus, which he possesses, constitutes for him the totality of his satisfaction.²⁹

The more labour becomes thus divided and specialized, the more commodities can be produced; the more labour becomes removed from the immediate satisfaction of the producers, the more productive it becomes. Man thus achieves ever greater comfort at the price of ever greater abstraction and alienation in the process of production itself:

His labour and his possessions are not what they are for him, but what they are for all. The satisfaction of needs is a universal dependence of all on all; there disappears for everyone the security and the knowledge that his work is immediately adequate to his particular needs; his particular need becomes universal.³⁰

²⁷ *Ibid.* II, 214-15.

²⁸ *Realphilosophie* I, 237-8.

²⁹ *Schriften zur Politik*, p. 492.

³⁰ *Realphilosophie* I, 238.

The process of labour – originally man's recognition through the other, intended to create for each his own objective world – becomes a process over which man loses all control and direction. Man is far from being integrated into the objective world through creative consciousness, i.e. labour; the abstract nature of labour, together with the division of labour, makes him totally alien to this objective world. Hence Hegel comes to be troubled by the real conditions of factory labour, and his general anthropology of labour becomes social analysis. Quoting Adam Smith, Hegel says:

The particularization of labour multiplies the mass of production; in an English manufacture, 18 people work at the production of a needle; each has a particular and exclusive side of the work to perform; a single person could probably not produce 120 needles, even not one . . . But the value of labour decreases in the same proportion as the productivity of labour increases. Work becomes thus absolutely more and more dead, it becomes machine-labour, the individual's own skill becomes infinitely limited, and the consciousness of the factory worker is degraded to the utmost level of dullness. The connection between the particular sort of labour and the infinite mass of needs becomes wholly imperceptible, turns into a blind dependence. It thus happens that a far-away operation often affects a whole class of people who have hitherto satisfied their needs through it; all of a sudden it limits [their work], makes it redundant and useless.³¹

This analysis undoubtedly reveals Hegel as one of the earliest radical critics of the modern industrial system. Hegel goes on to point out the necessary link between the emergence of machinery and the intensification of alienation, and here again he takes a middle position between the idealizers of the machine and the machine-smashers: while recognizing the alienation caused by the introduction of the machine, he sees it as a necessary element in the anthropological determination of modern society based on ever-increasing production. Originally, Hegel contends, tools were nothing else than the mediation between man and his external world; as such, they always remained a passive object in the hands of the producer. But,

In the same way, [the worker] becomes through the work of the machine more and more machine-like, dull, spiritless. The spiritual element, the self-conscious plenitude of life, becomes an empty activity. The power of the self resides in rich comprehension: this is being lost. He can leave some work to the machine; his own doing thus becomes even more formal. His dull work limits him to one point, and labour is the more perfect, the more one-sided it is . . . In the machine man abolishes his own formal activity and makes it work for him. But this deception, which he perpetrates upon nature . . . takes vengeance on him.

³¹ *Ibid.* I, 239.

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The more he takes away from nature, the more he subjugates her, the baser he becomes himself. By processing nature through a multitude of machines, he does not abolish the necessity of his own labour; he only pushes it further on, removes it away from nature and ceases to relate to it in a live way. Instead, he flees from this negative livingness, and that work which is left to him becomes itself machine-like. The amount of labour decreases only for the whole, not for the individual: on the contrary, it is being increased, since the more mechanized labour becomes, the less value it possesses, and the more must the individual toil.³²

The immanent link between division of labour, mechanization and the alienating nature of labour becomes more and more the center of Hegel's argument:

Labour, which is oriented towards the object as a whole, is (being) divided and becomes particular labour; and this particular labour becomes more and more mechanical because its manifold nature is (being) excluded... It becomes alien to totality. This method of working, which is thus divided, presupposes that the remainder of the needs were to be achieved through another fashion, since they have also to be worked out – through the labour of other men. In this emasculation (*Abstumpfung*) of mechanical labour there directly lies the possibility of separating oneself completely from it: because labour is wholly quantitative, without variety... something completely external... It only depends upon it to find an equally dead principle of movement for it, a self-differentiating power of nature, like the movement of water, of the wind, of steam, etc., and the instrument turns into a machine.³³

We thus have here, in one of the more speculative documents of German idealist philosophy, one of the most acute insights into the working of modern, industrial society: from an *a priori* philosophical anthropology, Hegel moves on to incorporate the results of political economy into a philosophical system – an attempt almost identical in its systematic structure with Marx's program forty years later. How many of Marx's later conclusions are already to be found, explicitly or implicitly, in Hegel's earlier texts would however require a separate discussion.³⁴

³² *Ibid.* I, 232, 237. The parallels with Marx's description in the *Economic-Philosophical Manuscripts* are, of course, striking (see *Early Writings*, pp. 120–34). The major difference has, however, already been pointed out by Lukács: while Hegel sees alienation as a necessary aspect of objectification, Marx maintains that alienation does not reside immanently in the process of production itself, but only in its concrete historical conditions. For Marx, therefore, there exists the possibility of ultimate salvation, whereas for Hegel one will never be able to dissociate the cross from the rose of the present.

³³ *Schriften zur Politik*, p. 437.

³⁴ In discussing Marx's views on the alienation of the worker in my *The Social and Political Thought of Karl Marx* (Cambridge, 1968) I referred, on pp. 55–56, to Adam Müller's and Franz von Baader's writings to show that the

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Commodity-producing society, according to Hegel, needs also a universal, abstract criterion which can mediate between labour and the subject. This is money:

Those multiple labours of the needs as things must also realize their concept, their abstraction: their universal concept must also be a thing just like them, but [it must be] a universal, which represents all. Money is this materially existing concept, the form of the unity of the potentiality of all the things relating to needs. Need and labour are thus elevated into this universality, and this creates in a great nation an immense system of communality (*Gemeinschaftlichkeit*) and mutual dependence, a life of death moving within itself (*ein sich in sich bewegendes Leben des Toten*). This system moves hither and thither in a blind and elemental way, and like a wild animal calls for strong permanent control and curbing.³⁵

The ultimate power in commodity-producing society is the power of the market: 'In this system the ruling [element] is the unconscious blind totality of needs and the methods of their satisfaction.'³⁶ The power of the market is connected with the transformation of the use value of objects into the exchange value of commodities.³⁷ Man's labour, which had been aimed at achieving both recognition through the other and power over objects, thus ultimately places man in a diametrically opposed condition of utter dependence and total impotence *vis-à-vis* the powers which were created by him and his own subjectivity – but over which he had now lost all control.

Hegel's account of commodity-producing society abounds with explicit references to the sociological structure of this society: social consequences of industrial society were grasped by German thinkers well before Marx and the advent of industrialization in Germany itself. At that time I was unaware of the extent to which Hegel dealt with these problems. In fact, his treatment not only antedates both Müller and von Baader, but is carried out in much greater detail and occupies a central position in the formation of his social philosophy – something that cannot be said for two other thinkers quoted by me. There is one further difference, of course: while Müller's and von Baader's writings were published, Hegel's discussions of this problem remained in manuscript, and were unknown to his contemporaries.

³⁵ *Realphilosophie* I, 239–40. In later years, Hegel coined the following aphorism about money: 'Money is the abbreviation of all external necessity' (*Berliner Schriften*, p. 731). Again, the parallel with Marx's fragment 'On Money' (*Early Writings*, pp. 189–94), as well as with Moses Hess' tract on the same subject, is very close.

³⁶ *Schriften zur Politik*, p. 493. Cf. p. 492: 'This value depends upon the totality of needs and the totality of surplus; and this totality is a power little known, unseen and incalculable.'

³⁷ *Ibid.* p. 438: 'So this possession has lost its meaning for the practical feeling of the subject, is not anymore a need for him, but [becomes] surplus; its relation to use is therefore a universal one.'

Aspects of class-domination appear in a very prominent way in Hegel's description when he expresses his awareness of the fact that the wealth of nations can be built only at the expense of the poverty of whole classes: 'Factories and manufacturers base their existence on the misery (*Elend*) of a class', he remarks.³⁸ And, in another context, his description is no less brutal in its candour: '[This power] condemns a multitude to a raw life and to dullness in labour and poverty, so that others could amass fortunes.'³⁹

The condition of poverty, in which this mass finds itself, is endemic to commodity-producing society: 'This inequality of wealth is in and for itself necessary', because wealth has the necessary, immanent tendency to accumulate and multiply itself.⁴⁰ The power driving men to act in the market is infinite and knows no bounds:

Though it appears that enjoyment has to be something definite and limited, its infinity is its ideality, and in it it is infinite... Cultured enjoyment, in overcoming the roughness of needs, must look to the noblest and most refined and adapt it, and the more differentiated its lustre, the greater the labour that is necessary for its production.⁴¹

From this Hegel draws the conclusion that wealth and poverty are interdependent and constitute two aspects of the Janus-like immanent forces of the market. The rapid expansion of the market necessitates ever-expanding and continually-changing needs. Again, in a rare insight into the dialectics of ever-changing demand creating pressure for ever-increasing production, Hegel says: 'Needs are thus multiplied; each need is subdivided into many; tastes become refined and differentiated. One demands a level of finish which carries the object ever nearer to its use.'⁴²

Fashion becomes the determinant of production, and Hegel is

³⁸ *Realphilosophie II*, 257. Cf. p. 232: 'A mass of the population is condemned to stupifying, unhealthy, and precarious labour in factories, manufactures, mines, etc.'

³⁹ *Ibid.* II, 238.

⁴⁰ *Schriften zur Politik*, p. 495. In these paragraphs Hegel speaks explicitly about 'the working class' (*die arbeitende Klasse*, p. 498). It should be noted that only in referring to workers does Hegel use the modern term *Klasse*, rather than the traditional *Stand*, which he uses when otherwise discussing social classes.

⁴¹ *Ibid.* pp. 494-5. Cf. p. 496: 'High wealth is... likewise connected with the deepest poverty... Labour becomes... on one side ideal universality, on the other really mechanical.'

⁴² *Realphilosophie II*, 231-2. The slightly censorious tone evokes echoes of Rousseau; but never does Hegel suggest that a recourse to a more simple, less differentiated society is feasible. The yearning for pristine simplicity, evident in both Plato and Rousseau, is totally absent in Hegel.

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thus one of the first thinkers who has grasped the internal logic of constantly-changing fashions and fads and its function within the productive process. The constant disquiet of concrete life in industrial society is here described from the consumer's point of view as well:

But this plurality creates *fashion*, the versatility and freedom in the use of these things. The cut of clothes, the style of furnishing one's home, are nothing permanent. This constant change is essential and rational, far more rational than sticking to one fashion, imagining to find something permanent in such particular forms. The beautiful is not ordered by one fashion; but here we have to do not with free beauty, but with luxury that attracts... Hence it has accidentality in it.⁴³

These fluctuations in taste have a bearing on the basic lack of security which characterizes modern society. Whole sectors of the population live by the whim of a changing mode. Hegel's description of the conditions of life of these classes sinking into poverty is truly amazing when one reflects that Hegel reaches his conclusions through an immanent development of the consequences of the theories of political economy:

Whole branches of industry which supported a large class of people suddenly fold up because of a change in fashion or because the value of their products fell due to new inventions in other countries. Whole masses are abandoned to poverty which cannot help itself. There appears the contrast between vast wealth and vast poverty - a poverty that cannot do anything for itself...

Wealth, like any other mass, makes itself into a power. Accumulation of wealth takes place partly by chance, partly through the universal mode of production and distribution. Wealth is a point of attraction... It collects everything around itself - just like a large mass attracts to itself the smaller one. To them that have, shall be given. Acquisition becomes a many-sided system which develops into areas from which smaller businesses cannot profit. The highest abstraction of labour reaches into the most particular types of labour and thus receives an ever-widening scope. This inequality of wealth and poverty, this need and necessity, turn into the utmost tearing up (*Zerissenheit*) of the will, an inner indignation (*Empörung*) and hatred.⁴⁴

The ultimate consequences of these conditions then push the helpless mass of the poor into personal dependence upon the

⁴³ *Ibid.* II, 232.

⁴⁴ *Ibid.* II, 232-3. It is extremely interesting to note that the term 'inner indignation' (*Empörung*) used here by Hegel, is the same he uses in addition to § 244 of the *Philosophy of Right* where he says that 'poverty in itself does not make men into rabble; a rabble is created only when there is joined to poverty a disposition of mind, an inner indignation against the rich, against society, against the government, etc.' Moreover, the only oblique reference in Marx to Hegel's discussion of poverty in the *Philosophy of Right* is a fleeting hint that *Empörung* is not enough; see K. Marx/F. Engels, *The Holy Family*, trans. R. Dixon (Moscow, 1956), p. 51.

wealthy, who are their employers. Economic inequality calls for a situation of domination, and out of economic relations there emerges a dangerous pattern of inequality and power:

This necessary inequality... causes through its quantitative constitution... a relationship of domination. The enormously rich individual becomes a power, he transcends the continuing physical dependence [which meant that one] depended upon a universal, not a particular [power].⁴⁵

Man's Promethean attempt has ended in shambles: the forces unleashed by his creative consciousness have become fetters, and the generality of human beings becomes enslaved by its own needs and by the modes of satisfying them.

THE STATE AND SOCIAL CLASSES

Hegel has thus painted a most detailed and, for his period, quite astonishing picture of the system of needs which he would later call 'civil society'. Because the Jena manuscripts were left unpublished for more than a century, Hegel's radical critique of industrial society remained virtually unknown. Only some dim echoes of it found their way into the *Philosophy of Right*, where they always stood out as posing some disturbing questions to all of Hegel's political philosophy; yet there they were nothing more than a marginal phenomenon.⁴⁶ When writing the *Philosophy of Right* Hegel thought that he had already found an answer to his problem, and hence the criticism appeared as secondary, while the proposed solution came to occupy the center of his argument. In his Jena manuscripts, on the other hand, he was still seeking a solution, and the problem was only beginning to present itself with all its force. Hence its salience and prominence in these earlier writings.

To anyone who has followed Hegel's argument about the nature of modern commodity-producing society, it would appear natural that Hegel would now proceed to argue for a radical transformation of this society. Yet it is precisely at the point where Hegel shows how modern society abandons whole masses to poverty and destitution, that the possibility of a radical transformation of society presents itself to Hegel – only to be discarded. Ultimately, this possibility, in Hegel's language, remains an 'inner indignation', not an act to be externalized. At the height of his critical awareness of

⁴⁵ *Schriften zur Politik*, p. 495.

⁴⁶ Cf. Eric Weil, *Hegel et l'Etat* (Paris, 1950), pp. 93–7.

the horrors of industrial society, Hegel ultimately remains quietistic, searching for a solution that would incorporate this horrifying reality into a system that could integrate and accommodate it. Philosophy can only interpret the world, not change it.

It is in this context that Hegel looks at the political structure proper and introduces the state as a system of integration aimed at overcoming the atomistic individualism of the economic sphere. A state that would merely express the dominant economic interests is to Hegel, as we have already seen, an abomination. Hegel's energizing political theory is an attempt to achieve a universality (a 'general will') that would not be, on the one hand, an aggregate of individual wills yet would not appear, on the other, as a merely external, coercive antithesis to the individual wills. To achieve this, Hegel has to find a moment of mediation, and this he sets out to do.

Thus the state appears in the *Realphilosophie* at the moment when the critical analysis of modern society reaches its zenith. The state is shown as a force regulating and integrating economic activity, transcending by its very universality the centrifugal forces of the market. In the course of developing this idea, Hegel adds some further touches to his picture of industrial society when he points out that the state may initiate economic expansion abroad in order to preserve internal stability and prosperity:

Government comes onto the scene and has to see to it that every sphere be preserved... [It has to look for] ways out, for channels to sell the product abroad, though this makes it more difficult, since it is to the detriment of the others. [But] freedom of commerce remains necessary, interference must be as inconspicuous as possible, for this is the sphere of arbitrariness (*Willkür*). The appearance of power must be prevented, and one should not try to save that which cannot be saved, but try to employ the remaining classes in another way. Government is the universal overseer; the individual is buried in the particular. The [particular] occupation will admittedly be abandoned by itself, but with the sacrifice of this generation and an increase in poverty. Poor taxes and institutions are required.⁴⁷

The state becomes necessary at the moment when society seems to be heading for disruption and chaos: it is the re-integration of the self into itself as a universal being after economic life has particularized, atomized and made its activity into an abstraction. The basic scenario of Hobbes is, in a way, being re-enacted here within a context presenting a synthesis of speculative philosophy and political economy: the abstraction of *bellum omnium contra omnes* becomes concrete in terms of human activity and consciousness.

⁴⁷ *Realphilosophie II*, 233.

Hence while stressing the minimalist function of the state in those of its activities impinging upon economic life ('freedom of commerce remains necessary, interference must be as inconspicuous as possible . . . The appearance of power must be prevented'), Hegel can at the same time point to the immanence of political life: 'The individual has his supposed right only in the universal. The state is the existence, the power of right, the keeping of contracts and . . . the existing unity of the word.'⁴⁸

The state has to be above the contending interests of the sphere of needs, it has to be 'indifferent to the various parts' of society.⁴⁹ Thus, the state has to intervene in the free play of the forces of the market in order to guarantee a minimum standard of living to which every individual is entitled; if the automatic regulating forces of the market will not guarantee this, the state has to step in and regulate this through taxation and price control:

Out of this totality it must be determined what are the necessary needs of a man, and this can be conceived partly through rough nature according to the various climates, and partly through cultivated nature, i.e. what in a given nation is considered necessary for existence. It happens naturally that this right balance is (being) preserved either through insignificant fluctuations or is (being) restored by greater fluctuations if it be disturbed by external circumstances. But in the latter case . . . caused either by the appearance of the same kind of labour in other regions, or by a fall in prices [of the products], etc. . . . - government must restore nature to its balance.⁵⁰

Hegel also specifies that government has to mitigate extreme economic inequality - though, again, he makes clear that the existence of inequality as such is necessary, since it is immanent in the process of commodity production:

Government has the foremost task of acting against this inequality and the general destruction consequent upon it. This can be done directly through making it difficult to achieve high profits; and when [the government] abandons a part of this class to mechanical labour and factory work (*Fabrikarbeit*) and leaves it in its rough state, it must however preserve this whole class in some kind of viable condition.⁵¹

⁴⁸ *Ibid.* II, 234.

⁴⁹ *Schriften zur Politik*, p. 494.

⁵⁰ *Ibid.* p. 493. During the Jena period Hegel explicitly supported the imposition of maximum prices by the government, arguing that under conditions of war and scarcity, prices would otherwise soar and make many products inaccessible to the broad public; see *Dokumente*, pp. 372-3.

⁵¹ *Schriften zur Politik*, p. 496. Hegel is also careful to point out that taxation should be so arranged that it would not impoverish 'the working class' (p. 498).

The state is the protector of the weaker classes in society. Being one of the first to perceive the alienating and pauperizing effects of industrial society, Hegel is also one of the first to propose something which has, despite all the differences in terminology, many of the characteristics of the modern welfare state. Time and again, Hegel mentions taxation as the great equalizer and instrument for income redistribution; in one instance, he argues that dialectically 'the inequality of property is accepted on the condition that high taxes are imposed'.⁵²

In developing his theory, Hegel endows the state with a dual quality which accentuates the dialectical nature of his whole attitude: on the purely subjective level, the state is merely instrumental; people view it as a convenient device to secure their ends, to smooth the functioning of economic institutions, to alleviate some of the glaring tensions created by the system of commodity production. But on a higher plane, the state embodies man's basic universal nature, the immanent necessity of man to transcend individualistic interests and reach a sphere which Hegel would later call 'objective spirit'.

This has a number of consequences. The ambivalent status of the state will later enable Hegel to construct the realms of art, religion and philosophy as spheres transcending the state yet functioning within its context. The state, while incorporating the individual in a universal unity, does not subsume his activities under its existence. Because on the one hand the individual uses the state as an instrument for his own particular ends while on the other the state is the individual's true being, the classical means/end relationship between individual and state comes to be transcended:

This unity of individuality and universality exists then in a double way; in the extreme of the universal, which is itself an individuality - as government. This is not an abstraction of the state, but an individuality which has the universal as such as an end, while the other extreme has the individual person as an end.⁵³

The general will thus appear in Hegel's system in a radically different way from that of Rousseau. Hegel points out in several instances that any social contract theory is a *petitio principii* since it takes consensus, the readiness to abide by the terms of the contract,

⁵² *Realphilosophie* II, 238. Hegel mentions also individual charity, but this is left here, as in the *Philosophy of Right* later, to subjective feeling, and should not become a substitute or alibi for the need for universally oriented state regulations concerning poverty (*Schriften zur Politik*, p. 472).

⁵³ *Realphilosophie* II, 248-9.

for granted. In the same way as there could be no right in the state of nature, the general will could not be perceived as the constitutive aspect of the body politic.⁵⁴ The general will for Hegel is not the premise on which the state is founded, historically or logically, but the emergent outcome of the lengthy process of *Bildung*, which created through differentiation and opposition the political consciousness out of the diverse elements of man's struggle for recognition. The general will is the will of the individuals made into an object within the institutions of the state:

The general will is the will of all and each... It has first of all to constitute itself as general out of the will of the individuals so that it will appear as the principle and element, but on the other hand it is first and essential. The individuals have to make themselves into a universal through negation of themselves, through externalization and education (*Entäusserung und Bildung*).⁵⁵

This objectification of the individual will as it appears in the general will, in the state, entails the recognition by the individual that what appears as something alien and external – political power – is nothing else than the externalization of his own will. The system of law is this objectification of the subjective will:

The rule of law is not meant to be an act of legislating as if the others did not exist: they are there. The relation is the movement of the person educated to obey towards the commonwealth... The second element is the trust that appears, i.e. that the individual knows himself to be in it as his own presence, that he finds himself preserved in it.⁵⁶

This need for the external limitations of the individual's will is the essence of what Hegel calls *Polizei*. The possible misunderstandings connected with its present usage can be at least partly cleared up when we recall that for Hegel *Polizei* comes 'from Politeia, public life and rule, the action of the whole itself'.⁵⁷ This public authority is needed, since in caring for himself alone and enjoying the quiet bliss of his property rights, the individual may hurt another by simply disregarding the impact his own actions may have on the life of another. An element of *List der Vernunft* comes into the picture when Hegel describes how the state is willed by the individuals for their own self-preservation and better

⁵⁴ *Ibid.* II, 205, 245–7. Cf. Hegel's insistence in an article in the *Kritischer Journal der Philosophie* that the 'subordinate form' of a contract could never be adequate to 'the total majesty' of the political order (quoted by Rosenkranz, *Hegels Leben*, p. 176).

⁵⁵ *Redphilosophie II*, 244–5.

⁵⁶ *Ibid.* II, 248.

⁵⁷ *Ibid.* II, 259.

protection while also representing an actuality transcending this interest:

The general form is this turning of the individual into a universal and the becoming of the universal. But it is not a blind necessity, but one mediated through knowing. In other words, each is an end to himself, i.e. the end is the motive, each individual is immediately the cause. It is his interest that drives him [to the state], but it is likewise the universal which has validity, is the middle, allies him with his particularity and actuality.⁵⁸

In the *System der Sittlichkeit* Hegel distinguishes between two kinds of ethics: relative ethics, which denotes man's relationship to other human beings taken from an individualistic standpoint, and absolute ethics, which is his relationship to the community of human beings.⁵⁹ The terms roughly correspond to Hegel's later usage of *Moralität* and *Sittlichkeit*. 'Absolute' in this context means that this form of ethical behaviour is self-referring and that its criteria are immanent, whereas 'relative' ethics refers to external criteria and hence their 'relative' nature. Political life is thus characterized by the relationship to the whole to the *Volk* – not in any ethnic sense, but in the Rousseauian sense of *peuple*:

[Absolute ethical life] appears not as love for the fatherland and people and law, but as absolute life in the fatherland and for the people... It is absolute selflessness, since in the eternal nothing is one's own. It, and all its movements, are the highest beauty and freedom.⁶⁰

Since political life is this mediated identity of the individual with the universal nature of himself, it is in it that 'the individual perceives himself in every other individual' – not as an abstract concept but in concrete life. Hence Hegel's presumption to name this unity 'divine', since it transcends the individual interests and ultimately also the boundaries between one individual and another, 'reaching into higher subject-objectivity'.⁶¹

Yet this is not an immediate identity, like the one presented in the past by the polis: in modern society, this identity has to be mediated. This is achieved dialectically through the double aspect of Hegel's state, which is both instrumental and immanent. This

⁵⁸ *Ibid.* II, 243.

⁵⁹ *Schriften zur Politik*, pp. 469–72.

⁶⁰ *Ibid.* p. 469. Cf. p. 468: 'The concept of ethical life is in its objectivity the transcendence (*Aufhebung*) of particularity. This destruction of the subjective in the objective is the absolute reception of the particular in the universal.'

⁶¹ *Ibid.* pp. 466–7. It is precisely this which Marx sought to achieve in communism, see *Early Writings*, pp. 154–5.

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ambivalence is represented in the individual in his dual role as a particular as well as a universal being. In one of the most pointed passages, which prefigures both his own mature thought as well as Marx's later quarrel with it, Hegel says that man is both a member of civil society and a citizen of the state and has to strike a balance between these two aspects of his existence:

Both individualities are the same. The same [individual] takes care of himself and his family, works, signs contracts, etc., and at the same time he also works for the universal and has it as an end. From the first viewpoint he is called *bourgeois*, from the second *citoyen*.⁶²

These two aspects of human activity lead to Hegel's discussion of social classes. The crucial point is, of course, that Hegel does not see the antinomy between man as *bourgeois* and as *citoyen* as something to be overcome in a total, new unity; it is part of the dialectical progress of man towards his self-recognition. This should be kept in mind, since one of the common errors in discussing this problem in Hegel arises from being carried away by the apparent similarity between Hegel's discussion of civil society and some aspects of Marx's analysis. The truth of the matter is that Hegel's point of departure is the exact opposite of Marx's. For Marx, classes are aggregates formed by types of social labour, linked together by the common relationship of their members to the means of production, seeking a political articulation for their socio-economic interests. The class nature of political power is to Marx a sin against the state's presumed claim to express the universal as against the particularism and egotism of civil society. For Hegel, the institutionalization of class relationships into the political structure is the way through which the atomism of civil society becomes integrated into a comprehensive totality. The different classes represent to Hegel not only modes of production, but modes of consciousness which are relevant to a society differentiated in its structure according to the criteria of Hegel's general system. While for Marx classes represent a division of labour that has to be overcome, for Hegel they stand for the integration of this regrettable yet necessary division into a meaningful whole. Classes reflect the various stages of consciousness, just

⁶² *Realphilosophie II*, 249. The French terms appear in Hegel's original text – as they do, for that matter, in Marx's 'On the Jewish Question' (*Early Writings*, pp. 13–31). For Marx, however, this split of man into *bourgeois* and *citoyen* is the measure of his alienation in modern society, whereas for Hegel it is the basis of his integration into it.

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as do periods in history.⁶³ For Hegel, classes always remain *estates*, in the sense that they represent a legitimized differentiation. Each estate stands for a different mode of consciousness: the principle of immediate trust and obedience is represented in the peasantry; the principle of law and order – in the middle classes; and the principle of universality – in the bureaucracy, the universal class. Though the principle of classification is similar to that of the *Philosophy of Right*, the internal division of each estate is more complex and represents a slightly more sophisticated awareness of class differentiation than the neat divisions Hegel would adopt later. Furthermore, in the *Realphilosophie* the form of labour performed by each class figures more prominently, and thus the connection between class and the anthropology of labour is brought out much more clearly.

Each estate, according to Hegel, is in itself an expression of universality, since it is based on what is common to its members. This universality does not lie outside it, nor is it just a figure of speech: it is through belonging to an estate that a person achieves his ties with other persons. Each estate 'recognizes itself in its equality and constitutes itself as a universal as against [another] universal, and the relationship of the different estates is not a relationship of particulars to particulars. Every individual, by virtue of his belonging to an estate, is a universal and thus a true individual, a person.'⁶⁴

The main function of the estates is to mediate the physical dependence, inherent in the relationships of the system of needs, into an ethical relationship of mutual interdependence, in which the brute force of physical and economic power is sublimated into political organization.

The relationship of physical dependence is one of absolute isolation and of dependence upon something which is mere thought, an abstraction. The constitution [of the estates] predicates a living dependence and a relationship of individuals to individuals, another, internal, active connection which is not that of physical dependence. To say that this estate is constituted in itself means that within its limits it is a living universality. The rich man is required to mitigate the relationship of domination (*Herrschaftsverhältnis*) and even its semblance

⁶³ *Realphilosophie II*, 253. They also reflect various modes of ethical behaviour; thus each estate has a mode of ethics peculiar to it and adequate to its station in life (*Schriften zur Politik*, p. 475).

⁶⁴ *Ibid.* p. 475. Slaves, who cannot constitute a universal, are not an 'estate': 'the slave relates to his master as a particular'.

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through universal participation in it, and external inequality is reduced externally... and the drive towards infinite wealth is wiped out (*ausgerottet*).⁶⁵

We now may proceed to the description of the estates themselves: the peasantry, the commercial class and the class of civil servants. The peasantry is distinguished by being the class of immediate labour, whose concrete work relates to a natural object (land) and not to a product. It thus represents a low level of consciousness, not yet differentiated from substantiality. On a social level this reflects itself in the peasantry accepting its work and role as they are, without much questioning; the peasantry is the class of immediate trust, of unreflective consciousness:

The estate of immediate trust and raw concrete labour is the peasantry... The peasantry is thus this trust lacking in individuality, having its individuality in the unconscious individual, the earth. As for labour, [the peasant's] work does not have the form of abstract labour: he takes care, more or less, of almost all his needs... The inter-relationship between his purpose and its realization is unconscious, natural. He ploughs, sows, but it is God who orders that it will thrive; it is the seasons and his trust that [ensure] that it will become by itself what he had put into the ground. The activity is underground. He pays taxes and tributes because that's how it is; these fields and cottages have been situated in such a way from time immemorial; *that's how it is*, and that's all... Concrete labour is elemental, substantial substance. In war, this estate makes up the raw mass.⁶⁶

In speaking of the next estate, the commercial class, Hegel distinguishes between the burghers (*Bürgerstand*) and the class of businessmen (*Kaufmannstand*). The *Bürgerstand* is made up mainly of artisans, its labour being characterized by the adaptation of nature; the business class, on the other hand, is distinguished by its being engaged in exchange. Both the artisans and the businessmen see in law and order the principle of their existence; property, acquisitiveness and social mobility are the pillars of their being. In a striking description of the social ethos of the *Bürgerstand*, Hegel gets at the root of many of what are unmistakably middle class values:

[The burgher] knows himself as a property owner, not only because he possesses it, but also because it is his right – so he assumes; he knows himself to be recognized by his particularity. Unlike the peasant, he does not enjoy his glass of beer or wine in a rough fashion, as a way of elevating himself out of his

⁶⁵ *Ibid.* p. 496. As an example, Hegel cites the Athenian law which imposed the financing of festivals on the wealthy residents of each quarter.
⁶⁶ *Realphilosophie II*, pp. 254–5. In the 'System der Sittlichkeit' Hegel adds that the peasantry is capable of a low form of courage, and hence is eligible to serve in the army in inferior positions (*Schriften zur Politik*, p. 480).

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dullness... but because [he wants] to show by his suit and the finery of his wife and children that he is as good as the other man and that he has really made it. In this he enjoys himself, his value and his righteousness; for this did he toil and this he achieved. He enjoys not the pleasures of enjoyment but the joy of his self-esteem.⁶⁷

Within the business class, on the other hand, a higher degree of abstraction is achieved:

The work of the businessman is pure exchange, neither natural nor artificial production or formation. Exchange is the movement, the spirit, the means, liberated from utility and need as well as from work, from immediacy...⁶⁸

A member of the business class experiences a 'drowning in possessions and particularity', a 'serfdom' (*Knechtschaft*) to money, and it is this which makes him into 'a burgher, a *bourgeois*'.⁶⁹

The mode of existence of the businessman calls forth the emergence of money as a commodity in itself:

The object itself is being divided into two: the particular thing, the object of commerce, and the abstract, money – a great invention. All needs are reduced to this unity. The object of need has become a mere image, unusable. The object is here something that has meaning purely according to its value, not for itself, not in relation to the need... A person is real to the extent that he has money... The formal principle of reason is to be found here – it is the abstraction from all particularity, character, historicity, etc. of the individual. The disposition [of the businessman] is this harshness of spirit, wherein the particular, now completely alienated, does not count anymore. [There exist] only strict rights. The bill of exchange must be honoured – he himself may be destroyed – his family, welfare, life, etc. may go to pieces – total lack of mercy.⁷⁰

Once again, what stands out here is not so much the similarity with Marx as Hegel's diametrically opposed reconciliation with this state of affairs: for no radical call of action follows his harsh analysis. The nature of modern society is grasped with an amazing lucidity given the period in which these texts were written; but all is incorporated within the integrative functions of the state. There is neither rebellion nor deviation.

This integration is carried out through the mediation of the third, the universal, class: 'The public estate works for the state... Its disposition of mind is the fulfilment of its duty.'⁷¹ The

⁶⁷ *Realphilosophie II*, 256.

⁶⁸ *Schriften zur Politik*, p. 477. 'Righteousness' (*Rechtsschaffenheit*) is the mode of operation of this class, the law of property its vehicle.

⁶⁹ *Realphilosophie II*, 256–7. Cf. *Schriften zur Politik*, p. 478.

⁷¹ *Realphilosophie II*, 259. In the 'System der Sittlichkeit' Hegel uses the term 'the absolute estate' for this class, and the accent is more on its function of defending the state than administering it (*Schriften zur Politik*, p. 476).

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business class expresses already a sort of universality – the universality of the market – but it is still abstract. Universality becomes concrete only in the class of public servants who represent ‘the intervention of the universal into all particularity’: the civil servant is likened to the arteries and the nerves that run through the body, though he is not, of course, identical with it.

The universal class is at the apex of the social pyramid not only because of its universal intentionality, but also because it is the only class of society whose objective is knowledge itself, not nature, artefact or abstraction, as is the case with all other classes. The specific academic background of the German bureaucratic tradition is very much in evidence in this concept of the universal class as an educated estate, including not only civil servants in the narrow sense but also teachers, doctors, lawyers:

This pure knowledge has to be realized, has to give a content to itself out of itself, a free content, which is at the same time also a disinterested object. . . . This is science generally. Spirit has here an object with which it deals without relating to appetite and need. It is fulfilled thought, intelligence that knows itself.⁷²

The system of estates thus enables Hegel to combine a differentiated social structure – whose roots he finds in the necessary working of modern society – with a highly integrated political system. The estates described by Hegel are not the old medieval guilds: there is nothing restrictive about them, and their principle of organization is functional and rational, based on social mobility, not on heredity or ascription. In an atomized society, they aim at mediating between the individual and the general body politic; and we have already seen how in his 1817 essay on Württemberg Hegel was to come out in favour of a system of representation based on occupational units rather than on a purely mechanistic and atomistic system of unmediated representation. For Hegel the modern state, in order to survive, cannot be based on the direct identification of its citizens with the totality of the political system: a series of mediations is needed, and this Hegel saw as institutionalized in the system of estates.

Yet Hegel's system, as expounded in the *System der Sittlichkeit* and the *Realphilosophie*, seems to have one serious flaw and it is one which appears when Hegel tries to solve this issue of mediation. We have seen Hegel's masterly account of the structure of modern society and have pointed to his grasp of the social prob-

⁷² *Realphilosophie II*, 260.

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lems brought forth by the advent of modern industry. Hegel's major achievement in this context is his analysis of the state of those individuals directly involved in production, in *Fabrikarbeit*. Yet it is this group, more than any other, whose needs call for integration and mediation – and one looks in vain for this class in Hegel's system of estates. Obviously the worker is not part of the peasantry nor does he belong to the civil service. But neither does the commercial estate, the class of businessmen, include him: in Hegel's account of this estate one finds the small, independent artisan, but as for the worker, he is conspicuous by his absence; and certainly Hegel's paradigm of the burgher spirit cannot, of course, relate to the worker.

It would be absurd to write off Hegel's tremendous intellectual achievement by pointing out that the whole edifice falls down simply because the worker, whose agony Hegel recognizes and describes most acutely, is left out; it would also amount to a blatant anachronism to judge Hegel in the light of later working class history and, on this basis, find him wanting. In fact, had Hegel himself not drawn our attention to the problematic nature of working class life in modern society, one would obviously not have been able to take him to task for not suggesting a remedy for it. But since he has raised the question himself, his failure to find a solution to it within his system seems to justify a gnawing doubt. We shall see that the same problem will arise again in the *Philosophy of Right*; but at least one can pay tribute to Hegel's intellectual integrity for not trying to suggest an easy solution in place of a real one.

GOVERNMENT AND ITS FORMS

Hegel's treatment of politics in his Jena manuscripts postulates a political structure that would be able to surmount the problems posed by the emergence of modern society. Hegel's state is thus faced with the challenge of integrating social and economic change into a developing political structure. After the violent transformations of the French Revolution, it would have to fulfill the dual task of innovation and preservation. To be receptive to change, sometimes even to introduce it, without however being swept away by its consequences, is the difficult task of government:

Today, one governs and lives differently in states whose constitution has remained nonetheless the same – and this constitution changes according to the

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times. Government must not come forward on the side of the past and defend it obstinately; but similarly it should always be the last one to be convinced of introducing changes.⁷³

The delicate dialectics of controlled change leads Hegel to a discussion of the role of public opinion in the political process. Though government appears as the expression of the self's true identity, it does not direct public policy in a void. Government to Hegel interacts with public opinion in a way that points to the necessity for consensus, and here Hegel once again shows his awareness of a problem which is specifically modern:

One cannot do anything against informed public opinion . . . From it proceed all changes, and it is nothing else than the progressively developing spirit conscious of its deficiency. Whatever spirit makes its own, does not need force [for its protection]. When conviction, the inner necessity, gives in, no force can sustain it.⁷⁴

The relationship between government and public opinion, as institutionalized in legislatures and in the press, will become in the *Philosophy of Right* a central feature of Hegel's discussion of the sensitive area of policy initiation. Here it serves Hegel only as a way to sum up his historical account of the development of political structures from antiquity to modern times.

This account prefigures in its turn Hegel's later, and much more detailed, historical speculation in his lectures on the philosophy of history. However, the kernel of his basic argument already appears here most clearly. Tyranny, classical polis democracy and the modern monarchy are the three archetypical models which serve Hegel as the various stages through which self-consciousness realizes itself. The route from ancient tyranny to modern constitutional monarchy is, in a sense, the closing of a circle: it is with the rule of one man that it begins, and it is with a structure headed by one man that it culminates. But while ancient tyranny is yet an undifferentiated and crude form of government, modern monarchy represents subjectivity conscious of itself. The discussion of ancient tyranny branches off into a general analysis of the conditions under which new states are created, and here Hegel focuses on the role of great men in history.

Hegel maintains that all states were founded through the extraordinary efforts of great men. Neither a social contract nor sheer force are at the historical roots of the founding of states: rather they were initiated through the spiritual power of a great leader.

⁷³ *Ibid.* II, 251.

⁷⁴ *Ibid.* II, 260.

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The place of the great man in Hegel's early works is similar to that of the legislator in Rousseau's *Contrat Social*; in fact, we have seen Hegel searching for just such a figure in his *The German Constitution*. This leader and founder of a state is the educator of his people: he teaches them how to practice discipline, obedience and societal action, he forces them to obey the common weal. Out of a multitude he creates a people. 'Machiavellianism' is a term used by Hegel in this context to denote the art of founding states, not the way in which they should be run once they have been founded.⁷⁵ This constituent dictatorship disappears once its task has been achieved: 'Tyranny is overthrown by the peoples because it is abhorrent, degrading, etc.; but the real cause for this is that it has become superfluous.'⁷⁶

Once constituent tyranny is overthrown after having performed its historical function, it is replaced by a form of government which emerges out of those popular forces which have overthrown it; this is the type of democracy practiced by the classical polis. It is however an undifferentiated form of democracy; far from idealizing the polis, Hegel points to its lack of universality, to the absence of a general norm, to the fact that since everything is decided by the populace, everything is open to the arbitrary will, and nothing stands as a general rule above the accidentality of opinion as expressed in the marketplace:

In this democracy, the will of the individuals is still accidental, since it appears generally as opinion, and the individual has to give in when faced with the majority . . . Decisions and laws relate only to particular circumstances . . . The election of public and military leaders is entrusted to the community; but this trust is tested and vindicated only by success, and thus the circumstances are always different.⁷⁷

This lack of a universal law turns the polis into an expression of beautiful liberty – the immediate, unreflective, direct unity of the particular and the universal. The polis knows not distinction between private and public; the individual is subsumed under the totality of the body politic. In a passage strongly reminiscent of the description of the polis in his early theological writings, Hegel says:

⁷⁵ *Ibid.* II, 246–7.

⁷⁶ *Ibid.* II, 247–8. The resemblance of this paradigm to Marx's *Aufhebung* of the state through the dictatorship of the proletariat is truly remarkable. The dialectics of *Aufhebung* calls forth this necessary abolition of both types of dictatorships once their aim has been achieved.

⁷⁷ *Ibid.* II, 249.

This is the beautiful happy liberty of the Greeks, which has been and is admired so much. The people is at the same time split up into citizens as well as constituting the *one* individual, the government. It inter-relates with itself alone. The same will is the individual and the universal. The alienation of the particularity of the will is its immediate preservation.... There is no protest here: everyone knows himself immediately as universal, i.e. he gives up his particularity without knowing it as such, as a self, an essence.⁷⁸

The polis is thus an entity which despite its apparent beauty enslaves the individual, and the democratic nature of its structure only accentuates the individual's total absorption in the political system. The alternative to this form is, according to Hegel, the modern constitutional monarchy, which is based on the rule of law and the freedom of the individual who identifies with, and at the same time differentiates himself from, the state.⁷⁹ In the monarchy, the principle of individuality is expressed in a mediated way; the monarch is 'the higher principle of the new age, which remained unknown to the ancients, to Plato'.⁸⁰ The monarchy, by expressing his will, by saying 'We command', is thus pure subjectivity willing itself.⁸¹

This is Hegel's vindication of modern monarchy. Expressing subjectivity, it is the highest form of consciousness seeking recognition through self-realization. It is in modern society, where man is torn to pieces by the workings of the market, that he is also returning to himself and develops towards self-recognition. Modern man, who has found himself in his work, is in danger of losing himself again in his products; the political structure, which reflects this knowledge of man as a subject, is aimed at overcoming this tension. In the *Realphilosophie*, Hegel's solution is a society differentiated into estates, headed by a monarch who symbolizes subjectivity – it is the same solution which will be presented later in the *Philosophy of Right*, although there it will be far more elaborate. Any attempt, therefore, to juxtapose an early, radical Hegel of the Jena period against a later, conservative Hegel of the Berlin period flies in the face of the textual evidence.

⁷⁸ *Ibid.* II, 249–50. Hegel sees Plato's *Republic* as an expression of this lack of distinction between the individual and the universal. As in his later writings, Hegel sees here Plato's state as a symbol for what would be called today a totalitarian system: 'In ancient times, beautiful public life was the ethos of all, beauty [was] the immediate unity of the universal and the particular, a work of art in which no part separates itself from the whole.... Plato's republic is, like the Lacedaemonian state, this disappearance of the self-conscious individual' (*Realphilosophie* II, 251).

⁷⁹ *Ibid.* II, 250.

⁸⁰ *Ibid.* II, 251.

⁸¹ *Ibid.* II, 252.

Yet it is not with the monarch that Hegel concludes his discussion of man's search for self-recognition. Beyond the realm of objective spirit, Hegel perceived man's need to express himself in philosophy, art, religion. The discussion of these subjects brings out again all the inherent tensions in Hegel's political theory. Hegel begins by forcefully expressing a basic duality in man's nature which drives him beyond the realm of objective spirit, i.e. beyond the state:

Man lives in two worlds. In one he has his actuality (*Wirklichkeit*) which appears, his naturalness, his sacrifice, his passing away; in the other, his absolute preservation that knows itself as absolute being.⁸²

This absolute cannot be realized on earth; it can express itself through the spirit of terrestrial institutions, but they cannot be coeval with it. It is the cardinal error of religion to seek 'to introduce the eternal, the Kingdom of Heaven, on earth'; the church thus opposes itself to the state and endeavours, in Hegel's picturesque language, 'to keep a fire [burning] in water'.⁸³ But the eternal cannot be realized in the finite modes of terrestrial life, and therefore the church's claim to supremacy is fallacious. In this world, the state is the ultimate being and the recognition man has achieved through it is the highest achievement possible on earth. Any attempt to institutionalize man's absolute, transcendental being in an objective structure leads to an utter alienation of his objective being. In a passage of religious criticism which recalls later themes developed by Feuerbach and Hess, Hegel says:

In religion man elevates himself to the perception of himself as a universal substance. His nature, his station in life, sinks and disappears like a mirage of a dream, like an island appearing as a cloud on the borderline of the horizon. He is equal to his Prince. It is the knowledge of his own as spirit; he has worth for God as for all the others. It is the alienation of all his spheres, of all his existing world; not an alienation which alienates only form, education and its contents against sensuous existence, but a universal alienation of all actuality. This alienation it then presents to itself as perfection.⁸⁴

Something similar appears in art, where the work of art tries to stand for an essence which cannot be represented within the limitations of the objective world:

Absolute art is the identity of content and form.... Art creates the whole as spiritual and for representation only.... Art can therefore give its shapes only

⁸² *Ibid.* II, 270.

⁸³ *Ibid.*

⁸⁴ *Ibid.* II, 267. Cf. p. 266: '[God] is a man who has spatial and temporal existence in thoughts.... Divine nature is not different from human nature....'

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to a limited spirit. This medium of finitude, perception, cannot encompass the infinite. It is only thought of as infinite . . .

Beauty is far more the veil that covers truth than its representation . . . Hence the artist demands very often that the relation to art be merely a relation to forms, abstracting from content. But men do not allow themselves to be deprived of this content. They demand essence, not mere form.⁸⁵

Hence, Hegel sums up, while the realms of art, religion and philosophy are beyond the strict limit of the state, man cannot exist in them independently of his political existence in the objective world.

⁸⁵ *Ibid.* II, 264-5.

Chapter Six

THE OWL OF MINERVA AND THE CRITICAL MIND

After two years in Heidelberg, Hegel moved to Berlin in 1818, where he stayed as professor of philosophy until his death in 1831. It is this association with Prussia which was to cause so much adverse comment from later critics.

The first to castigate Hegel for accommodation with Prussia was Rudolf Haym, in his *Hegel und seine Zeit* (1857). At the time of the publication of Haym's volume, Prussia appeared as the arch-enemy of German unification, and Haym, a veteran of the abortive Frankfurt National Assembly of 1848, attacked Hegel as both a Prussian reactionary and an enemy of German nationalism. When a decade and a half later Prussia emerged as the champion of German national unification through 'blood and iron', this new role of Prussia reflected on Hegel who suddenly appeared, especially in many English works, as an advocate of German nationalism.¹

Much of this rests on anachronistic interpretations of historical facts as well as on backward projections of the meaning of 'Prussia' and 'Prussianism'. To Haym, an 1848 nationalist and liberal, Prussia was the bastion of reaction, conservatism and anti-nationalism; hence Hegel, who had been associated with it, was equally guilty. To twentieth-century English writers, 'Prussianism' was, on the contrary, the evil force of German nationalism and militarism; hence Hegel's connection with it made him, in some way, responsible for Nazism. The changing role of Prussia in the context of

¹ See Popper, *The Open Society*, pp. 244-73; also the exchange between T. M. Knox and E. F. Carr on 'Hegel and Prussianism', originally published in *Philosophy* of 1940, now reprinted in Kaufmann's *Hegel's Political Philosophy*, pp. 13-52. For a careful study of these controversies, see Kaufmann's own 'The Hegel Myth and Its Method', *ibid.*, pp. 137-71; see also the debate between Sidney Hook, Z. A. Peleczynski and myself, originally conducted in *Encounter*, now reprinted in Kaufmann's volume, pp. 55-105. The section on Hegel and Prussia in Rosenkranz's book has been translated into English and published in the *Journal of Speculative Philosophy* vi (1872), 263-79.