

and one-sidedness takes itself to be the truth, whereby a principle appears to be only an abstraction from another instead of a totality in itself; (2) that the decisiveness of actual opposites, their formation into extremes, which is nothing other than their self-knowledge as well as their inflammation to the decision to fight, is thought to be something which should be prevented if possible, in other words, something harmful; (3) that their mediation is attempted. For no matter how firmly both extremes appear, in their existence, to be actual and to be extremes, it still lies only in the essence of the one to be an extreme, and it does not have for the other the meaning of true actuality. The one infringes upon the other, but they do not occupy a common position. For example, Christianity, or religion in general, and philosophy are extremes. But in fact religion is not a true opposite to philosophy, for philosophy comprehends religion in its illusory actuality. Thus, for philosophy—in so far as it seeks to be an actuality—religion is dissolved in itself. There is no actual duality of essence. More on this later.

The question arises, why does Hegel need a new mediation on the side of the Estates at all? Or does he share with [others]<sup>1</sup> the popular, but most dangerous prejudice, which regards the Estates principally from the point of view of their opposition to the executive, as if that were their essential attitude? (Remark to § 302.)

The fact of the matter is simply this: On the one hand we have seen that it is only in the legislature that civil society as the element of the Estates, and the power of the crown as the element of the executive have taken on the spirit of actual, immediately practical opposition.

On the other hand, the legislature is the totality. In it we find [1] the deputation of the sovereign principle, i.e., the executive; (2) the deputation of civil society, i.e., the Estates; but in addition, (3) the one extreme as such, i.e., the sovereign principle; while the other extreme, civil society, does not exist in it as such. It is only because of this that the Estates become the extreme to the sovereign principle, when civil society really should be. As we have seen, only as Estates does civil society organize itself into a political existence. The Estates are its political existence, its transubstantiation into the political state. Again as we have seen, only the legislature is, therefore, the actual political state in its totality. Here, then, there is (1) sovereign principle, (2) executive, (3) civil society. The Estates are the civil society of the political state, i.e., the legislature. The extreme to the sovereign, which civil society was supposed to have been, is therefore the Estates. (Because civil society is the non-actuality of political existence,

<sup>1</sup> German editors' addition.

the political existence of civil society is its own dissolution, its separation from itself.) Therefore it also constitutes an opposition to the executive.

Hegel, therefore, again designates the Estates as the extreme of empirical universality, which is actually civil society itself. (Hence he unnecessarily allows the Estates, as an element in political life, to proceed from the Corporations and different classes. This procedure would make sense only if the distinct classes as such were in fact the legislative classes, if, accordingly, the distinction of civil society—i.e., its civil character—were *re vera* the political character. We would then not have a legislature of the state as a whole, but rather a legislature of the various estates, Corporations, and classes over the state as a whole. The estates [or classes] of civil society would receive no political character, but would rather determine the political state. They would make their particularity a power determining the whole. They would be the power of the particular over the universal. And we would not have one legislature, but several, which would come to terms among themselves and with the executive. However, Hegel has in mind the Estates in the modern sense, namely the actualization of state citizenship, or of the Bourgeois. He does not want the actual universal, the political state, to be determined by civil society, but rather civil society to be determined by the state. Thus while he accepts the Estates in their medieval form, he gives them the opposite significance, namely, that of being determined by the political state. The Estates as representatives of the Corporations, etc., would not be empirical universality, but rather empirical particularity, i.e., the particularity of the empirical!) The legislature, therefore, needs mediation within itself, that is to say, a concealment of the opposition. And this mediation must come from the Estates because in the legislature the Estates lose their significance of being the representation of civil society and become the primary element, the very civil society of the legislature. The legislature is the totality of the political state and, precisely because of this, the contradiction of the political state brought forcibly to appearance. Thus it is also its established dissolution. Entirely different principles collide within it. To be sure, it appears to be the opposition between the two elements, that of the sovereign principle and that of the Estates, and so forth. But in fact it is the antinomy of political state and civil society, the self-contradiction of the abstract political state. The legislature is the established revolt. (Hegel's chief mistake consists in the fact that he conceives of the contradiction in appearance as being a unity in essence, i.e., in the Idea; whereas it certainly has something more profound in its essence, namely, an essential contradiction. For example here, the contradiction in the

legislature itself is nothing other than the contradiction of the political state, and thus also the self-contradiction of civil society.

Vulgar criticism falls into an opposite dogmatic error. Thus, for example, it criticizes the constitution, drawing attention to the opposition of the powers etc. It finds contradictions everywhere. But criticism that struggles with its opposite remains dogmatic criticism, as for example in earlier times, when the dogma of the Blessed Trinity was set aside by appealing to the contradiction between 1 and 3. True criticism, however, shows the internal genesis of the Blessed Trinity in the human brain. It describes the act of its birth. Thus, true philosophical criticism of the present state constitution not only shows the contradictions as existing, but explains them, grasps [*begreift*] their essence and necessity. It comprehends their own proper significance. However, this comprehension [*Begreifen*] does not, as Hegel thinks, consist in everywhere recognizing the determinations of the logical concept [*des logischen Begriffs*], but rather in grasping the proper logic of the proper object.<sup>1</sup>)

As Hegel expresses it, the position of the political Estates relative to the sovereign implies the possibility, though no more, of harmonization, and the equally likely possibility of set hostility.

The possibility of hostility is implied everywhere different volitions meet. Hegel himself says that the possibility of harmonization is the possibility of hostility. Thus, he must now construct an element which is both the impossibility of hostility and the actuality of harmonization. For him, such an element would be the freedom of decision and thought in face of the sovereign will and the executive. Thus it would no longer be an element belonging to the Estates as an element in political life. Rather, it would be an element of the sovereign will and the executive, and would stand in the same opposition to the actual Estates as does the executive itself.

This demand is already quite muted by the conclusion of the paragraph:

From the point of view of the crown, the executive already has this character (see Paragraph 300). So, from the point of view of the classes, one moment in them must be adapted to the task of existing as in essence the moment of mediation.

The moment which is dispatched from the estates [or classes] must have a character the reverse of that which the executive has from the

<sup>1</sup> Marx's distinction here between 'true' and 'dogmatic' criticism is a distinction between the criticism of an object which focuses on its historical character and includes an account of its genesis, and an analysis which focuses on contradictions in the concept of the object. Marx later uses the same distinction in his attack on Proudhon, in a letter to P. V. Annenkov (28 December 1846); *Werke* IV, pp. 552-6; English in *The Poverty of Philosophy* (Moscow, n.d.), pp. 77-83.

point of view of the sovereign, since the sovereign and the estates are opposite extremes. Just as the sovereign democratizes himself in the executive, so this estate element must monarchize itself in its deputation. Thus what Hegel wants is a moment of sovereignty issuing from the estates. Just as the executive has an estate-moment on behalf of the sovereign, so there should also be a sovereign-moment on behalf of the estates.

The actuality of harmonization and the impossibility of hostility converts into the following demand: 'So, from the point of view of the classes, one moment in them must be adapted to the task of existing as in essence the moment of mediation.' Adapted to the task! According to § 302 the Estates as a whole have this task. It should not say 'task' but rather 'certainty'. And what kind of task is this anyway which exists as in essence the moment of mediation—being in 'essence' Buridan's ass?

The fact of the matter is simply this:

The Estates are supposed to be the mediation between the crown and the executive on the one hand, and the crown and the people on the other. But they are not this, but rather the organized political opposition to civil society. The legislature in itself is in need of mediation, and indeed a mediation coming from the Estates, as has been shown. The presupposed moral harmonization of the two wills, the will of the state as sovereign will and the will of the state as the will of civil society, does not suffice. Indeed only the legislature is the organized, total political state; yet, precisely in it appears, because it is in its highest degree of development, the open contradiction of the political state with itself. Thus, the appearance of a real identity of the sovereign and Estate wills must be established. Either the Estates must be established as the sovereign will or the sovereign will established as the Estates. The Estates must establish themselves as the actuality of a will which is not the will of the Estates. The unity which is non-existent in essence (otherwise it would have to prove itself by the Estates' efficacy and not by their mode of existing) must at least be present in existence, or else an existing instance of the legislature (of the Estates) has the task of being the unity of what is not united. This moment of the Estates, the Chamber of Peers, the Upper House, etc., is the highest synthesis of the political state in the organization just considered. With that, however, Hegel does not achieve what he wants, namely, the actuality of harmonization and the impossibility of set hostility; rather, the whole thing remains at the point of the possibility of harmonization. However, it is the established illusion of the internal unity of the political state (of the sovereign will and that of the Estates, and furthermore of the principle of the political state and that of civil society), the illusion of this

unity as material principle, that is to say, such that not only two opposed principles unite but that the unity is that of one nature or existential ground. The Estates, as this moment, are the romanticism of the political state, the dreams of its substantiality or internal harmony. They are an allegorical existence.

Whether this illusion is an effective illusion or a conscious self-deception depends now on the actual *status quo* of the relationship between the Estate and sovereign-elements. As long as the Estates and the crown in fact harmonize, or get along together, the illusion in its essential unity is an actual, and thus effective illusion. But on the other hand, should the truth of the illusion become manifest, then it becomes a conscious lie and a ridicule.

§ 305. The principle of one of the classes of civil society is in itself capable of adaptation to this political position. The class in question is the one whose ethical life is natural, whose basis is family life, and, so far as its livelihood is concerned, the possession of land. Its particular members attain their position by birth, just as the monarch does, and, in common with him, they possess a will which rests on itself alone.

We have already demonstrated Hegel's inconsistencies: (1) conceiving of the Estates in their modern abstraction from civil society etc., after having them proceed from Corporations; (2) determining them now once again according to the class distinction of civil society, after having already determined the political Estates as such to be the extreme of empirical universality.

To be consistent one would have to examine the political Estates by themselves as a new element, and then construct out of them the mediation which was demanded in § 304.

But now we see how Hegel reintroduces civil class distinction and, at the same time, makes it appear that it is not the actuality and particular nature of civil class distinction which determines the highest political sphere, the legislature, but rather the reverse, that civil class distinction declines to a pure matter which the political sphere forms and constructs in accordance with its need, a need which arises out of the political sphere itself.

The principle of one of the classes of civil society is in itself capable of adaptation to this political position. The class in question is one whose ethical life is natural. (The agricultural class.)

What, then, does this principle capability, or capability in principle of the agricultural class consist in?

Its basis is family life, and, so far as its livelihood is concerned, the possession of land. Its particular members attain their position by birth, just as the monarch does, and, in common with him, they possess a will which rests on itself alone.

The will which rests on itself alone is related to its livelihood, i.e., the possession of land, to its position by birth which it has in common with the monarch, and to family life, as its basis.

Livelihood as possession of land and a will which rests on itself alone are two quite different things. One should rather say a will which rests on ground and soil. One should rather speak of a will resting on the disposition of the state, not of one resting on itself but in the whole. The possession of land takes the place of the disposition, or the possession of political spirit.

Furthermore, in regard to family life as basis, the social ethical life of civil society appears to occupy a higher position than this natural ethical life. Moreover, family life is the natural ethical life of the other classes, of the civil as well as the agricultural class of civil society. But the fact that 'family life' is, in the case of the agricultural class, not only the principle of the family but also the basis of this class' social existence in general, seems to disqualify it for the highest political task; for this class will apply patriarchal laws to a non-patriarchal sphere, and will think and act in terms of child or father, master and servant, where the real questions are the political state and political citizenship.

Regarding the monarch's position by birth, Hegel has not developed a patriarchal but rather a modern constitutional king. His position by birth consists in his being the bodily representative of the state and in being born as king, or in the kingdom being his family inheritance. But what does this have in common with family life as the basis of the agricultural class; and what does natural ethical life have in common with position by birth as such? The king has this in common with a horse, namely, just as the horse is born a horse so the king is born a king.

Had Hegel made the class distinction, which he already accepted, a political distinction, then the agricultural class as such would already be an independent part of the Estates; and if it is as such a moment of mediation with the principality, why would the construction of a new mediation be necessary? And why separate it off from the actual moment of the Estates, since this moment achieves its abstract position *vis-à-vis* the crown only because of this separation? After he has developed the political Estates as a specific element, as a transubstantiation of the unofficial class into state citizenship, and precisely because of this has found the mediation to be a necessity, by what right does Hegel dissolve this organism once more into the distinction of the unofficial class, and thus into the unofficial class, and then derive from it the political state's mediation with itself?

In any case, what an anomaly, that the highest synthesis of the political state is nothing but the synthesis of landed property and family life!

In a word:

If civil classes as such are political classes, then the mediation is not needed; and if this mediation is needed, then the civil class is not political, and thus also not this mediation. The member of the agricultural class is not as such, but as state citizen, a part of the political Estates; while in the opposite case (i.e., [where he],<sup>1</sup> as member of the agricultural class, is state citizen, or as state citizen is member of this class), his state citizenship is membership in the agricultural class; and then he is not, as member of this class, a state citizen, but is as state citizen a member of this class!

Here, then, we find one of Hegel's inconsistencies within his own way of viewing things; and such an inconsistency is an accommodation. The political Estates in the modern sense, which is the sense developed by Hegel, constitute the fully established separation of civil society from its unofficial class and its distinctions. How can Hegel make the unofficial class the solution of the antinomies which the legislature has within itself? Hegel wants the medieval system of Estates, but in the modern sense of the legislature; and he wants the modern legislature, but within the framework of the medieval system of Estates! This is syncretism at its worst.

The beginning of § 304 reads:

The Estates, as an element in political life, still retain in their own function the class distinctions already present in the lower spheres of civil life.

But in their own function, the Estates, as an element in political life, retain this distinction only by annulling it, negating it within themselves, abstracting themselves from it.

Should the agricultural class—or, as we will hear later, the empowered agricultural class, aristocratic landed property—become as such, and as described, the mediation of the total political state, i.e., of the legislature within itself, then it is certainly the mediation of the political Estates with the crown, in the sense of being the dissolution of the political Estates as an actual political element. Not the agricultural class, but class, the unofficial class, the analysis (reduction) of the political Estates into the unofficial class, constitutes here the reestablished unity of the political state with itself. (The mediation here is not the agricultural class as such, but rather its separation from the political Estates in its quality as civil unofficial class; that is, its unofficial class [reality] gives it a separate position within the political Estates, whereupon the other section of the political Estates is also given the position of a particular unofficial class, and, therefore, it

<sup>1</sup> German editors' addition.

ceases to represent the state citizenship of civil society.) Here then, the political state no longer exists as two opposed wills; rather, on the one side stands the political state (the executive and the sovereign), and on the other side stands civil society in its distinction from the political state (the various classes). With that, then, the political state as a totality is abolished.

The other sense of the duplication of the political Estates within themselves as a mediation with the crown is, in general, this: the internal separation of the political Estates, their own inner opposition, is a re-established unity with the crown. The fundamental dualism between the crown and the Estates as an element in the legislature is neutralized by the dualism within the Estates themselves. With Hegel, however, this neutralization is effected by the political Estates separating themselves from their political element.

We will return later to the subject of possession of land as livelihood, which is supposed to accord with sovereignty of will, i.e., the sovereignty of the crown, and to family life as the basis of the agricultural class, which is supposed to accord with the position by birth of the crown. What is developed here in § 305 is the principle of the agricultural class which is in itself capable of adaptation to this political position.

§ 306 deals with the adaptation to political position and significance; it reduces to the following: 'Their wealth becomes inalienable, entailed, and burdened by primogeniture.' Thus, primogeniture would be the adaptation of the agricultural class to politics.

Primogeniture is grounded, so it says in the Addition, on the fact that the state should be able to reckon not on the bare possibility of political inclinations, but on something necessary. Now an inclination for politics is of course not bound up with wealth, but there is a relatively necessary connexion between the two, because a man with independent means is not hemmed in by external circumstances and so there is nothing to prevent him from entering politics and working for the state.

First sentence: The state is not content with the bare possibility of political inclinations, but should be able to reckon on something necessary.

Second sentence: An inclination for politics is of course not bound up with wealth; that is, the inclination for politics in those of wealth is a bare possibility.

Third sentence: But there is a relatively necessary connexion, namely, a man with independent means etc. finds nothing to prevent him from working for the state; that is, the means provide the possibility of political inclinations. But according to the first sentence, this possibility precisely does not suffice.

In addition, Hegel has failed to show that possession of land is the sole independent means.

The adaptation of its means to independence is the adaptation of the agricultural class to political position and significance. In other words, independent means is its political position and significance.

This independence is further developed as follows:

Its capital is independent of the state's capital. 'State's capital' here apparently means the government treasury. In this respect the universal class, as essentially dependent on the state, stands in opposition.

As it says in the Preface [to Hegel's *Philosophy of Right*]:

Apart from anything else philosophy with us is not, as it was with the Greeks for instance, pursued in private like an art, but has an existence in the open, in contact with the public, and especially, or even only, in the service of the state.

Thus, philosophy is also essentially dependent upon the government treasury.

Its [the agriculture class's] capital is independent of the uncertainty of business, the quest for profit, and any sort of fluctuation in possessions. From this aspect it is opposed by the business class as the one which is dependent on needs and concentrated on their satisfaction.

This capital is independent of favor, whether from the executive or the mob.

Finally, it is even fortified against its own wilfulness, because those members of this class who are called to political life are not entitled, as other citizens are, either to dispose of their entire property at will, or to the assurance that it will pass to their children, whom they love equally, in similarly equal divisions.

Here the oppositions have taken on an entirely new and materialistic form such as we would hardly expect to find in the heaven of the political state.

In sharpest terms, the opposition, as Hegel develops it, is the opposition of private property and capital.

The possession of land is private property *κατ' ἐξοχήν*, true private property. Its exact private nature is prominent (1) as independence from state capital, from favor from the executive, from property existing as universal property of the political state, a particular capital which, alongside of other capital, is in accordance with the construction of the political state; (2) as independence from the need of society or the social capital, from favor from the mob. (Equally significant is the fact that a share in state capital is understood as favor from the executive just as a

share in the social capital is understood as favor from the mob.) Neither the capital of the universal class nor that of the business class is true private property, because such capital is occasioned, in the former case directly, in the latter case indirectly, by the connexion with the universal capital, or property as social property; both are a participation in it, and therefore both are mediated through favor, that is, through the contingency of will. In opposition to that stands the possession of land as sovereign private property, which has not yet acquired the form of capital, i.e., property established by the social will.

Thus, at its highest point the political constitution is the constitution of private property. The highest political inclination is the inclination of private property. Primogeniture is merely the external appearance of the internal nature of the possession of land. Because it is inalienable, its social nerves have been severed and its isolation from civil society is secured. By not passing on to the children whom they love equally, it is independent even of the smallest society, the natural society, the family. By having withdrawn from the volition and laws of the family it thus safeguards its rough nature of private property against the transition into family capital.

In § 305, Hegel declared the class of landed property to be capable of adaptation to the political position because family life would be its basis. But he himself has declared love to be the basis, the principle, the spirit of family life. The class whose basis is family life thus lacks the basis of family life, i.e., love, as the actual and thus effective and determining principle. It is spiritless family life, the illusion of family life. In its highest form of development, the principle of private property contradicts the principle of the family. Family life in civil society becomes family life, the life of love, only in opposition to the class of natural ethical life, [which is, according to Hegel] the class of family life. This latter is, rather, the barbarism of private property against family life.

This, then, would be the sovereign splendor of private property, of possession of land, about which so many sentimentalities have recently been uttered and on behalf of which so many multi-colored crocodile tears have been shed.

It does not help Hegel to say that primogeniture would be merely a requirement of politics and would have to be understood in its political position and significance. Neither does it help him to say: 'The security and stability of the agricultural class may be still further increased by the institution of primogeniture, though this institution is desirable only from the point of view of politics, since it entails a sacrifice for the political end of giving the eldest son a life of independence.' There is a certain decency of mind in Hegel. He does not want primogeniture in and for itself, but

only in reference to something else, not as something self-determined but as something determined by another, not as an end but as a means for justifying and constructing an end. In fact, primogeniture is a consequence of the exact possession of land; it is petrified private property, private property (*quand même*) in the highest independence and sharpness of its development. What Hegel presents as the end, the determining factor, the *prima causa*, of primogeniture is, instead, an effect, a consequence of the power of abstract private property over the political state, while Hegel presents primogeniture as the power of the political state over private property. He makes the cause the effect and the effect the cause, the determining that which has been determined and that which has been determined the determining.

What then is the content of political adaptation, of the political end: what is the end of this end, what is its substance? Primogeniture, the superlative of private property, sovereign private property. What kind of power does the political state exercise over private property in primogeniture? Does the state isolate it from the family and society and bring it to its abstract autonomy? What then is the power of the political state over private property? Private property's own power, its essence brought to existence. What remains to the political state in opposition to this essence? The illusion that it determines when it is rather determined. Indeed, it breaks the will of the family and of society, but merely in order to give existence to the will of private property lacking family and society, and to acknowledge this existence as the highest existence of the political state, as the highest ethical existence.

Let us consider the various elements as they relate here in the legislature to the total state, the state having achieved actuality, consistency, and consciousness, i.e., to the actual political state [in connexion]<sup>1</sup> with the ideal or what ought be, with the logical character and form of these elements.

(Primogeniture is not, as Hegel says, a chain on the freedom of private rights; it is rather the freedom of private rights which has freed itself from all social and ethical chains.) (The highest political construction is the construction of abstract private property.)

Before we make this comparison we should first consider more closely one statement of the paragraph, namely, that because of primogeniture the capital of the agricultural class, possession of land, private property, 'is even fortified against its own wilfulness, because those members of this class who are called to political life are not entitled, as other citizens are,

<sup>1</sup> German editors' addition.

to dispose of their entire property at will'.

We have already indicated how the social nerves of private property are severed because of the inalienability of landed property. Private property (landed property) is fortified against the owner's own wilfulness by having the sphere of his wilfulness suddenly changed from a universal human sphere into the specific wilfulness of private property. In other words, private property has become the subject of the will, and the will is merely the predicate of private property. Private property is no longer a determined object of wilfulness, but rather wilfulness is the determined predicate of private property. Yet let us compare this with what Hegel himself says about the sphere of private rights:

§ 65. The reason I can alienate my property is that it is mine only in so far as I put my will into it. . . .<sup>1</sup> provided always that the thing in question is a thing external by nature.

§ 66. Therefore those goods, or rather substantive characteristics, which constitute my own private personality and the universal essence of my self-consciousness are inalienable and my right to them is imprescriptible. Such characteristics are my personality as such, my universal freedom of will, my ethical life, my religion.

Therefore in primogeniture landed property, exact private property, becomes an inalienable good, thus a substantive characteristic which constitutes the very private personality and universal essence of self-consciousness of the class of noble entailed estates, its personality as such, its universal freedom of will, its ethical life, its religion. Thus it is also consistent to say that where private property, landed property, is inalienable, universal freedom of will (to which also belongs free disposition of something alienable, like landed property) and ethical life (to which also belongs love as the actual spirit of the family, the spirit which is also identified with the actual law of the family) are alienable. In general then, the inalienability of private property is the alienability of universal freedom of will and ethical life. Here it is no longer the case that property is in so far as I put my will into it, but rather my will is in so far as it is in property. Here my will does not own but is owned. This is precisely the romantic itch of the nobility of primogeniture, namely, that here private property, and thus private wilfulness in its most abstract form—the totally ignorant, unethical, crude will—appears to be the highest synthesis of the political state, the highest renunciation of wilfulness, the hardest and most self-sacrificing struggle with human weakness; for what appears here to be human weakness is actually the humanizing, the humanization of private property.

<sup>1</sup> Marx's ellipsis.

Primogeniture is private property which has become a religion for itself, which has become absorbed in itself, enchanted with its autonomy and nobility. Just as primogeniture is cut off from direct alienation, so too is it cut off from the contract. Hegel presents the transition from property to contract in the following manner:

§ 71. Existence as determinate being is in essence being for another: . . .<sup>1</sup> One aspect of property is that it is an existent as an external thing, and in this respect property exists for other external things and is connected with their necessity and contingency. But it is also an existent as an embodiment of will, and from this point of view the 'other' for which it exists can only be the will of another person. This relation of will to will is the true and proper ground in which freedom is existent. —The sphere of contract is made up of this mediation whereby I hold property not merely by means of a thing and my subjective will but by means of another person's will as well and so hold it in virtue of my participation in a common will.

(In primogeniture it has been made a state law to hold property not in one common will, but merely by means of a thing and my subjective will.) While Hegel here perceives in private rights the alienability and dependence of private property on a common will as its true idealism, in state rights, on the other hand, he praises the imaginary nobility of independent property as opposed to the uncertainty of business, the quest for profit, any sort of fluctuation in possessions, and dependence on the state's capital. What kind of state is this that cannot even tolerate the idealism of private rights? And what kind of philosophy of right is this in which the independence of private property has diverse meanings in the spheres of private and state rights?

Over against the crude stupidity of independent private property, the uncertainty of business is elegiac, the quest for profit solemn (dramatic), fluctuation in possessions a serious *fatum* (tragic), dependence on the state's capital ethical. In short, in all of these qualities the human heart pulses throughout the property, which is the dependence of man on man. No matter how it may be constituted it is human by contrast with the slave, who believes himself to be free, because the sphere that limits him is not society but the soil. The freedom of this will is its emptiness of content other than that of private property.

To define monstrosities like primogeniture as a determination of private property by the state is absolutely unavoidable if one interprets an old world view in terms of a new one, if one attributes to a thing, as in this case to private property, a double meaning, one in the court of abstract right and an opposed one in the heaven of the political state.

<sup>1</sup> Marx's ellipsis.

Now we come to the comparison mentioned earlier.

§ 257 says:

The state is the actuality of the ethical Idea. It is ethical mind *qua* the substantial will manifest and revealed to itself. . .<sup>1</sup> The state exists immediately in custom, mediately in individual self-consciousness. . .<sup>1</sup> while self-consciousness in virtue of its sentiment towards the state finds in the state, as its essence and the end and product of its activity, its substantive freedom.

§ 268 says:

The political sentiment, patriotism pure and simple, is assured conviction with truth as its basis. . .<sup>1</sup> and a volition which has become habitual. In this sense it is simply a product of the institutions subsisting in the state, since rationality is actually present in the state, while action in conformity with these institutions gives rationality its practical proof. This sentiment is, in general, trust (which may pass over into a greater or lesser degree of educated insight), or the consciousness that my interest, both substantive and particular, is contained and preserved in another's (i.e., in the state's) interest and end, i.e., in the other's relation to me as an individual. In this way, this very other is immediately not another in my eyes, and in being conscious of this fact I am free.

Here, the actuality of the ethical Idea appears as the religion of private property (because in primogeniture private property relates to itself in a religious manner, so it happens that in our modern times religion in general has become a quality inherent in landed property, and that all of the writings on the nobility of primogeniture are full of religious unction. Religion is the highest thought form of this brutality.) The substantial will manifest and revealed to itself changes into a will dark and broken on the soil, a will enraptured precisely with the impenetrability of the element to which it is attached. The assured conviction with truth as its basis, which is political sentiment, is the conviction standing on 'its own ground' (in the literal sense). The political volition which has become habitual no longer remains simply a product [of the institutions subsisting in the state], but rather an institution subsisting outside the state. The political sentiment is no longer trust but rather the reliance, the consciousness that my interest, both substantive and particular, is independent of another's (i.e., the state's) interest and end, i.e., in the other's relation to me as an individual. This is the consciousness of my freedom from the state.

The maintenance of the state's universal interest etc. was (§ 289) the task of the executive. In it resided the consciousness of right and the developed intelligence of the mass of the people (§ 297). It actually makes the Estates superfluous, for even without the Estates they [i.e., the highest

<sup>1</sup> Marx's ellipsis.

civil servants] are able to do what is best, just as they also continually have to do while the Estates are in session (Remark to § 301). The universal class, or, more precisely, the class of civil servants, must, purely in virtue of its character as universal, have the universal as the end of its essential activity [§ 303].

And how does the universal class, the executive, appear now? As essentially dependent upon the state, as wealth dependent upon the favor of the executive. The very same transformation has occurred within civil society, which earlier achieved its ethical life in the Corporation. It is a wealth dependent upon the uncertainty of business etc., upon the favor of the mob.

What then is the quality which ostensibly specifies the owners of entailed estates? And what, in any case, constitutes the ethical quality of an inalienable wealth? Incorruptibility. Incorruptibility appears to be the highest political virtue, an abstract virtue. Yet, incorruptibility in the state as constructed by Hegel is something so uncommon that it has to be built up into a particular political power; which precisely proves<sup>1</sup> that incorruptibility is not the spirit of the political state, not the rule but the exception, and is constructed as such. The owners of entailed estates are corrupted by their independent property in order that they be preserved from corruption. While according to the idea dependence upon the state and the feeling of this dependence is supposed to be the highest political freedom, here the independent private person is constructed; because political freedom is the private person's feeling of being an abstract, dependent person, whereas he feels and should feel independent only as a citizen. Its capital is independent alike of the state's capital, the uncertainty of business, etc. In opposition to it stands the business class, which is dependent on needs and concentrated on their satisfaction, and the civil servant class, which is essentially dependent upon the state. Here, therefore, independence from the state and civil society and this actualized abstraction of both, which in reality is the crudest dependence on the soil, forms in the legislature the mediation and the unity of both. Independent private wealth, i.e., abstract private wealth and the corresponding private person, are the highest political construction of the state. Political independence is constructed as independent private property and the person of this independent private property. We shall see in the following paragraph what the situation is *re versa* regarding this independence and incorruptibility, and the political sentiment arising from them.

<sup>1</sup> Following Lieber and Furth: '... also eben dadurch beweist, dass...' (*Werke* has: '... also eben dadurch bewusst, dass...').

The fact that primogeniture is inherited, or entailed wealth speaks for itself. More about this later. The fact that it accrues to the first-born is, as Hegel notes in the Addition, purely historical.

§ 307. The right of this section of the agricultural class is thus based in a way on the natural principle of the family. But this principle is at the same time reversed owing to hard sacrifices made for political ends, and thereby the activity of this class is essentially directed to those ends. As a consequence of this, this class is summoned and entitled to its political vocation by birth without the hazards of election.

Hegel has failed to develop the way in which the right of this agricultural class is based on the natural principle of the family, unless by this he understands that landed property exists as entailed or inherited wealth. That, however, establishes no right of this class in the political sense, but only the birthright of the owners of entailed estates to landed property. 'This', i.e., the natural principle of the family, is 'at the same time reversed owing to hard sacrifices made for political ends'. We have certainly seen how the natural principle of the family is reversed; this, however, is no hard sacrifice made for political ends, but rather the actualized abstraction of private property. But with this reversal of the natural principle of the family the political ends are likewise reversed, 'thereby (?) the activity of this class is essentially directed to those ends'—because private property received independence?—and 'as a consequence of this, this class is summoned and entitled to its political vocation by birth without the hazards of election'.

Here then participation in the legislature is an innate human right. Here we have born legislators, i.e., born mediation of the political state with itself. Innate human rights have been mocked, especially on behalf of the owners of entailed estates. Isn't it even more humorous that one particular group of men is entrusted with the right to the highest honor, the legislature? In Hegel's treatment of the summons to the legislator, to the representative of state citizenship, there is nothing more ridiculous than his opposing summons by birth to summons by the hazards of election. As if election, the conscious product of civil trust, would not stand in a completely different necessary connexion with the political ends than does the physical accident of birth. Hegel everywhere falls from his political spiritualism into the crassest materialism. At the summit of the political state it is always birth that makes determinate individuals into embodiments of the highest political tasks. The highest political activities coincide with individuals by reason of birth, just like an animal's position, character, way of life, etc. are immediately inborn. In its highest functions the state acquires an animal actuality. Nature takes revenge on Hegel for the disdain he showed it. If matter is supposed to constitute no longer



anything for itself over against the human will, the human will no longer retains anything for itself except the matter.

The false identity, the fragmentary and sporadic identity of nature and spirit, body and soul, appears as incarnation. Since birth gives man only an individual existence and establishes him merely as a natural individual, and since the functions of the state—as for instance the legislature, etc.—are social products, i.e., births of society and not procreations of the natural individual, then what is striking and miraculous is precisely the immediate identity, the sudden coincidence, of the individual's birth with the individual as individuation of a certain social position, function, etc. In this system, nature immediately creates kings, peers, etc. just as it creates eyes and noses. What is striking is to see as immediate product of the physical species what is only the product of the self-conscious species. I am man by birth, without the agreement of society; yet only through universal agreement does this determinate birth become peer or king. Only the agreement makes the birth of this man the birth of a king. It is therefore the agreement, not birth, that makes the king. If birth, in distinction from other determinations, immediately endows man with a position, then his body makes him this determined social functionary. His body is his social right. In this system, the physical dignity of man, or the dignity of the human body (with further elaboration, meaning: the dignity of the physical natural element of the state), appears in such a form that determinate dignities, specifically the highest social dignities, are the dignities of certain bodies which are determined and predestined by birth to be such. This is, of course, why we find in the aristocracy such pride in blood and descent, in short, in the life history of their body. It is this zoological point of view which has its corresponding science in heraldry. The secret of aristocracy is zoology.

Two moments in hereditary primogeniture are to be stressed:

(1) That which is permanent is entailed wealth, landed property. This is the preserving moment in the relation—the substance. The master of the entailed estate, the owner, is really a mere accident. Landed property anthropomorphizes itself in the various generations. Landed property always inherits, as it were, the first born of the house as an attribute linked to it. Every first born in the line of land owners is the inheritance, the property, of the inalienable landed property, which is the predestined substance of his will and activity. The subject is the thing and the predicate is the man. The will becomes the property of the property.

(2) The political quality of the owner of the entailed estate is the political quality of his inherited wealth, a political quality inhering in his inherited

wealth. Here, therefore, the political quality appears also as the property of landed property, as a quality which is ascribed directly to the bare physical earth (nature).

Regarding the first point, it follows that the owner of the entailed estate is the serf of the landed property, and that in the serfs who are subordinated to him there appears only the practical consequence of the theoretical relationship with landed property in which he himself stands. The depth of German subjectivity appears everywhere as the crudity of a mindless objectivity.

Here we must analyze (1) the relation between private property and inheritance, (2) the relation between private property, inheritance, and, thereby, the privilege of certain generations to participate in political sovereignty, (3) the actual historical relation, or the Germanic relation.

We have seen that primogeniture is the abstraction of independent private property. A second consequence follows from this. Independence, autonomy, in the political state whose construction we have followed so far, is private property, which at its peak appears as inalienable landed property. Political independence thus flows not *ex proprio sinu* of the political state; it is not a gift of the political state to its members, nor is it the animating spirit [of the political state]. Rather, the members of the political state receive their independence from a being which is not the being of the political state, from a being of abstract private right, namely, from abstract private property. Political independence is an accident of private property and not the substance of the political state. The political state—and within it the legislature, as we have seen—is the unveiled mystery of the true value and essence of the moments of the state. The significance that private property has in the political state is its essential, its true significance; the significance that class distinction has in the political state is the essential significance of class distinction. In the same way, the essence of the sovereign and of the executive come to appearance in the legislature. It is here, in the sphere of the political state, that the individual moments of the state relate to themselves as to the being of the species, the 'species-being', because the political state is the sphere of their universal character, i.e., their religious sphere. The political state is the mirror of truth for the various moments of the concrete state.

Thus, if independent private property in the political state, in the legislature, has the significance of political independence, then it is the political independence of the state. Independent private property, or actual private property is then not only the support of the constitution but the constitution itself. And isn't the support of the constitution nothing

other than the constitution of constitutions, the primary, the actual constitution?

Hegel himself was surprised about the immanent development of a science, the derivation of its entire content from the concept in its simplicity (Remark to § 279), when he was constructing the hereditary monarch, and made the following remark:

Hence it is the basic moment of personality, abstract at the start in immediate rights, which has matured itself through its various forms of subjectivity, and now—at the stage of absolute rights, of the state, of the completely concrete objectivity of the will—has become the personality of the state, its certainty of itself.

That is, in the political state it comes to appearance that abstract personality is the highest political personality, the political basis of the entire state. Likewise, in primogeniture, the right of this abstract personality, its objectivity, abstract private property, comes into existence as the highest objectivity of the state, i.e., as its highest right.

The state is hereditary monarch; abstract personality means nothing other than that the personality of the state is abstract, or that it is the state of abstract personality, just as the Romans developed the rights of the monarch purely within the norms of private rights, or private rights as the highest norm of state, or political rights.

The Romans are the rationalists, the Germans the mystics of sovereign private property.

Hegel calls private rights the rights of abstract personality, or abstract rights. And indeed they have to be developed as the abstraction, and thus the illusory rights, of abstract personality, just as the moral doctrine developed by Hegel is the illusory existence of abstract subjectivity. Hegel develops private rights and morals as such abstractions, from which it does not follow, for him, that the state or ethical life of which they are the presuppositions can be nothing but the society (the social life) of these illusions; rather, he concludes that they are subalternate moments of this ethical life. But what are private rights except the rights of these subjects of the state, and what is morality except their morality? In other words, the person of private rights and the subject of morals are the person and the subject of the state. Hegel has been widely criticized for his development of morality. He has done nothing but develop the morality of the modern state and modern private rights. A more complete separation of morality from the state, its fuller emancipation, was desired. What did that prove except that the separation of the present-day state from morals is moral, that morals are non-political and that the state is not moral? It is rather a great, though from one aspect (namely, from the aspect that Hegel

declares the state, whose presupposition is such a morality, to be the realistic idea of ethical life) an unconscious service of Hegel to have assigned to modern morality its true position.

In the constitution, wherein primogeniture is a guarantee, private property is the guarantee of the political constitution. In primogeniture, it appears that this guarantee is a particular kind of private property. Primogeniture is merely a particular existence of the universal relationship of private property and the political state. Primogeniture is the political sense of private property, private property in its political significance, that is to say, in its universal significance. Thus the constitution here is the constitution of private property.

With the Germanic peoples, where we encounter primogeniture in its classical formation, we also find the constitution of private property. Private property is a universal category, the universal bond of the state. Even the universal functions appear as the private property sometimes of a Corporation, sometimes of an estate.

Trade and business in their particular nuances were the private property of particular Corporations. Royal offices, jurisdiction, etc., were the private property of particular estates. The various provinces were the private property of individual princes etc. Service for the realm was the private property of the ruler. The spirit was the private property of the spiritual authority.<sup>1</sup> One's loyal activity was the private property of another, just as one's right was, once again, a particular private property. Sovereignty, here nationality, was the private property of the Emperor.

It has often been said that in the Middle Ages every form of right, of freedom, of social existence, appears as a privilege, an exception from the rule. The empirical fact that all these privileges appear in the form of private property could thus not have been overlooked. What is the universal reason for this coincidence? Private property is the species-existence of privilege, of right as an exception.

Where the sovereigns, as in France for instance, attacked the independence of private property, they directed their attention more to the property of the Corporations than to that of individuals. But in attacking the private property of the Corporations they attacked private property as Corporations, i.e., as the social bond.

In the feudal reign it almost appears that the power of the crown is the power of private property, and that the mystery of the nature of the universal power, the power of all spheres of the state, is deposited in the sovereign.

<sup>1</sup> '... das Privateigentum der Geistlichkeit'. We take him to mean that man's spiritual life was the exclusive province of the Church.

(The powerfulness of the state is expressed in the sovereign as the representative of the power of the state. The constitutional sovereign, therefore, expresses the idea of the constitutional state in its sharpest abstraction. On the one hand he is the idea of the state, the sanctified majesty of the state, and precisely as *this* person. At the same time he is a pure imagination; as person and as sovereign he has neither actual power nor actual function. Here, the separation of the political and the actual, the formal and the material, the universal and the particular person, of man and social man, is expressed in its highest contradiction.)

Private property is a child of Roman intellect and Germanic heart. At this point it will be valuable to undertake a comparison of these two extreme developments. This will help solve the political problem as discussed.<sup>1</sup>

The Romans were the first to have formulated the right of private property, i.e., the abstract right, the private right, the right of the abstract person. The Roman conception of private right is private right in its classical formulation. Yet nowhere with the Romans do we find that the right of private property was mystified as in the case of the Germans. Nowhere does it become right of the state.

The right of private property is *jus utendi et abutendi*, the right of wilfulness in disposing of a thing. The main interest of the Romans lay in developing the relationships, and in determining which ones resulted in abstract relations of private property. The actual basis of private property, the possession, is a *factum*, an unexplainable *factum*, and *no* right. Only through legal determinations, which the society attributes to the factual possession, does it receive the quality of rightful possession, of private property.

Regarding the connexion between the political constitution and private property with the Romans, it appears that:

(1) Man (as slave), as is generally the case with ancient peoples, is the object of private property.

This is nothing specific.

(2) Conquered countries are treated as private property, *jus utendi et abutendi* being asserted in their case.

(3) In their history itself, there appears the struggle between the poor and the rich (Patricians and Plebians) etc.

In other respects, private property as a whole, as with the ancient classical peoples in general, is asserted to be public property, either as the

<sup>1</sup> End of manuscript p. 129. At this point in the manuscript begins the material of Bogen xxxiv, manuscript pp. 130-2 which begins with Marx's notation, (*ad XII*), and which is found in our pp. 39-40 in accord with all of the German editions.

republic's expenditure—as in good times—or as luxurious and universal benefaction (baths, etc.) towards the mob.

Slavery finds its explanation in the rights of war, the rights of occupation: men are slaves precisely because their political existence is destroyed.

We especially stress two relationships in distinction from the Germans.

(1) The imperial power was not the power of private property, but rather the sovereignty of the empirical will as such, which was far from regarding private property as the bond between itself and its subjects; on the contrary, it dealt with private property as it did with all other social goods. The imperial power, therefore, was nothing other than factually hereditary. The highest formation of the right of private property, of private right, indeed belongs to the imperial epoch; however, it is a consequence of the political dissolution rather than the political dissolution being a consequence of private property. Furthermore, when private right achieved full development in Rome, state right was abolished, [or] was in the process of its dissolution, while in Germany the opposite was the case.

(2) In Rome, state honors are never hereditary; that is to say, private property is not the dominant category of the state.

(3) Contrary to German primogeniture etc., in Rome the wilfulness of the testator appears to be the derivative of private property. In this latter antithesis lies the entire difference between the German and the Roman development of private property.

(In primogeniture it appears that private property is the relationship to the function of the state which is such that the existence of the state is something inhering in, or is an accident of, direct private property, i.e., landed property. At its highest levels the state appears as private property, whereas private property should appear as property of the state. Instead of making private property a civil quality, Hegel makes political citizenship, existence, and sentiment a quality of private property.)

§ 308. The second section of the Estates comprises the fluctuating element in civil society. This element can enter politics only through its deputies; the multiplicity of its members is an external reason for this, but the essential reason is the specific character of this element and its activity. Since these deputies are the deputies of civil society, it follows as a direct consequence that their appointment is made by the society as a society. That is to say, in making the appointment, society is not dispersed into atomic units, collected to perform only a single and temporary act, and kept together for a moment and no longer. On the contrary, it makes the appointment as a society, articulated into associations, communities, and Corporations, which although constituted already for other purposes, acquire in this way a connexion with politics. The existence of the Estates and their assembly finds a constitutional guarantee of its own in the fact that this class is entitled to send deputies at the summons of the

crown, while members of the former class are entitled to present themselves in person in the Estates (see Paragraph 307).

Here we find a new distinction within civil society and the Estates: the distinction between a fluctuating element and an immutable element (landed property). This distinction has also been presented as that of space and time, conservative and progressive, etc. On this, see Hegel's previous paragraphs. Incidentally, by means of the Corporations, associations, etc., Hegel has made the fluctuating element of society also a stable element.

The second distinction consists in the fact that the first element of the Estates as developed above, the owners of entailed estates, are, as such, legislators; that legislative power is an attribute of their empirical, personal existence; that they act not as deputies but as themselves; whereas in the second element of the Estates election and selection of deputies take place.

Hegel gives two reasons why this fluctuating element of civil society can enter the political state, or legislature, only through deputies. Hegel himself calls the first reason—namely, the multiplicity of its members—external, thereby relieving us of the need of giving the same reply.

But the essential reason, he says, is the specific character of this element and its activity. Political occupation and activity are alien to its specific character and activity.

Hegel replays his old song about these Estates being deputies of civil society. Civil society must make the appointments as a society. Rather, civil society must do this as what it is *not*, because it is unpolitical society, and is supposed to perform here a political act as something essential to it and arising from it. With that it is 'dispersed into atomic units', and 'collected to perform only a single and temporary act, and kept together for a moment and no longer'. First of all, its political act is a single and temporary act, and can therefore only appear as such in being carried out. It is an ecstasy, an act of political society which causes a stir, and must also appear as such. Secondly, Hegel was not disturbed by the fact—indeed, he argued its necessity—that civil society materially (merely as a second society deputized by it) separates itself from its civil actuality and establishes itself as what it is not. How can he now formally dispose of this?

He thinks that society's associations etc., which are constituted already for other purposes, acquire a connexion with politics because society in its Corporations etc. appoints the deputies. But either they acquire a significance which is not their significance, or their connexion as such is political, in which case it does not just 'acquire' the political tinge, as developed above, but rather in it politics acquires its connexion. By

designating only this part of the Estates as that of the deputy, Hegel has unwittingly stated the nature of the two Chambers (at the point where they actually have the relationship to one another he indicated). The Chamber of Deputies and the Chamber of Peers (or whatever they be called) are not, in the present case, different instances of the same principle but derive from two essentially different principles and social positions. Here the Chamber of Deputies is the political constitution of civil society in the modern sense, while the Chamber of Peers is the political constitution of civil society in the sense proper to the Estates. The Chamber of Peers and the Chamber of Deputies are opposed here as the Estate- and the political-representation of civil society. The one is the existing estate principle of civil society, the other is the actualization of civil society's abstract political existence. It is obvious, therefore, that the latter cannot come into existence again as the representation of the estates, Corporations, etc., for it simply does not represent civil society's existence *qua* estate, but rather its political existence. It is further obvious, then, that only the estate element of civil society, i.e., sovereign landed property or the hereditary nobility, is seated in the former Chamber, for it is not *one* estate among others. Rather, the estate principle of civil society as an actually social, and thus political, principle now exists only in that one element. It is *the* estate. Civil society, then, has in the Chamber of the estates the representative of its medieval existence, and in the Chamber of Deputies the representative of its political (modern) existence. The only advance beyond the Middle Ages consists in the fact that estate politics has been reduced to a particular political existence alongside the politics of citizenship. The empirical political existence Hegel has in mind (England) has, therefore, a meaning entirely other than the one he imputes to it.

The French Constitution also constitutes an advance in this regard. To be sure, it has reduced the Chamber of Peers to a pure nullity; but within the principle of constitutional kingship as Hegel has pretended to develop it, this Chamber can by its very nature be merely an empty vanity, the fiction of a harmony between the sovereign and civil society, or of the legislature or political state with itself, and a fiction, moreover, which has the form of a particular and thereby once more opposed existence.

The French have allowed the peers to retain life tenure in order to express their independence from both the régime and the people. But they did away with the medieval expression—hereditaryness. Their advance consists in their no longer allowing the Chamber of Peers to proceed from actual civil society, but in creating it in abstraction from civil society. They have the choice of peers proceed from the existing political state,

from the sovereign, without binding him to any other civil quality. In this constitution the honor of being a peer actually constitutes a class in civil society which is purely political, created from the standpoint of the abstraction of the political state; but it appears to be more a political decoration than an actual class endowed with particular rights. During the Restoration the Chamber of Peers was a reminiscence, while the Chamber of Peers resulting from the July Revolution is an actual creature of constitutional monarchy.

Since in modern times the idea of the state could appear only in the abstraction of the merely political state, or in the abstraction of civil society from itself and its actual condition, it is to the credit of the French that they have marked and produced this abstract actuality, and thereby have produced the political principle itself. The abstraction for which they are blamed is, then, a genuine consequence and product of a patriotism rediscovered, to be sure, only in an opposition, but in a necessary opposition. The merit of the French in this regard, then, is to have established the Chamber of Peers as the unique product of the political state, or in general, to have made the political principle in its uniqueness the determining and effective factor.

Hegel also remarks that in the deputation, as he constructs it, the existence of the Estates and their assembly finds a constitutional guarantee of its own in the fact that the Corporations etc. are entitled to send deputies. Thus, the guarantee of the existence of the Estates' assembly, their truly primitive existence, becomes the privilege of the Corporations etc. With this, Hegel reverts completely to the medieval standpoint and has abandoned entirely his abstraction of the political state as the sphere of the state as state, the actually existing universal.

In the modern sense, the existence of the Estates' assembly is the political existence of civil society, the guarantee of its political existence. To question the existence of the Estates' assembly is to question the existence of the state. Whereas patriotism, the essence of the legislature, finds its guarantee in independent private property according to Hegel, so the existence of the legislature finds its guarantee in the privileges of the Corporations.

But the one element in the Estates is much more the political privilege of civil society, or its privilege of being political. Therefore, that element can never be the privilege of a particular civil mode of civil society's existence, and can still less find its guarantee in that mode, because it is supposed to be, rather, the universal guarantee.

Thus Hegel is everywhere reduced to giving the political state a precarious actuality in a relationship of dependence upon another, rather

than describing it as the highest, completely existing actuality of social existence; he is reduced to having it find its true existence in the other sphere rather than describing it as the true existence of the other sphere. The political state everywhere needs the guarantee of spheres lying outside it. It is not actualized power, but supported impotence. It is not the power over these supports, but the power of the support. The support is the seat of power.

What kind of lofty existent is it whose existence needs a guarantee outside itself, and which is supposed to be at the same time the universal existence—and thus the actual guarantee—of this very guarantee. In general, in his development of the legislature Hegel everywhere retreats from the philosophical standpoint to that other standpoint which fails to examine the matter in its own terms.

If the existence of the Estates requires a guarantee, then they are not an actual, but merely a fictitious political existence. In constitutional states, the guarantee for the existence of the Estates is the law. Thus, their existence is a legal existence, dependent on the universal nature of the state and not on the power or impotence of individual Corporations or associations; their existence is the actuality of the state as an association. (It is precisely here that the Corporations, etc., the particular spheres of civil society, should receive their universal existence for the first time. Again, Hegel anticipates this universal existence as the privilege and the existence of these particular spheres.)

Political right as the right of Corporations etc. completely contradicts political right as political, i.e., as the right of the state and of citizenship, for political right precisely should not be the right of this existence as a particular existence, not right as this particular existence.

Before we proceed to the category of election as the political act by which civil society decides upon its political choice, let us examine some additional statements from the Remark to this paragraph.

To hold that every single person should share in deliberating and deciding on political matters of general concern on the ground that all individuals are members of the state, that its concerns are their concerns, and that it is their right that what is done should be done with their knowledge and volition, is tantamount to a proposal to put the democratic element without any rational form into the organism of the state, although it is only in virtue of the possession of such a form that the state is an organism at all. This idea comes readily to mind because it does not go beyond the abstraction of 'being a member of the state', and it is superficial thinking which clings to abstractions. [§ 308]

<sup>1</sup> German editors' addition

First of all, Hegel calls being a member of the state an abstraction, although according to the idea, [and therefore] the intention of his own doctrinal development, it is the highest and most concrete social determination of the legal person, of the member of the state. To stop at the abstraction of 'being a member of the state' and to conceive of individuals in terms of this abstraction does not therefore seem to be just superficial thinking which clings to abstractions. That the abstraction of 'being a member of the state' is really an abstraction is not, however, the fault of this thinking but of Hegel's line of argument and actual modern conditions, which presuppose the separation of actual life from political life and make the political quality an abstraction of actual participation in the state.

According to Hegel, the direct participation of all in deliberating and deciding on political matters of general concern admits the democratic element without any rational form into the organism of the state, although it is only in virtue of the possession of such a form that the state is an organism at all. That is to say, the democratic element can be admitted only as a formal element in a state organism that is merely a formalism of the state. The democratic element should be, rather, the actual element that acquires its rational form in the whole organism of the state. If the democratic element enters the state organism or state formalism as a particular element, then the rational form of its existence means a drill, an accommodation, a form, in which it does not exhibit what is characteristic of its essence. In other words, it would enter the state organism merely as a formal principle.

We have already pointed out that Hegel develops merely a state formalism. For him, the actual material principle is the Idea, the abstract thought-form of the state as a subject, the absolute Idea which has in it no passive or material moment. In contrast to the abstraction of this Idea the determinations of the actual, empirical state formalism appear as content; and hence the actual content (here actual man, actual society, etc.) appear as formless inorganic matter.

Hegel had established the essence of the Estates in the fact that in them empirical universality becomes the subject of the actually existing universal. Does this mean anything other than that matters of political concern 'are their concerns, and that it is their right that what is done should be done with their knowledge and volition'? And should not the Estates precisely constitute their actualized right? And is it surprising then that all seek the actuality of what is theirs by right?

To hold that every single person should share in deliberating and deciding on political matters of general concern...

In a really rational state one could answer, 'Not every single person should share in deliberating and deciding on political matters of general concern', because the individuals share in deliberating and deciding on matters of general concern as the 'all', that is to say, within and as members of the society. Not all individually, but the individuals as all.

Hegel presents himself with the dilemma: either civil society (the Many, the multitude) shares through deputies in deliberating and deciding on political matters of general concern or all [as]<sup>1</sup> individuals do this. This is no opposition of essence, as Hegel subsequently tries to present it, but of existence, and indeed of the most external existence, quantity. Thus, the basis which Hegel himself designated as external—the multiplicity of members—remains the best reason against the direct participation of all. The question of whether civil society should participate in the legislature either by entering it through deputies or by the direct participation of all as individuals is itself a question within the abstraction of the political state or within the abstract political state; it is an abstract political question.

It is in both cases, as Hegel himself has developed this, the political significance of 'empirical universality'.

In its proper form the opposition is this: the individuals participate as all, or the individuals participate as a few, as not-all. In both cases allness remains merely an external plurality or totality of individuals. Allness is no essential, spiritual, actual quality of the individual. It is not something through which he would lose the character of abstract individuality. Rather, it is merely the sum total of individuality. One individuality, many individualities, all individualities. The one, the many, the all—none of these determinations changes the essence of the subject, individuality.

All as individuals should share in deliberating and deciding on political matters of general concern; that is to say, then, that all should share in this not as all but as individuals.

The question appears to contradict itself in two respects.

The political matters of general concern are the concern of the state, the state as actual concern. Deliberation and decision is the effectuation of the state as actual concern. It seems obvious then that all the members of the state have a relationship to the state as being their actual concern. The very notion of member of the state implies their being a member of the state, a part of it, and the state having them as its part. But if they are an integral part of the state, then it is obvious that their social existence is already their actual participation in it. They are not only integral parts of the state, but the state is their integral part. To be consciously an integral

<sup>1</sup> German editors' addition.

part of something is to participate consciously in it, to be consciously integral to it. Without this consciousness the member of the state would be an animal.

To say 'political matters of general concern' makes it appear that matters of general concern and the state are something different. But the state is the matter of general concern, thus really the matters of general concern.

Participation in political matters of general concern and participation in the state are, therefore, identical. It is a tautology [to say] that a member of the state, a part of the state, participates in the state, and that this participation can appear only as deliberation or decision, or related forms, and thus that every member of the state shares in deliberating and deciding (if these functions are taken to be the functions of actual participation in the state) the political matters of general concern. If we are talking about actual members of the state, then this participation cannot be regarded as a 'should'; otherwise we would be talking about subjects who should be and want to be members of the state, but actually are not.

On the other hand, if we are talking about definite concerns, about single political acts, then it is again obvious that not all as individuals accomplish them. Otherwise, the individual would be the true society, and would make society superfluous. The individual would have to do everything at once, while society would have him act for others just as it would have others act for him.

The question whether all as individuals should share in deliberating and deciding on political matters of general concern is a question that arises from the separation of the political state and civil society.

As we have seen, the state exists merely as political state. The totality of the political state is the legislature. To participate in the legislature is thus to participate in the political state and to prove and actualize one's existence as member of the political state, as member of the state. That all as individuals want to participate integrally in the legislature is nothing but the will of all to be actual (active) members of the state, or to give themselves a political existence, or to prove their existence as political and to effect it as such. We have further seen that the Estates are civil society as legislature, that they are its political existence. The fact, therefore, that civil society invades the sphere of legislative power *en masse*, and where possible totally, that actual civil society wishes to substitute itself for the fictional civil society of the legislature, is nothing but the drive of civil society to give itself political existence, or to make political existence its actual existence. The drive of civil society to transform itself into political society, or to make political society into the actual society, shows itself

as the drive for the most fully possible universal participation in legislative power.

Here, quantity is not without importance. If the augmentation of the Estates is a physical and intellectual augmentation of one of the hostile forces—and we have seen that the various elements of the legislature oppose one another as hostile forces—then the question of whether all as individuals are members of the legislature or whether they should enter the legislature through deputies is the placing in question of the representative principle within the representative principle, i.e., within that fundamental conception of the political state which exists in constitutional monarchy. (1) The notion that the legislature is the totality of the political state is a notion of the abstraction of the political state. Because this one act is the sole political act of civil society, all should participate and want to participate in it at once. (2) All as individuals. In the Estates, legislative activity is not regarded as social, as a function of society, but rather as the act wherein the individuals first assume an actually and consciously social function, that is, a political function. Here the legislature is no derivative, no function of society, but simply its formation. This formation into a legislative power requires that all members of civil society regard themselves as individuals, that they actually face one another as individuals. The abstraction of 'being a member of the state' is their 'abstract definition', a definition that is not actualized in the actuality of their life. *How could it be?*

There are two possibilities here: either the separation of the political state and civil society actually obtains, or civil society is actual political society. In the first case, it is impossible that all as individuals participate in the legislature, for the political state is an existent which is separated from civil society. On the one hand, civil society would abandon itself as such if all [its members] were legislators; on the other hand, the political state which stands over against it can tolerate it only if it has a form suitable to the standards of the state. In other words, the participation of civil society in the political state through deputies is precisely the expression of their separation and merely dualistic unity.

Given the second case, i.e., that civil society is actual political society, it is nonsense to make a claim which has resulted precisely from a notion of the political state as an existent separated from civil society, from the theological notion of the political state. In this situation, legislative power altogether loses the meaning of representative power. Here, the legislature is a representation in the same sense in which every function is representative. For example, the shoemaker is my representative in so far as he fulfills a social need, just as every definite social activity, because it is a species-activity, represents only the species; that is to say, it represents a determina-

tion of my own essence the way every man is the representative of the other. Here, he is representative not by virtue of something other than himself which he represents, but by virtue of what he is and does.

Legislative power is sought not for the sake of its content, but for the sake of its formal political significance. For example, executive power, in and for itself, has to be the object of popular desire much more than legislative power, which is the metaphysical political function. The legislative function is the will, not in its practical but in its theoretical energy. Here, the will should not preempt the law; rather, the actual law is to be discovered and formulated.

Out of this divided nature of the legislature—i.e., its nature as actual lawgiving function and at the same time representative, abstract-political function—stems a peculiarity which is especially prevalent in France, the land of political culture.

(We always find two things in the executive: the actual deed and the state's reason for this deed, as another actual consciousness, which in its total organization is the bureaucracy.)

The actual content of legislative power (so long as the prevailing special interests do not come into significant conflict with the *objectum quaestionis*) is treated very much *à part*, as a matter of secondary importance.

A question attracts particular attention only when it becomes political, that is to say, either when it can be tied to a ministerial question, and thus becomes a question of the power of the legislature over the executive, or when it is a matter of rights in general, which are connected with the political formalism. How come this phenomenon? Because the legislature is at the same time the representation of civil society's political existence; because in general the political nature of a question consists in its relationship to the various powers of the political state; and finally, because the legislature represents political consciousness, which can manifest itself as political only in conflict with the executive. There is the essential demand that every social need, law, etc., be investigated and identified politically, that is to say, determined by the whole of the state in its social sense. But in the abstract political state this essential demand takes a new turn; specifically, it is given a formal change of expression in the direction of another power (content) besides its actual content. This is no abstraction of the French, but rather the inevitable consequence of the actual state's existing merely as the political state formalism examined above. The opposition within the representative power is the  $\kappa\alpha\tau' \ \acute{\alpha}\xi\omicron\chi\eta\nu$  political existence of the representative power. Within this representative constitution, however, the question under investigation takes a form other than that in which Hegel considered it. It is not a question of whether civil society

should exercise legislative power through deputies or through all as individuals. Rather, it is a question of the extension and greatest possible universalization of voting, of active as well as passive suffrage. This is the real point of dispute in the matter of political reform, in France as well as in England.

Voting is not considered philosophically, that is, not in terms of its proper nature, if it is considered in relation to the crown or the executive. The vote is the actual relation of actual civil society to the civil society of the legislature, to the representative element. In other words, the vote is the immediate, the direct, the existing and not simply imagined relation of civil society to the political state. It therefore goes without saying that the vote is the chief political interest of actual civil society. In unrestricted suffrage, both active and passive, civil society has actually raised itself for the first time to an abstraction of itself, to political existence as its true universal and essential existence. But the full achievement of this abstraction is at once also the transcendence [*Aufhebung*] of the abstraction. In actually establishing its political existence as its true existence civil society has simultaneously established its civil existence, in distinction from its political existence, as inessential. And with the one separated, the other, its opposite, falls. Within the abstract political state the reform of voting advances the dissolution [*Auflösung*] of this political state, but also the dissolution of civil society. ] ?

We will encounter the question of the reform of voting later under another aspect, namely, from the point of view of the interests. We will also discuss later the other conflicts which arise from the two-fold character of the legislature (being at one time the political representative or mandatory of civil society, at another time rather primarily the political existence of civil society and a specific existent within the political formalism of the state).

In the meantime we return to the Remark to our paragraph [308].

The rational consideration of a topic, the consciousness of the Idea, is concrete and to that extent coincides with a genuine practical sense. The concrete state is the whole, articulated into its particular groups. The member of a state is a member of such a group, i.e., of a social class, and it is only as characterized in this objective way that he comes under consideration when we are dealing with the state.

We have already said all that is required concerning this.

His (the member of a state's) mere character as universal implies that he is at one and the same time both a private person and also a thinking consciousness, a will which wills the universal. This consciousness and will, however, lose their emptiness and

<sup>1</sup> Marx's insertion.



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For Germany, the critique of religion is essentially completed; and the critique of religion is the prerequisite of every critique.

Error in its profane form of existence is compromised once its celestial *oratio pro aris et focis* has been refuted. Man, who has found only his own reflection in the fantastic reality of heaven, where he sought a supernatural being, will no longer be disposed to find only the semblance of himself, only a non-human being, here where he seeks and must seek his true reality.

The foundation of irreligious criticism is this: man makes religion; religion does not make man. Religion is, in fact, the self-consciousness and self-esteem of man who has either not yet gained himself or has lost himself again. But man is no abstract being squatting outside the world. Man is the world of man, the state, society. This state, this society, produce religion, which is an inverted world-consciousness, because they are an inverted world. Religion is the general theory of this world, its encyclopedic compendium, its logic in popular form, its spiritualistic *point d'honneur*, its enthusiasm, its moral sanction, its solemn complement, its universal basis of consolation and justification. It is the fantastic realization of the human being because the human being has attained no true reality. Thus, the struggle against religion is indirectly the struggle against that world of which religion is the spiritual aroma.

The wretchedness of religion is at once an expression of and a protest against real wretchedness. Religion is the sigh of the oppressed creature, the heart of a heartless world and the soul of soulless conditions. It is the opium of the people.

The abolition of religion as the illusory happiness of the people is a demand for their true happiness. The call to abandon illusions about their condition is the call to abandon a condition which requires illusions. Thus, the critique of religion is the critique in embryo of the vale of tears of which religion is the halo.

Criticism has plucked the imaginary flowers from the chain, not so that

man shall bear the chain without fantasy or consolation, but so that he shall cast off the chain and gather the living flower. The critique of religion disillusioned man so that he will think, act, and fashion his reality as a man who has lost his illusions and regained his reason, so that he will revolve about himself as his own true sun. Religion is only the illusory sun about which man revolves so long as he does not revolve about himself.

It is the task of history, therefore, once the other-world of truth has vanished, to establish the truth of this world. It is above all the task of philosophy, which is in the service of history, to unmask human self-alienation in its secular forms, once its sacred form has been unmasked. Thus, the critique of heaven is transformed into the critique of the earth, the critique of religion into the critique of law, the critique of theology into the critique of politics.

The following exposition<sup>1</sup>—which is a contribution to this task—does not deal directly with the original, but with a copy, i.e., with the German philosophy of the state and of right, simply because it deals with Germany.

If we were to begin with the German *status quo* itself, even in the only appropriate way, which is negatively, the result would still be an anachronism. For even the negation of our political present is already a dusty fact in the historical junkroom of modern nations. If I negate powdered wigs, I still have unpowdered wigs. If I negate the German conditions of 1843, I am according to French chronology barely in the year 1789, and still less at the center of the present day.

Indeed, German history prides itself on a development which no other nation has previously achieved or will ever imitate in the historical firmament. We have shared in the restorations of modern nations without ever having shared in their revolutions. We have been restored, first because other nations ventured a revolution, and second because other nations endured a counter-revolution; in the first case because our leaders were afraid, and in the second case because they were not. Led by our shepherds, we have only once been in the company of liberty, and that was on the day of its interment.

One school of thought, which justifies the infamy of today by the infamy of yesterday, a school which interprets every cry of the serf under the knout as a cry of rebellion once the knout is time-honored, ancestral, and historical, a school to which history shows only its *posteriori* as did the God of Israel to his servant Moses—the Historical

<sup>1</sup> That is, the projected revision of the *Critique of Hegel's 'Philosophy of Right'* (§§ 261–313).

School of Law—might well have invented German history were it not itself an invention of German history. A Shylock, but a servile Shylock, it swears by its bond, its historical bond, its Christian-Germanic bond, for every pound of flesh cut from the heart of the people.

On the other hand, good-natured enthusiasts, German nationalists by sentiment and enlightened radicals by reflection, seek our history of freedom beyond our history in the primeval Teutonic forests. But then how does our history of freedom differ from that of the wild boar, if it is only to be found in the forests? Besides, as the saying goes: what is shouted into the forests echoes back from the forest. So peace to the primeval Teutonic forests!

But war upon the conditions in Germany! By all means! They are beneath the level of history, beneath all criticism; yet they remain an object of criticism just as the criminal who is beneath the level of humanity remains an object of the executioner. In its struggle against them criticism is no passion of the brain, but is rather the brain of passion. It is not a scalpel but a weapon. Its object is its enemy, which it wishes not to refute but to destroy. For the spirit of these conditions is already refuted. They are not, in themselves, objects worthy of thought, but rather existences equally despicable and despised. Criticism itself needs no further self-clarification regarding this object, for criticism already understands it. Criticism is no longer an end in itself, but now simply a means. Indignation is its essential pathos, denunciation its principal task.

It is a matter of describing the stifling pressure of all the social spheres on one another, the universal, passive ill-feeling, the recognized yet misunderstood narrow-mindedness, all framed in a system of government which, living by the conservation of all this wretchedness, is itself wretchedness in government.

What a spectacle! The infinite division of society into the most diverse races confronting one another with their petty antipathies, bad conscience and crude mediocrity, and which, precisely because of their mutual ambiguous and suspicious disposition, are treated by their masters without distinction, though with differing formalities, as merely tolerated existences. And they are to recognize and acknowledge the very fact that they are dominated, ruled and possessed as a concession from Heaven! On the other hand there are the masters themselves, whose greatness is in inverse proportion to their number!

Criticism dealing with this situation is criticism in hand-to-hand combat; and in this kind of combat one does not bother about whether the opponent is noble, or of equal rank, or interesting; all that matters is to strike him. It is a question of permitting the Germans not a single moment

of illusion or resignation. The burden must be made still more oppressive by adding to it a consciousness of it, and the shame made still more shameful by making it public. Every sphere of German society must be described as the *partie honteuse* of German society, and these petrified conditions must be made to dance by singing to them their own melody. The nation must be taught to be terrified of itself in order to give it courage. In this way an imperative need of the German nation will be fulfilled, and the needs of nations are themselves the final causes of their satisfaction.

This struggle against the limited content of the German *status quo* is not without interest even for the modern nations; for the German *status quo* is the overt perfection of the *ancien régime*, and the *ancien régime* is the hidden defect of the modern state. The struggle against the political present in Germany is the struggle against the past of the modern nations, who are still continually troubled by the reminiscences of this past. It is instructive for them to see the *ancien régime*, which experienced its moment of tragedy in their history, play its comic role as a German ghost. Its history was tragic so long as it was the privileged power in the world and freedom was a personal fancy; in short, so long as it believed, and necessarily so, in its own justification. So long as the *ancien régime*, as the existing world-order, struggled against a new world coming into existence, it was guilty of a world-historical, but not a personal, error. Its decline was, therefore, tragic.

The present German régime, on the other hand—an anachronism, a flagrant contradiction of universally recognized axioms, the nullity of the *ancien régime* revealed to the whole world—only imagines that it believes in itself, and asks that the world imagine this also. If it believed in its own nature, would it hide that nature under the appearance of an alien nature, and seek its preservation in hypocrisy and sophistry? The modern *ancien régime* is nothing but the humbug of a world order whose real heroes are dead. History is thorough, and passes through many phases when it conveys an old form to the grave. The final phase of a world-historical form is its comedy. The Greek gods, already once mortally wounded, tragically, in Aeschylus' *Prometheus Bound*, had to die once more, comically, in the dialogues of Lucian. Why does history proceed in this way? So that mankind will separate itself happily from its past. We claim this happy historical destiny for the political powers of Germany.

Meanwhile, the moment modern political and social actuality is subjected to criticism, the moment, therefore, criticism focuses on genuine human problems, either it finds itself outside the German *status quo* or it must treat its object under a different form. For example, the relationship of industry, of the world of wealth in general, to the political world is

a major problem of modern times. Under what form does this problem begin to occupy the Germans? Under the form of protective tariffs, the system of prohibitions, national economy. German chauvinism has passed from men to matter, and so one fine morning our cavaliers of cotton and heroes of iron found themselves metamorphosed into patriots. Thus, in Germany the sovereignty of monopoly within the nation has begun to be recognized through its being invested with sovereignty *vis-à-vis* other nations. In Germany, therefore, we now begin with what in France and England is the end of a development. The old decayed state of affairs against which these nations are in theoretical revolt, and which they still bear only as chains are borne, is welcomed in Germany as the dawning of a glorious future as yet hardly daring to proceed from a cunning [*listigen*]<sup>1</sup> theory to a pitiless practice. While in France and England the problem reads: political economy or the mastery of society over wealth; in Germany it reads: national economy or the mastery of private property over nationality. Thus, in France and England it is a question of abolishing monopoly, which has progressed to its final consequences, while in Germany it is a question of proceeding on to the final consequences of monopoly. There it is a question of the solution, here only a question of the collision. This is an adequate example of the German form of modern problems, an example of how our history, like a raw recruit, has until now only done extra drill on old historical matters.

If the whole of German development were at the level of German political development, a German could participate in contemporary problems no more than can a Russian. But if the single individual is not limited by the boundaries of the nation, still less is the nation as a whole liberated by the liberation of one individual. That a Scythian [Anarchasis] was numbered among the Greek philosophers did not enable the Scythians to advance a step toward Greek culture.

Fortunately, we Germans are not Scythians.

Just as ancient peoples lived their past history in their imagination, in mythology, so we Germans have lived our future history in thought, in philosophy. We are philosophical contemporaries of the present day without being its historical contemporaries. German philosophy is the ideal prolongation of German history. If, then, we criticize the *œuvres posthumes* of our ideal history, philosophy, instead of the *œuvres incomplètes* of our actual history, our criticism centers on the very questions of which the present age says: that is the question. What for advanced nations is

<sup>1</sup> A punning reference to Friedrich List (1789-1846) whose economic theory was published under the title *Das nationale System der politischen Ökonomie* (1840).

near! a practical break with modern political conditions is in Germany, where these conditions themselves do not yet exist, essentially a critical break with their philosophical reflection.

German philosophy of right and the state is the only German history that is *al pari* with official modern times. Thus, the German nation is obliged to connect its dream history with its present circumstances, and subject to criticism not only these circumstances but also their abstract continuation. Its future can be restricted neither to the direct negation of its real, nor to the direct fulfillment of its ideal, political and juridical circumstances; for the direct negation of its real circumstances is already there in its ideal circumstances, and it has almost outlived the direct fulfillment of these in its contemplation of neighboring nations. The practical political party in Germany is right, therefore, in demanding the negation of philosophy. Its error lies not in the demand, but in limiting itself to the demand which it neither does nor can fulfil. It believes that it can achieve this negation by turning its back on philosophy, averting its gaze, and murmuring a few irritable and trite phrases about it. In its narrow outlook it does not even count philosophy a part of German actuality, or it considers philosophy to be beneath the level of German practical life and its attendant theories. You [of the practical party] demand that actual germs of life be the point of departure, but you forget that the German nation's actual germs of life have until now sprouted only in its cranium. In short, you cannot transcend philosophy without actualizing it.

The same error, but with the elements reversed, was committed by the theoretical political party, which originated in philosophy.

This party saw in the present struggle only the critical struggle of philosophy against the German world. It failed to note that previous philosophy itself belongs to this world and is its complement, even if only an ideal complement. Critical of its counterpart, it remained uncritical of itself: it took its point of departure from the presuppositions of philosophy, and either accepted the conclusions reached by philosophy or else presented as directly philosophical demands and results drawn from elsewhere; even though these—assuming their validity—are obtainable only through the negation of previous philosophy, i.e., of philosophy as philosophy. We reserve until later a fuller account of this party. Its basic defect reduces to this: it believed that it could actualize philosophy without transcending it.

The criticism of the German philosophy of right and of the state, which was given its most logical, profound and complete expression by Hegel, is at once the critical analysis of the modern state and of the reality connected with it, and the definite negation of all the past forms of con-

sciousness in German jurisprudence and politics, whose most distinguished and most general expression, raised to the level of a science, is precisely the speculative philosophy of right. If it was only in Germany that the speculative philosophy of right was possible—this abstract and extravagant thought about the modern state, whose reality remains in another world (even though this is just across the Rhine)—the German thought-version [*Gedankenbild*] of the modern state, on the other hand, which abstracts from actual man, was only possible because and in so far as the modern state itself abstracts from actual man, or satisfies the whole man only in an imaginary way. In politics the Germans have thought what other nations have done. Germany was their theoretical conscience. The abstract and presumptive character of its thinking was in step with the partial and stunted character of their actuality. If, then, the *status quo* of the German political system expresses the perfection of the *ancien régime*, the thorn in the flesh of the modern state, the *status quo* of German political thought expresses the imperfection of the modern state, the damaged condition of the flesh itself.

As the determined adversary of the prevailing mode of German political consciousness, criticism of the speculative philosophy of right does not remain within itself, but proceeds on to tasks for whose solution there is only one means—*praxis*.

The question arises: can Germany attain a *praxis à la hauteur des principes*, that is to say, a revolution that will raise it not only to the official level of modern nations, but to the human level which will be the immediate future of these nations?

The weapon of criticism certainly cannot replace the criticism of weapons; material force must be overthrown by material force; but theory, too, becomes a material force once it seizes the masses. Theory is capable of seizing the masses once it demonstrates *ad hominem*, and it demonstrates *ad hominem* once it becomes radical. To be radical is to grasp matters at the root. But for man the root is man himself. The manifest proof of the radicalism of German theory, and thus of its practical energy, is the fact of its issuing from a resolute positive transcendence [*Aufhebung*] of religion. The critique of religion ends in the doctrine that man is the supreme being for man; thus it ends with the categorical imperative to overthrow all conditions in which man is a debased, enslaved, neglected, contemptible being—conditions which cannot be better described than by the Frenchman's exclamation about a proposed tax on dogs: 'Poor dogs! They want to treat you like men!'

Even from the historical point of view, theoretical emancipation has a specific practical importance for Germany. Germany's revolutionary

past is precisely theoretical: it is the Reformation. As at that time it was a monk, so now it is the philosopher in whose brain the revolution begins.

Luther, to be sure, overcame servitude based on devotion, but by replacing it with servitude based on conviction. He shattered faith in authority by restoring the authority of faith. He transformed the priests into laymen by changing the laymen into priests. He liberated man from external religiosity by making religiosity that which is innermost to man. He freed the body of chains by putting the heart in chains.

But if Protestantism was not the real solution it at least posed the problem correctly. Thereafter it was no longer a question of the laymen's struggle with the priest outside of him, but of his struggle with his own inner priest, his priestly nature. And if the Protestant transformation of the German laity into priests emancipated the lay popes—the princes together with their clergy, the privileged and the philistines—so the philosophical transformation of the priestly Germans into men will emancipate the people. But just as emancipation is not limited to the princes, so the secularization of property will not be limited to the confiscation of church property, which was practiced especially by hypocritical Prussia. At that time, the Peasant War, the most radical event in German history, foundered because of theology. Today, when theology itself has foundered, the most unfree thing in German history, our *status quo*, will be shattered by philosophy. On the eve of the Reformation official Germany was the most abject servant of Rome. On the eve of its revolution Germany is the abject servant of those who are inferior to Rome, of Prussia and Austria, of petty squires and philistines.

However, a major difficulty appears to stand in the way of a radical German revolution.

Revolutions require a passive element, a material basis. Theory will be realized in a people only in so far as it is the realization of their needs. Will the enormous discrepancy between the demands of German thought and the answers of German actuality be matched by a similar discrepancy between civil society and the state, and within civil society itself? Will theoretical needs be directly practical needs? It is not enough that thought strive to actualize itself; actuality must itself strive toward thought.

But Germany has not passed through the middle state of political emancipation at the same time as the modern nations. The very stages it has surpassed in theory it has not yet reached in practice. How is Germany, with a *salto mortale*, to surmount not only its own limitations, but also those of the modern nations, limitations which it must actually experience

and strive for as the liberation from its own actual limitations? A radical revolution can only be a revolution of radical needs, whose preconditions and birthplaces appear to be lacking.

But if Germany accompanied the development of modern nations only with the abstract activity of thought, without taking an active part in the actual struggles of this development, it has still shared the pains of this development without sharing its pleasures or its partial satisfaction. The abstract activity on the one hand corresponds to the abstract pain on the other. One day Germany will find itself at the level of European decadence before it has ever achieved the level of European emancipation. It will be like a fetishist suffering from the illnesses of Christianity.

If we examine the German governments we find that the circumstances of the time, the situation in Germany, the viewpoint of German culture, and finally their own lucky instinct, all drive them to combine the civilized deficiencies of the modern political world, whose advantages we do not enjoy, with the barbaric deficiencies of the *ancien régime*, which we enjoy in full measure; so that Germany must participate more and more, if not in the rationality, at least in the irrationality of the political forms that transcend its *status quo*. For example, is there any country in the world which shares as naively as so-called constitutional Germany all the illusions of the constitutional régime without any of its realities? Wasn't it somehow necessarily a German government brain-wave to combine the torments of censorship with those of the French September Laws [of 1835], which presuppose the freedom of the press! Just as the gods of all nations were found in the Roman Pantheon, so the sins of all state-forms are to be found in the Holy Roman German Empire. That this eclecticism will attain an unprecedented level is assured by the politico-aesthetic *gourmanderie* of a German king [Frederick William IV], who intends to play all the roles of royalty—the feudal as well as the bureaucratic, absolute as well as constitutional, autocratic as well as democratic—if not in the person of the people at least in his own person, if not for the people at least for himself. Germany, as the deficiency of the political present constituted into an individual system, will be unable to demolish the specific German limitations without demolishing the general limitations of the political present.

It is not a radical revolution, universal human emancipation, that is a utopian dream for Germany, but rather a partial, merely political revolution, a revolution that leaves the pillars of the edifice standing. What is the basis of a partial, merely political revolution? It is this: a section of civil society emancipates itself and achieves universal dominance; a determinate class undertakes from its particular situation the universal emancipation

of society. This class emancipates the whole society, but only on the condition that the whole society shares its situation; for example, that it has or can obtain money and education.

No class of civil society can play this role unless it arouses in itself and in the masses a moment of enthusiasm, a moment in which it associates, fuses, and identifies itself with society in general, and is felt and recognized to be society's general representative, a moment in which its demands and rights are truly those of society itself, of which it is the social head and heart. Only in the name of the universal rights of society can a particular class lay claim to universal dominance. To take over this liberating position, and therewith the political exploitation of all the spheres of society in the interest of its own sphere, revolutionary energy and spiritual self-confidence do not suffice. For a popular revolution and the emancipation of a particular class to coincide, for one class to stand for the whole of society, another class must, on the other hand, concentrate in itself all the defects of society, must be the class of universal offense and the embodiment of universal limits. A particular social sphere must stand for the notorious crime of the whole society, so that liberation from this sphere appears to be universal liberation. For one class to be the class *par excellence* of liberation, another class must, on the other hand, be openly the subjugating class. The negative general significance of the French nobility and clergy determined the positive general significance of the bourgeoisie, the class standing next to and opposing them.

But every class in Germany lacks the consistency, the keenness, the courage, and the ruthlessness which would mark it as the negative representative of society. Moreover, every class lacks that breadth of soul which identifies it, if only for a moment, with the soul of the people; that genius which animates material force into political power; that revolutionary boldness which flings at its adversary the defiant phrase: I am nothing and I should be everything. The principle feature of German morality and honor, not only in individuals but in classes as well, is that modest egoism which asserts its narrowness and allows narrowness to be asserted against it. The relationship of the different spheres of German society is, therefore, not dramatic, but epic. Each of them begins to be aware of itself and to establish itself with its particular claims beside the others, not as soon as it is oppressed, but as soon as circumstances independent of its actions create a lower social stratum against which it can in turn exert pressure. Even the moral self-esteem of the German middle class is based merely on the consciousness of being the general representative of the philistine mediocrity of all the other classes. It is, therefore, not only the German kings who ascend the throne *mal à propos*. Each sphere

of civil society suffers its defeat before it celebrates its victory, erects its own barrier before it overthrows its opposing barrier, asserts its narrow-minded nature before it can assert its generosity, so that the opportunity of playing a great role has passed before it ever actually existed, and each class, at the moment it begins to struggle with the class above it, is involved in the struggle with the class beneath. Hence, the princes are in conflict with the king, the bureaucracy with the nobility, the bourgeoisie with all of them, while the proletariat is already beginning its struggle against the bourgeoisie. The middle class hardly dares to conceive of the idea of emancipation from its own point of view, and already the development of social conditions and the progress of political theory show that this point of view itself is antiquated, or at least questionable.

In France it is enough to be something in order to desire to be everything. In Germany no one may be anything unless he renounces everything. In France partial emancipation is the basis of universal emancipation. In Germany universal emancipation is the *conditio sine qua non* for any partial emancipation. In France it is the actuality, in Germany the impossibility, of gradual emancipation which must give birth to full freedom. In France every national class is politically idealistic and considers itself above all to be not a particular class but the representative of the needs of society overall. The role of the emancipator thus passes in a dramatic movement to the different classes of the French nation, until it finally reaches the class which actualizes social freedom no longer on the basis of presupposed conditions which are at once external to man yet created by human society, but rather organizing all the conditions of human existence on the basis of social freedom. In Germany, on the other hand, where practical life is as little intellectual as intellectual life is practical, no class of civil society has the need and the capacity for universal emancipation until it is forced to it by its immediate situation, material necessity, and its very chains.

Where, then, is the positive possibility of German emancipation?

Our answer: in the formation of a class with radical chains, a class in civil society that is not of civil society, a class that is the dissolution of all classes, a sphere of society having a universal character because of its universal suffering and claiming no particular right because no particular wrong but unqualified wrong is perpetrated on it; a sphere that can claim no traditional title but only a human title; a sphere that does not stand partially opposed to the consequences, but totally opposed to the premises of the German political system; a sphere, finally, that cannot emancipate itself without emancipating itself from all the other spheres of society, thereby emancipating them; a sphere, in short, that is the complete loss

of humanity and can only redeem itself through the total redemption of humanity. This dissolution of society existing as a particular class is the proletariat.

The proletariat is only beginning to appear in Germany as a result of the industrial development taking place. For it is not naturally existing poverty but artificially produced poverty, not the mass of men mechanically oppressed by the weight of society but the mass of men resulting from society's, and especially the middle class', acute dissolution that constitutes the proletariat—though at the same time, needless to say, victims of natural poverty and Christian-Germanic serfdom also become members.

When the proletariat announces the dissolution of the existing order of things it merely declares the secret of its own existence, for it is the *de facto* dissolution of this order of things. When the proletariat demands the negation of private property it merely elevates into a principle of society what society has advanced as the principle of the proletariat, and what the proletariat already involuntarily embodies as the negative result of society. The proletariat thus has the same right relative to the new world which is coming into being as has the German king relative to the existing world, when he calls the people his people and a horse his horse. In calling the people his private property the king merely expresses the fact that the owner of private property is king.

Just as philosophy finds its material weapons in the proletariat, so the proletariat finds its spiritual weapons in philosophy; and once the lightning of thought has struck deeply into this naive soil of the people the emancipation of the Germans into men will be accomplished.

Let us summarize:

The only practically possible emancipation of Germany is the emancipation based on the unique theory which holds that man is the supreme being for man. In Germany emancipation from the Middle Ages is possible only as the simultaneous emancipation from the partial victories over the Middle Ages. In Germany no form of bondage can be broken unless every form of bondage is broken. Germany, enamored of fundamentals, can have nothing less than a fundamental revolution. The emancipation of Germany is the emancipation of man. The head of this emancipation is philosophy, its heart is the proletariat. Philosophy cannot be actualized without the abolition [*Aufhebung*] of the proletariat; the proletariat cannot be abolished without the actualization of philosophy.

When all the intrinsic conditions are fulfilled, the day of German resurrection will be announced by the crowing of the Gallic cock.