An exposition and interpretation of the social and political doctrine of G.W.F. Hegel

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AN EXPOSITION AND INTERPRETATION OF THE SOCIAL AND POLITICAL DOCTRINE OF G.W.F. HEGEL

by

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ABSTRACT

In this dissertation I have attempted to present both an exposition and an interpretation of Hegel's social and political philosophy. The broad outline of my argument is simply that the unique feature of Hegel's intellectual development is that his thought did not grow out of purely philosophical considerations about the nature and limits of knowledge, but out of a certain practical problem facing the German intelligensia of his day. The problem in question which Hegel shared with the other young German idealists of his generation was the feeling of alienation and estrangement from the moral and political culture in which they lived. As Hegel conceived it, there was a disharmony between the ideals which informed the practical aspirations of man - or at least the educated middle class of which Hegel himself was a notable representative - and the inherited ethical, intellectual and religious order which they were forced to accept. It is my thesis that Hegel's thought takes its point of departure from the problem of discord and dissonance experienced by the modern consciousness and attempts to resolve this conflict in an all embracing system in which freedom and rationality are ultimately restored. It is further my thesis that the solution to this practical problem which led Hegel to elaborate a systematic and coherent political philosophy constitutes his unique contribution to German idealism.

In chapter one I undertake a close examination of some of Hegel's very earliest manuscripts, posthumously edited under the somewhat dubious title Hegels theologische Jugendschriften, written as a student at Stuttgart and Tübingen and as a Hauslehrer at Berne

and Frankfurt. These works deal primarily with the relationship between politics and religion and it was Hegel's contention, at least initially, that only the resurrection of something akin to the ancient Greek civic religions could bring about a political revival in Europe. Chapter two deals with Hegel's Jena writings and the affiliation with previous German idealists is scrutinized in some detail. Here I attempt to show how for Hegel the rise of philosophy is motivated by the need to resolve the fragmentation and discord encountered in practical life. Particular attention is given to his then unpublished lecture notes and his discussion of the role of economics and labour in human affairs is compared to the later theories of Marx. Chapter three is essentially a critical analysis of the Philosophy of Right as the apotheosis of Hegel's political thought. Here it is stressed that Hegel's political philosophy cannot be arbitrarily detached from his general system of metaphysics, but that the two are integrally linked to one another. It is my view that at least a rudimentary knowledge of the methodological underpinnings of Hegel's mature "system of science" is a prerequisite for an adequate understanding of his political views.

CONTENTS

INTRODUCTION

Before attempting a reconstruction of the development of Hegel's thought, a word concerning my general approach is perhaps in order. In treating this subject I have adopted a fairly traditional historical method of following Hegel's ideas upon politics and society from his earliest utterances as a student in the politically charged atmosphere of southern Germany in the 1790s to the works of his maturity as a professor of philosophy in the peace and tranquility of Restoration Berlin. I have also attempted to demonstrate the relationship between Hegel's thought and that of previous philosophy and in particular the philosophy of classical German idealism. This genetic approach to the study of Hegel's thought is to a large extent legitimized by Hegel himself who understood his system in terms of an historical affiliation with the great philosophical systems of the past, especially those of Kant, Fichte and Schelling. There is in Hegel's view, as well as in the views of many critics of Hegelian thought, a necessary evolution from the Critique of Pure Reason, to the Wissenschaftslehre, to the System of Transcendental Idealism and finally to Hegel's own works. And it is often argued that the latter made possible the future transition to Marx and Engels.

While Hegel's conception of the history of philosophy has certainly proved fecund, it is not without difficulties. The main difficulty, it seems to me, is that encountered by any philosophical idealism which treats thought exclusively on the level of ideas with no reference to the social and political milieu in which these ideas are formed. It therefore runs the risk of treating ideas as

disembodied abstractions without being, at least to some degree, conditioned by external, material circumstances. What, I believe, primarily distinguishes Hegel from his forerunners Kant, Fichte and Schelling is that his thought developed not from a set of strictly philosophical considerations, but from an essentially practical problem posed by the age in which he lived, the age of the French Revolution and the Napoleonic Empire. This problem, as he came to understand it, is that in modern society man is forced to live a dual existence, torn between the ideal world of his dreams, hopes and aspirations on the one hand and the misery, wretchedness and want of the prevailing social order on the other. Indeed no one lived this problem more intensely than did Hegel for whom the essential freedom and dignity of man was everywhere contradicted by the official culture of the society in which he lived. It was this sense of alienation from existing reality or what in the Phenomenology of Mind he would call the experience of the "unhappy consciousness" which Hegel felt was the central problem of the modern world which must be resolved if man's practical activity is to prove morally satisfactory.

This attempt to understand Hegel's mature philosophy as an outgrowth of his early non-philosophical concerns necessarily entails a fairly detailed account of his early writings composed during the 1790s under the direct influence of the French revolutionary experience. This approach to Hegel's later works via his juvenalia is no doubt bound to offend some critics who maintain that the study of these notoriously unsystematic early writings has done nothing to in any way illuminate our understanding of Hegel's mature position. This critique of the genetic approach to Hegel's thought has been

levelled by such diverse commentators as J.N. Findlay and Franz Gregoire who are both more concerned with Hegel's completed philosophical system than with his overall intellectual development. What is important for these critics is not the evolution of Hegelian philosophy, but the logic of its argument, its coherence and its general intelligibility. As opposed to this type of commentary which confines itself to a logical analysis of the structure of Hegelian language, what this study attempts to provide is an historical understanding of Hegel's thought. For an historical understanding what is of moment is not simply the most authoritative or mature expression of Hegel's political position, but with how and why it was that he came to arrive at this position. Here the point is to show how Hegel's mature doctrine did not simply arise ex nihilo as a set of arbitrary and idiosyncratic philosophical generalities, but to show where this doctrine is both a development of and a departure from his early thoughts and experiences. It is thus in an historical context that Hegel's Jugendschriften are significant for these expressly point out the social, political and religious origins of his later philosophy.

There is, of course, nothing in itself novel about an historical understanding of Hegel's thought. Ever since the discovery of his early manuscripts in the first years of this century, historians have attempted to locate properly these texts within the corpus of his entire work. But unlike most historical accounts which presuppose a slow, uninterrupted continuity in Hegel's development, it is my view that it was Hegel's inability to satisfactorily resolve the problem analyzed in these early writings which ultimately led him to join Schelling in providing a philosophical account of the whole of reality which alone can lay the intellectual basis for reconciling man to

ordinary experience. Only the discovery of a new metaphysics, he came to believe, could overcome the sense of estrangement between man and the world by bringing out the inherent rationality of the existing order of things. It was this conception of philosophy and the philosophical enterprise that Hegel adopted only after 1800 which led him to the conclusion that political society, philosophically comprehended, contained the key to its own regeneration. As it will be shown, this decision to adopt philosophy as his métier represents something of a break in Hegel's development which is only completely intelligible when considered as a response to the practical problem of alienation and fragmentation diagnosed in his youthful, non-philosophical writings.

One more point should perhaps be made clear from the outset. This study is concerned with Hegel's social and political philosophy not as a peripheral or incidental aspect of his system as a whole, but as a central feature of it. I have therefore attempted to relate the particular problems of his political theory proper to his metaphysical doctrine generally, but without necessarily providing a direct commentary on this doctrine as expressed in such works as the Phenomenology, the Logic and the Encyclopedia. Such a commentary has been omitted for two reasons. First, it would require a separate study in itself which would far exceed the more modest scope of this volume and since several such commentaries already exist anything which I might add would probably be redundant. Second, anything less than a full scale commentary, such as a brief condensation of Hegel's metaphysics as an introduction to his political thought, could only be trite and jejune and would inevitably raise more questions that it could possibly hope to resolve. I hope basically to find a

happy medium between these two extremes by showing that Hegel's political philosophy comprises a separate body of doctrine, but is nevertheless related to his wider metaphysical concerns as well. And in any respect, in so far as the latter has a bearing on the former, it has been examined not necessarily in its own right, but in relation to other Hegelian texts.

In preparing this study I have had occasion to use several different editions of individual works by Hegel both in the original German as well as in English translation. This has been necessary because as yet the complete, critical edition of Hegel's work has not been prepared, although it is at present underway at the Hegel-Archiv at Bochum under the supervision of Otto Pöggeler. When quoting directly from Hegel I have used where possible suitable English translations, but in many cases without explicitly acknowledging this in the text itself. I have also at times taken the liberty of modifying certain translations to accord with what I take to be a more accurate rendering of Hegel's meaning. When citing an already existing translation, however, I give the pagination of both the English and the German edition of the text in question so as to enable the reader to consult either with relative ease. All other translations from the German are my own. A complete guide of all the sources utilized may be found in the bibliography appended to the end of this study.

In preparing this study I would like to give special thanks to my supervisor Mr. Henry Tudor whose critical acumen has contributed greatly to my understanding of Hegel and the history of ideas generally. Also my wife Susan, whose keen sensitivity to the nuances of particular terms and concepts has proved an invaluable aid; her unflagging encouragement

has been a constant source of inspiration without which this study would no doubt never have been completed. Finally I would like to record my profound thanks to my parents for their enduring faith and good will. It is to them that this work is dedicated.

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CHAPTER I

THE YOUNG HEGEL : POLITICS AND RELIGION

I

Hegel's earliest thoughts on the subject of political culture are set forth in a school essay in which the fully integrated and harmonious nature of the Hellenic world is favourably contrasted to the divided and fragmented character of modern society. In this essay entitled "On some Characteristics which Distinguish Ancient Poets"(1) the young Hegel assumes from the outset that in their best days the ancient Greeks and Romans had attained a level of culture and civilization which posterity could never hope to reach. This, he suggests, is illustrated by the superiority of the ancient poets over the moderns. One reason for the superiority of the ancient poets, he argues, was their ability to identify with the aims and aspirations of the entire community. But in the modern world, where society is divided into classes each of which is hostile to the others, this is no longer a practical possibility. The appearance of classes has led to the collapse of a sense of shared experience and a common political culture: "The ideas and culture of the classes", he remarks, "are too distinct for a poet of our times to be read and universally understood".(2) Hence a modern epic poet - and here it is fairly evident that Hegel is thinking of Klopstock - could never hope to reach the whole of his people.

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(1)G.W.F. Hegel, Dokumente zu Hegels Entwicklung, ed. J. Hoffmeister, Stuttgart, 1936, pp.48-51; henceforth cited as Dokumente. This essay is dated 7 August 1788.

(2)Ibid., p.49.

For Hegel, the distinguishing feature of the ancient poets was their simplicity: "Simplicity actually consists in this, that the poets present us with a faithful image of the thing, that they do not try to render it more interesting through subtlety and artifice and that they do not make it more brilliant and rich by departing from the truth as we demand today".(3) The ancients were content to describe each experience without distinction and without isolating the various aspects of the whole. It is only the moderns who feel the need to dissect experience into so many discrete entities and in so doing they rob it of its vitality. The simplicity of the ancient world as manifest in the unity of its people, its culture and its political constitution is here held up as a model for the present to emulate. In contrast to this antique simplicity, Hegel deplores the abstract complexity of modern life in which, as he would put it later, "the individual finds the abstract form ready made".(4) He obviously does not yet see the development of abstractness and complexity as a natural feature of the phenomenology of human consciousness.

What underlies Hegel's argument here is a view of two distinct styles of pedagogy. The ancient style was based upon action and direct practical experience. In this way everyone was forced to be original as each developed his own system of thought independently from the others. In modern times, by contrast, learning comes only through books. The deeds of famous men, for instance, are no longer "entwined in our constitution" nor are they preserved through

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(3)Ibid.

(4)G.W.F. Hegel, Phänomenologie des Geistes, ed. J. Hoffmeister, Hamburg, 1952, p.30; G.W.F. Hegel, The Phenomenology of Mind, trans. J.B. Baille, London, 1971, p.94.

an oral tradition. Rather they are learned through history books many of which are even written by foreigners. Thus words and ideas are implanted in the head and remain there without any activity and use. It is only through experience that they come to acquire meaning.(5) Indeed it was for their emphasis upon direct concrete experience that Hegel sides with the ancients in this early essay.

Hegel's musings on the differences between ancient and modern political society continued throughout his student years at the Tübingen theological seminary (1788-93). Due perhaps to the influence of his professors Flatt and Storr he came to the view that the unity of the antique experience was maintained primarily through religion. Religion was the bond which held everything together in a perfect cosmos. Hegel draws attention to the primacy of religion in an unfinished essay of this period in which he categorically states that: "Religion is one of the most important concerns of our life".(6) It is through religion that the spirit or practical consciousness of a people finds its manifest embodiment. Hegel is not, however, so much concerned with traditional theological questions such as personal belief and individual salvation, but with the influence of religion upon politics and its ability to foster civil peace.

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(5)Dokumente, op.cit., pp.49-50.

(6)G.W.F. Hegel, Hegels theologische Jugendschriften, ed. H. Nohl, Tübingen, 1907, p.3; henceforth cited as Nohl. The Nohl edition of Hegel's early writings is still the most philologically sound collection available even though recent advances in Hegelforschung have shown that it is far from perfect. For a report on these refinements see Giesela Schüler, "Zur Chronologie von Hegels Jugendschriften" in Hegel-Studien, II, 1963, pp.111-59; see also Sofia Vanni-Rovighi, "Osservazioni sulla cronologia dei primi scritti di Hegel" in Il Penserio, V, 1960, pp.157-75.

In this essay Hegel is primarily interested to distinguish between what he calls subjective and objective religion. A subjective religion is a religion of the heart which is capable of inspiring great actions as it derives from human feeling (Empfindung) and not the intellect alone. For the young Hegel, man is a being dominated by sense impulses and blind instinct and for whom reason plays only an incidental role. This sort of religion, as Jean Hyppolite has observed, is similar to that of Rousseau's savoyard vicar in that it opposes a simple spontaneous faith to an erudite but barren theology.(7) In fact it is known that throughout his stay at the Tübingen Stift Hegel was an enthusiastic devotee of Rousseau and it is very probably Rousseau's emphasis upon the effective and emotive aspect of human nature that attracted him.(8)

An objective or positive religion, on the other hand, appeals solely to the understanding (Verstand) and is therefore responsible for creating a schism within the human personality. This sort of religion "suffers itself to be arranged in one's mind, organized into a system, set forth in a book, and expounded to others in discourse".(9) In contrast to subjective religion which is active and alive in the heart of the believer, objective religion kills whatever it touches. While the former is picturesquely compared to the "living book of nature" the latter is likened to "the cabinet of the naturalist wherein the insects have been killed, the plants dried, the animals stuffed or

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(7)Jean Hyppolite, Introduction à la philosophie de l'histoire de Hegel, Paris, 1948, p.18.

(8)CF. Dieter Henrich, "Leutwein über Hegel. Ein Dokument zu Hegels Biographie" in Hegel-Studien, III, 1965, pp.39-77 for the various influences on Hegel during his years at the Tübingerstift.

(9)Nohl, op.cit., p.6.

pickled, and the things that nature divided are put side by side, all organized for one single end where nature had interlaced an infinite variety of ends in a friendly bond".[10] This sort of religion is the product of what Michael Oakeshott has in a different context called a "technical knowledge" in that it can be learned by heart, repeated by rote and applied mechanically.[11] Hegel's argument is that this is not religion at all. True religion is a matter of the heart, of practical experience, and cannot therefore be either taught or learned, but only imparted and acquired. It exists only in its actual practice. An objective religion is laid down in the form of laws and statutes which the individual is constrained to obey. It is a religion of blind, unquestioning obedience which is the handmaiden to any tyrannous or despotic political regime. This is precisely the form of religion which Hegel saw practiced in the Germany of his own time, one which did not emanate from feeling or the heart, but which was merely an official doctrine designed to ensure passive conformity. Hence he turned against this and the state which supported it, as contrary to the essential freedom and dignity of man.

Ultimately the foundation of any religion must be its ability to promote the ethical well-being of a people and an objective religion which relies upon the understanding alone is eminently incapable of doing this. For Hegel, the enlightenment of the intellect is not a sufficient condition for ethical behaviour: "The understanding serves only objective religion....But it is never through understanding that principles are rendered practical. The understanding is a courtier who adapts himself complaisantly to the caprices of his

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(10)Ibid., p.7.

(11)Michael Oakeshott, Rationalism in Politics and Other Essays, London, 1962, pp.10-11.

lord....Enlightenment of the understanding makes us cleverer certainly but not better".(12) To illustrate his point Hegel uses the example of a boy who, to improve his moral conduct, reads and memorizes the maxims contained in Campe's Theophron. The result of this enterprise is not the intended perfection of character, but rather a morbid and gloomy disposition which the youth soon finds intolerable.(13) Hegel's advice is, then, to do away with popular handbook morality as morality is not something learned in this fashion but only acquired through long years of experience.

If morality cannot be sustained through the understanding, it can be sustained through feeling and the heart. It is evident that Hegel is here attacking Kant's rigorously formalistic moral philosophy which had dubbed "pathological" any action not carried out strictly through respect for the law of reason. Hegel remarks that even if feeling is pathological, it is also disinterested in that it does not calculate beforehand the joys that may or may not arise from some action. It merely acts and accepts whatever consequences may follow.(14) Feeling is thus no longer subservient to reason as philosophers from Descartes to Kant had assumed, but is rather the spring for all good actions. Still Hegel finds it necessary to distinguish between true moral sentiment and mere "sensuousness" and it is, he says, the task of education and culture to nurture these finer feelings which nature has implanted in the hearts of all men.(15) Only a subjective religion which stresses the primacy of feeling is able to inspire genuine moral conduct. This religion is, as it were, the basis of morality.

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(12)Nohl, op.cit., p.12.

(13)Ibid., pp.12-13.

(14)Ibid., p.18.

(15)Ibid., p.8.

The distinction between subjective and objective religion leads Hegel to another equally important distinction between private religion and the religion of a people. This second distinction is obviously meant to correspond to Christianity and the pagan civil religion (Volksreligion) respectively, and here again Hegel shows himself enthralled with the cult of antiquity. The pagan folk religion was inextricably bound up with the collective life of the community. Indeed the harmonious political culture of the antique city in which there was an immediate identity between the individual and the general will was best expressed through the religion of its people. Hegel is not clear about the precise nature of this religion except to say that it must be simple and must not burden the memory and understanding with a lot of useless theological trivia. Instead of laying down absolute commandments such as "thou shalt not steal" it should concentrate on ennobling the spirit of a people by inculcating a sense of political virtue: "Folk religion," he says, "which generates and nourishes noble dispositions goes hand in hand with freedom".(16) In this manner the religion of a people is inseparable from the political constitution and thereby fosters good citizens.

Christianity, on the other hand, is a preeminently private religion. It severs man from the particular community of which he is a part and ties him to the entire human species. Here an individual is regarded irrespective of his political affiliation. But in the former case, this bond is of a purely human terrestrial one, while in the latter it is elevated and projected outside the world. What is created is not a political society but a transcendental

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(16)Ibid., p.27.

one in which men relate to one another qua souls and sons of God: "Our religion aims to educate men to be citizens of Heaven whose gaze is ever directed thither so that human feelings become alien to them."(17) This vitriolic treatment of Christianity owes a great deal to Rousseau who in the Social Contract remarks that Christianity is "fundamentally more injurious than useful to a strong political constitution".(18) Since Christianity is occupied with other worldly matters its spirit, Rousseau says, is very favourable to tyranny: "True Christians are made for slavery".(19) While neither Rousseau nor Hegel would want to deny that some Christians might, of course, be good citizens, they do argue that Christianity tends to sublimate man's political instincts. The cosmopolitanism and lack of patriotism of Christian doctrine is antithetical to the Volksgeist or established national character of a people.

The concept of the Volksgeist is perhaps the most important to appear in Hegel's Tübingen essay and therefore it requires a word of explanation. This term is used to encompass the whole of a people's conditions of existence: "The spirit of a people, its history, the level of political freedom, cannot be treated separately either with

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(17)Ibid.

(18)Jean-Jacques Rousseau, The Political Writings, ed. C.E. Vaughan, 2 vols., Oxford, 1962, II, p.128.

(19)Ibid., p.131; see also p.166: "The patriotic spirit is an exclusive one, which makes us regard all men other than our compatriots as strangers, and almost as enemies. Such was the spirit of Sparta and Rome. The spirit of Christianity, on the other hand, makes us regard all men as our brothers, as children of God. Christian charity does not permit itself to make the odious distinction between our comrades and foreigners; it is good for making neither republicans nor warriors, but only Christians and men; its ardent zeal indifferently embraces the entire human race. It is thus that Christianity is, by its very saintliness, contrary to the particularist social spirit".

respect to their mutual influence, or in characterizing them in isolation. They are woven together in a single bond".(20) It is, then, equivalent to a nation's collective experience as embodied in its traditions, customs and beliefs. It has been observed that this concept is very similar to what Montesquieu called the "esprit générale" of a nation.(21) Indeed Hegel even applauds Montesquieu's attempt to view the spirit of people within its particular historical context and not abstracting it from its spatial-temporal limitations. For both Montesquieu and Hegel, the concept of spirit is devoid of any transcendental connotations.

There do remain, however, certain crucial differences between Montesquieu and Hegel on this issue. For the former, the spirit of a nation is essentially the product of the interaction of various material forces, e.g. geographical conditions. It is not at all surprising that on the publication of L'Esprit des lois Montesquieu was denounced by his Jesuit critics as a disciple of Spinoza and Hobbes. But while Montesquieu never embraced materialist determinism - "Can anything," he asked, "be more absurd than to pretend that a blind fatality could ever produce intelligent Beings?"(22) - the spirit always remains a secondary phenomenon, the result of other more fundamental factors. Hegel's Volksgeist, on the contrary, has a far more mythological, idealistic quality about

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(20)Nohl, op.cit., p.27.

(21)For an excellent comparative account of the thought of Montesquieu and Hegel see Guy Planty-Bonjour, "L'Esprit générale d'une nation selon Montesquieu et le 'Volksgeist' hégélienne" in Hegel et le siècle des lumières, ed. Jacques D'Hondt, Paris, 1974, pp.7-24.

(22)Quoted from Kingsley Martin, French Liberal Thought in the Eighteenth Century: A Study of Political Ideas from Bayle to Condorcet, New York, 1962, p.154.

it: "The spirit of a people is drawn down to earth and held fast by a light bond which resists through a magical spell all attempts to break it, for it is completely intertwined in its essence".(23) It is not so much the product of the empirical arrangements of a particular society as it is the creative power behind this society.

Finally Hegel might have used the term Volksgeist as a polemical device to counter the natural law construction of the state and society. For the natural law theorists, political association is the result of a contract between autonomous individuals. Hegel is sceptical of this as it implies that the state is produced by the arbitrary will of the individual. For him there is no such thing as the autonomous individual. Any such notion is merely the product of intellectual abstraction. Rather the individual is always a part of a wider spiritual totality. Following Aristotle, Hegel assumes that this totality must be prior to the individual for the reason that the whole is prior to its parts. Any being who is not by nature included within this totality would either be a poor sort of creature or a being higher than man.(24)

By now it should be clear that for the young Hegel, the antique city with its public folk religion represented the ideal form of political community. The Greeks, for him, were the happy people of history for whom private rights and public duties were inseparable one from the other. In contrast to the complexity and divisiveness of modern society, their rather primitive rustic community seemed like the golden age. It was only as an active participant in the

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(23)Nohl, op.cit., p.27.

(24)Aristotle, The Politics, trans. Ernest Barker, Oxford, 1957, pp.6-8.

beautiful public life of the city that the individual found his veritable raison d'être. Hence the only problem was one of a practical nature, that is, how the classical Volksgeist could be resurrected in the modern world. It was to find an answer to this practical problem that Hegel turned to the writings of Kant, Fichte and Schiller.

During his student years Hegel was highly critical of Kant as representative of the arid rationalism of the Aufklärung. The harsh precepts of Kant's moral imperative seemed to him to disregard the needs of feeling and imagination. Only later would Hegel take a more serious look at Kant's practical philosophy as set forth in the Critique of Practical Reason and Religion within the Limits of Reason Alone, although he had read the latter at Tübingen. Needless to say, since his interests at this time were more with the practical transformation of the world than with philosophical concerns such as logic and epistemology, he steered studiously clear of a systematic confrontation with the Critique of Pure Reason. Still there is an element in the Kantian philosophy of which Hegel did approve and this is the thesis that all social and political problems are ultimately problems of morality and religion. This is a notion which he could conscientiously square with his classicist proclitivities as for the Greeks, too, politics was understood as the doctrine of the good and just life. Its subject matter is the just and the excellent and is therefore a continuation of ethics. Thus Hegel began to see the Kantian conception of moral freedom based as it is upon the principle of individual self-determination as the best means of recreating the ethos of the ancient republic.

It should be mentioned, however, that there is a crucial ambivalence in Kant's writings on precisely this matter. In his formal philosophy Kant writes as though morality has nothing at all to do with politics and that the free will of the moral man is completely severed from the practical world. In his Fundamental Principles of the Metaphysics of Morals he constructs an ideal "kingdom of ends" where each man respects the rights of others, but denies that this can serve as a model for the reform of political society where men necessarily infrings upon each others rights.(25) Rather than acting from the disinterested principles of the categorical imperative, men in society are governed by their passions and lustful appetites. By thus separating politics from morality Kant, unlike Rousseau, despairs the possibility of ever realizing a truly ethical republic.

Still Kant was too wedded to the buoyant optimism of his age to despair altogether. In his political writings, which, it might be argued, play only a peripheral role in his system as a whole, he shows himself far more amenable to the proposition that man in society can be swayed by moral considerations. In the Idea for a Universal History with a Cosmopolitan Purpose he argues that man has been furnished with an "unsocial sociability" by which he is progressively driven towards freedom. While in this work he claims that man is a being "in need of a master" thereby justifying monarchical rule, he is still attempting to draw some sort of connection, however loose, between moral and political man.(26) Despite his sympathy for the

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(25)Immanuel Kant, Werke in sechs Bänden, ed. Wilhelm Weischedel, Frankfurt a/M, 1956-64, IV, pp.11-102.

(26)Ibid., VI, pp.31-50.

French revolutionary experience, Kant always remained extremely wary of mass movements initiated from below. For him, all revolutionary movements are, in the last instance, unjustifiable and he maintained to the end of his life that valid political reforms must be predicated upon "a true reform in the ways of thinking".(27) Only when man becomes sufficiently educated will he cease to be dominated by his instincts and become a genuinely moral being. Thus does Kant resolve, or attempt to resolve, the problem of the relation between morals and politics.

It was this suggestion that the political world is ultimately susceptible to moral theorizing that first attracted Hegel to Kantianism. Another reason could possibly be the impact of the French Revolution upon German life.(28) For Hegel and all the young philosophical idealists, the revolution had carried out in practice what Kant had vindicated in theory, the right of thought and reason to structure reality. Hegel first equates Kantianism with the political acquisitions of the revolution in a programmatic letter to Schelling: "From the Kantian system and its ultimate conclusion, I expect a revolution in Germany - a revolution which will take its point of departure from already existing principles and which only needs to be generally applied to all previously existing knowledge."(29) Hegel goes on to state categorically that it is the duty of philosophy to liberate enslaved humanity from the chains of despotism:

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(27)Ibid., VI, pp.51-61.

(28)The best study on this subject is Jacques Droz, L'Allemagne et la Révolution Francaise, Paris, 1949.

(29)Letter from Hegel to Schelling, 16 April 1795 in G.W.F. Hegel, Briefe von und an Hegel, ed. J. Hoffmeister, 3 vols., Hamburg, 1952-54, I, p.23; henceforth cited as Briefe.

> I believe that there is no better sign of the times than the fact that humanity is being represented as worthy of dignity and estèem in itself; it is a proof that the halo which surrounded the heads of oppressors and gods of the earth has disappeared. The philosophers demonstrate this dignity, the people will learn to feel it; and they will no longer be content to demand their rights which have been reduced to dust, but will seize them, appropriate them. Religion and politics go hand in glove. The first has taught what despotism has wanted to teach; contempt for humanity, its inability to realize anything good, to be something by its own efforts. Thanks to the propagation of ideas which demonstrate how things ought to be, the indolence of those who confer eternity on everything that exists is disappearing. The vitalizing power of ideas - even if they do always carry a limitation such as country, constitution, etc. - will elevate the spirits and they will learn to devour these ideas. (30)

What is contained in this letter is a not uncommon assumption that philosophy is somehow in advance of political reality and that political revolution will be possible only when a prior revolution in the realm of ideas has taken place. Indeed the revolutionary ardour of these words provides a striking contrast to Hegel's later assertion about the ex post facto nature of thought and his strictures against those who would enlist ideas for the purpose of changing the world.

Hegel's early radicalism, as expressed in the above letter, was no doubt influenced to some degree by his association with Schelling. A word about this association is therefore in order. Hegel and Schelling had been fellow students at Tübingen where both had indulged their enthusiasm for the French Revolution. It is well known that along with Hölderlin they planted liberty trees and it was thought that Schelling even translated the "Marseillaise" into German. But Schelling had early abandoned his theological studies for philosophy.

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(30)Ibid., I, p.24.

His first published philosophical work entitled On the Ego[31] was intended to continue the work inaugurated by Kant and Fichte. In this book Schelling attempts to demonstrate that the true point of departure for critical as opposed to dogmatic philosophy is not substance or the objective world but the ego or absolute. What Schelling means by the ego is not the self of empirical psychology but what Kant had called "the synthetic unity of apperception" which is the self abstracted from all external objects met with in experience. The condition of hermetic isolation produced by what he would later call an act of "intellectual intuition" is the only state in which man is truly free: "The alpha and omega of philosophy," he says, "is freedom".[32] Only through this act of intuition is the ego able to destroy all the conditions which limit and condition the world around it. In this way the ego accomplishes the "destruction" of the world. This extreme statement of philosophical subjectivism bears the unmistakable imprint of Fichte's Wissenschaftslehre a work in which he attempts a philosophical deduction of reality from an initial act of the ego positing itself which he calls the Grundsatz. This, as we shall see in the next chapter, constitutes a very different position from Schelling's later philosophy in which he abandons Fichtean subjectivism in favour of a form of objective idealism with its Spinozist implications.

Hegel was initially very sceptical about Schelling's philosophical speculations. Since Hegel's early views were dominated by their

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(31)F.W.J. Schelling, Werke, ed. Manfred Schröter, 14 vols., Munich, 1927, I, pp.73-168.

(32)Letter from Schelling to Hegel 4 February 1795, Briefe, op.cit., I, p.22; cf. also Schelling, op.cit., I, p.101: "Der Anfang und das Ende aller Philosophie ist - Freiheit!".

practical bent, it is not surprising that he found his friend's achievements far too esoteric for his tastes. While refraining from condemning him explicitly, he does say that a philosophy of the ego is unlikely to take root in the popular consciousness. The problem with Schelling's views, as Hegel sees it, is that freedom is never actualized in the world of practical activity and experience. While man may attempt to structure the world in accordance with his intrinsic freedom, the world always remains a "realm of necessity" governed by stubborn and recalcitrant causal laws. Hence the material world, the non-ego, can never correspond to the freedom inherent within the thinking ego. The only answer, according to Schelling, is then, a mystical withdrawal from the world into a vacuum of pure contemplation. Since for Hegel, freedom is always a practical political concern, Schelling's philosophy seemed to him to be advocating an elitist aristocratic attitude toward human affairs. It should be said that Schelling is not completely unaware of this problem and in both his Philosophical Letters on Dogmatism and Criticism(33) and his New Deduction of Natural Right(34) he sets out to rectify it. While he does not repudiate his earlier views on freedom, he maintains that the philosopher must dedicate himself to making others aware of their freedom as well. Rather than withdrawing from the world, the philosopher has a moral responsibility to his fellows. In this manner does Schelling try to give his philosophy a practical function in the world.

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(33)Schelling, op.cit., I, pp.205-65.

(34)Ibid., I, pp.169-204.

The one thing that is painfully evident to the philosopher is that freedom is totally lacking in the sphere of state and society. Here is how Schelling expresses this in his "Earliest System-Programme of German Idealism":

> From nature I come to the work of man. The idea of mankind being premised, I shall prove that it gives us no idea of the state, since the state is a mechanical thing, any more than it gives us the idea of a machine. Only something that is an objective of freedom is an idea. So we must go even beyond the state! - for every state treats free men as cogs in a machine; and this it ought not to do; so it must stop. (35)

From here, he says, it is necessary to outline the principles for a history of mankind in which "the whole wretched human work" of state, government, constitution and the legal system will be laid bare. From this will follow the rooting up of all ignorance and superstition as well as the extripation of the clergy. Only then will the achievement of absolute freedom be possible in which "all spirits who bear the intellectual world in themselves and cannot seek either God or immortality outside themselves".

It is generally conceded that the "System-Programme" is a work of Schelling's which was later copied down in full by Hegel which would seem to imply that it at least represents a project of which he approved.(36) It was during these early years as radical critics of

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(35)Dokumente, op.cit., pp.219-20.

(36)While it has generally been agreed that this fragment was originally written by Schelling and then sent to Hegel which he then copied down in his own hand, this has been recently challenged by critics who argue that it was an original piece by Hegel; see in particular H.S. Harris, Hegel's Development Toward the Sunslight, Oxford, 1972, pp.249-57 and Otto Pöggeler, "Hegel der Verfasser des ältesten Systemprogramms des deutschen Idealismus" in Hegel-Studien, IV, 1969, pp.17-32. Herbert Marcuse in his Reason and Revolution: Hegel and the Rise of Social Theory, London, 1954, pp.11-12 also seems to argue that the "Systemprogram" was an original piece of work by Hegel, although he provides no real argument for his case.

existing society that Schelling and Hegel found themselves allied. But it is not difficult to see within this sketch a latent, as yet unstated difference between them which would later become manifest. What Schelling really wants is a transcendental freedom beyond the state which entails the complete annihilation of the finite, temporal world. What Hegel wants, however, is merely the destruction of one particular kind of state, the state which treats men as "cogs in a machine". For Hegel, the state is a condition of, not a limitation to, human freedom and this freedom is only possible within the confines of the terrestrial world. Hence while Schelling desires a liberation from the state, Hegel desires a regeneration of state and society along the lines of the ancient world.

Another of the most marked influences on Hegel during these early years was Schiller's Letters on the Aesthetic Education of Man which Hegel immediately hailed a "masterpiece". In these letters Schiller, like Hegel, sets out to contrast the harmony and cohesion of the ancient Greek world to the fragmentation and division of modern society. He lays particular blame on the intensification of the division of labour as a source of this fragmentation. Through the specialization of functions, man's faculties have become enervated and ossified until he is now only a partial, abstract caricature of what he once was. In the crucial sixth letter Schiller calls for a restoration of the whole, concrete man: "It must be in our power", he proclaims, "to re-establish in our nature the totality that the artifice of civilization has destroyed, to restore it by a superior art".(37) But despite their common belief that the Greek experience provides the only

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(37)J.C.F. Schiller, Werke (Nationalausgabe), ed. L. Blumenthal and B. von Weise, Weimar, 1962, XX, p.328.

valid norm for society, Schiller and Hegel differ fundamentally over how the totality of life can be restored. For Schiller, this restoration is only possible through a lengthy "aesthetic education" in which man's play instinct (Spieltrieb) is liberated and he would be free to develop all his faculties. For Schiller, as for Kant and Fichte, the realm of politics can at best provide only a setting for man's moral and artistic development. Hegel, on the other hand, admires not so much the artistic life of the Greeks, but their fully integrated republican community. Art, for him, is merely the expression of this unfragmented social and political state. Hence his emphasis is upon political activity rather than play. There is also another significant difference between them. There is a profoundly pessimistic note that runs throughout Schiller's Aesthetic Letters. According to him, the Greek world remains an ideal which is irretrievably lost: "The phenomenon of Grecian humanity was undoubtedly a maximum which could be neither maintained nor surpassed".(38) There is, on the contrary, a keen optimism in Hegel's early writings that with the advent of the Kantian and the French revolutions the rebirth of classical wholeness and humanism is imminent in the near future.

As a student Hegel had apparently been content simply to juxtapose what he called an objective religion to a subjective religion, the religion of a people to the private Christian religion. By now there can be no doubt that his sympathies were with the subjective folk religion of the ancients. This religion was happily expressed through the harmonious relationship between the individual and the community, man's active participation in public political life.

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(38)Ibid., p.326.

It was only with the birth of Christianity that there occurred a bifurcation between the earthly and the heavenly cities and this bifurcation gave rise to what Hegel in the Phenomenology of Mind would call the "unhappy consciousness". It was only after leaving Tübingen for Berne where he was tutor to the wealthy von Steiger family that Hegel addressed himself to the historical question of how this unhappy consciousness arose from the decline of the ancient world. In fact it was from this Berne period (1793-96) that Hegel first attempts an historical explanation of man's contemporary malaise.(39)

II

Hegel's major work of the Berne period is a lengthy essay entitled "On the Positivity of the Christian Religion".(40) As in the earlier Tübingen essay Hegel is here not concerned with religion per se, but with the social implications of religious experience and in particular the relation between religion and politics. But while the basic conceptual problematic has remained the same, he spells out in far more detail and with a wealth of examples how positive Christian religion has historically served as a pillar to despotism and oppression. It does not follow from this, however, as Georg Lukács has argued, that Hegel's theological period can be dismissed as a

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(39)This is what Oakeshott calls the "practical attitude" to the past in Rationalism in Politics, op.cit., pp.153-55 esp.

(40)Nohl, op.cit., pp.152-239; this essay has been translated by T.M. Knox in Hegel, Early Theological Writings, Chicago, 1948, pp.67-167, but as Knox includes the pagination from the Nohl edition and as he excludes a great deal of the material contained within Nohl, I shall continue to cite the latter.

"reactionary legend created and fostered by the apologists of imperialism".(41) Even while Hegel is vituperative in his attack upon Christianity, he is still searching for something akin to the non-positive, subjective folk religions of classical antiquity which can unite men in freedom and dignity. Indeed such a religion is a necessary prerequisite for any harmonious, non-divisive form of political society.

Before undertaking an analysis of this essay, we must first examine in some detail exactly what Hegel means by a "positive" religion. What Hegel here calls a positive religion is very similar to what he had earlier called an objective religion. It is religion laid down in the form of laws and statutes which the individual is constrained to obey:

> A positive faith is a system of religious propositions which are true for us because they have been presented to us by an authority which we cannot flout. In the first instance the concept implies a system of religious propositions or truths which must be held to be truths independently of our own opinions, and even if no man has ever perceived them or even if no man has ever considered them to be truths, nevertheless remain truths. The truths are often said to be objective truths and what is required of them is that they should now become subjective truths, truths for us. (42)

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(41)Georg Lukács, Der Junge Hegel: Über die Beziehungen von Dialektik und Ökonomie, 2 vols., Frankfurt a/M, 1973, I, p.56. Lukács' attitude towards Hegel's religious views is extremely ambivalent. While he rejects his so-called theological period as a "reactionary legend" he also remarks that it is characteristic of philosophical idealism to vastly over emphasize the role of religion in human affairs. And elsewhere he remarks that unlike Kant who suffered certain "materialist deviations" (Lenin), Hegel throughout his life remained consistently an idealist. The result, to borrow a rather crude phrase from Marx of which Lukács is fond, is a "manure of contradictions". For another interpretation of Hegel's early period see Walter Kaufmann, "Hegel's Early Antitheological Phase" in Philosophical Review, LXIII, 1954, pp.3-18.

(42)Nohl, op.cit., p.233.

This sort of religion is, then, authoritarian and despotic in that it commands absolute obedience from which there is no court of appeal. It is a religion of unfreedom which completely negates the individual's moral autonomy.

In contrast to the positive Christian religion, Hegel holds forth a moral religion based upon the supremacy of man's practical reason (praktische Vernunft). In both the essay on positivity and somewhat earlier in his brief "Life of Jesus" Hegel assumes that this religion takes as granted only the existence of God, the freedom of the will and the immortality of the soul. Any attempts to complicate these basic tenets must be viewed as an aberration from genuine religious sentiment. As against a positive religion which maintains that man's duties stem from divine commandments, this religion maintains that duty is the law of man's own reason and that he need have no other motive for obeying it than the love of reason alone. Hegel now began to see reason as that aspect of man which partakes in the divine: "Pure reason which is above any limitation or restriction is the diety itself".(43) And later he remarks: "That faculty which man can call his own, elevated above death and decay... announces itself as reason. Its law making depends on nothing else, nor can it take its standards from any other authority on earth or in heaven".(44) Only a moral religion based upon simple truths gleaned in the light of reason alone is able to remove the transcendental element which Hegel sees as detrimental not only to true religiosity, but to social and political harmony as well. This non-positive natural religion of man's practical reason can be seen as a reinterpretation of the Greek folk religion in which God is

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(43)Ibid., p.75.

(44)Ibid., p.89.

perceived not as a transcendent entity, but as embodied in the democratic collectivity of the polis.

It was, according to Hegel, with the destruction of the antique city and the subsequent rise of Christendom that religion became positivized and freedom vanished from the earth. In fact the predominance of positivity which has successfully pervaded every aspect of social and political life remains in his view a central motif in contemporary times. It is only because men are unfree that they fall back upon belief and superstition thus abdicating the free use of their critical rationality:

> Recourse must be had, therefore, to a higher faculty before which reason must fall silent. Faith is erected into a duty and removed into a supernatural world to which the understanding has no access - and in this context faith means a configuration of events presented to the imagination while the understanding constantly searches for a different explanation. And what prevents the understanding from entering this world is duty, i.e. fear of a mighty ruler which compels the understanding to collude in activities abhorrent to it. (45)

Christianity, therefore, divests men of their reason in order that they can more easily accept a doctrine based upon miracles and other obvious absurdities. By thus opening the flood gates of superstition Christianity creates a slavish demeanour incompatible with a free people.

What Hegel means by "positivity" is, therefore, a renunciation of man's "inalienable right" to moral self-determination. For the positive Christian religion, the moral law is not something derived from the autonomy of the subject, but is rather external to him, something "given" as such. Hegel's critique of positive Christianity

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(45) Ibid., p.236.

is aimed at freeing man from ecclesiastical domination and returning to him the right to act and think for himself, to let reason follow its own course and pursue its own laws. Through increased awareness of their moral reason, men could dispense with Christianity and recover their freedom lost under the hegemony of positivity. This freedom which Hegel believed was imminent in his own time could not be actualized, as Schelling had imagined through the ego's act of intellectual intuition, but only through the practical activity of a citizen in a republic. Hegel's answer to the persistent problem of positivity is, then, the creation of a republican community, supported by a moral religion of man's own reason which teaches not some other-worldly mysticism, but a broad social ethic designed to foster a sense of political virtue.

The bulk of "On the Positivity of the Christian Religion" is given over to an analysis of how Christianity, which emerged as a non-political sect from a subject people, the Jews, conquered the pagan civil religion which for centuries had been intimately bound to the political constitution. Hegel rejects as too facile the usual explanation that Christianity triumphed over paganism because of its rational superiority. To counter this view he remarks rather caustically that the pagans too had intellects and that "in everything great, beautiful, noble, and free they are so far our superiors that we can hardly make them our examples but must look up to them as a different species at whose achievements we can only marvel".(46) In any case it is hardly likely that the subjective, imaginative religions of the ancients could have been supplanted by the cold,

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(46)Ibid., p.221

syllogistic, metaphysical reasoning of positive Christianity.

If the rise of Christianity cannot, therefore, be explained on purely intellectual terms, it can be explained by certain social and political factors: "Great revolutions which strike the eye at a glance must have been preceded by a still and secret revolution in the spirit of the age, a revolution not visible to every eye, especially imperceptible to contemporaries, and as hard to discern as to describe in words".(47) This secret revolution consists in the historical transition from the ancient to the modern world. What emerges time and again is Hegel's obvious idealization of the ancient democracies and the contrast they present to the fragmented and divided political culture of contemporary times. It is clear that the thought of the French Revolution and its promise to revive the ethos of antique republicanism is never far from Hegel's mind.

The civil religion of Greek and Roman antiquity was dependent upon the harmonious political culture of the city, it could not survive apart from the social life of the people. In the eyes of the citizen, the republic was the highest form of reality before which his own individuality seemed insignificant. Here is how Hegel describes the antique republic:

> As free men the Greeks and Romans obeyed laws laid down by themselves, obeyed men whom they had themselves appointed to office, waged wars on which they had themselves decided, gave their property, exhausted their passions, and sacrificed their lives by thousands for an end which was their own. They neither learned nor taught (a moral system) but evinced by their actions the moral maxims which they could call their very own. In public as in private and domestic life, every individual was a free man, one who lived by his own laws. The idea of his country or of his state was the invisible and higher reality for which he strove, which impelled him to effort; it was the final end of his world or in his eyes the final end of the world, an end which he found manifested in the realities of his daily life or

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(47)Ibid., p.220.

> which he himself co-operated in manifesting and maintaining. Confronted by this idea, his own individuality vanished; it was only this idea's maintenance, life, and persistence that he asked for, and these were things which he himself could make realities. It could never or hardly ever have struck him to ask or beg for persistence or eternal life for his own individuality. Only in moments of inactivity or lethargy could he feel the growing strength of a purely self-regarding wish. Cato turned to Plato's Phaedo only when his world, his republic, hitherto the highest order of things in his eyes, had been destroyed; at that point only did he take flight to a higher order still. (48)

One central feature which contributed to the harmony and cohesion of the ancient republic was, according to Hegel, the basic equality of wealth and the absence of a socially divisive class system. It will be recalled that as early as his school essay on the ancient poets the young Hegel held the existence of classes as a basis for criticizing modern society. He returns to this question again in one of his so-called "historical studies" written at approximately the same time as the essay on positivity. Here Hegel makes the perceptive observation that in the modern state security of property is the axis around which all legislation revolves and to which all the rights of the citizen pertain.(49) This is quite different from the free republic of antiquity in which the state frequently found it necessary to encroach upon the right of property. In Athens, for example, affluent citizens were usually stripped of their wealth by assigning them to public offices which would require great expenses. If, however, such a citizen should find another wealthier than himself and the latter claimed to be poorer, he could propose an exchange of possessions which could not be refused. Hegel argues that history

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(48)Ibid., pp.221-22.

(49)Dokumente, op.cit., p.268.

proves in the cases of Periclean Athens, the period of the Gracchi in Rome and Florence in the days of the Medici how the vast accumulation of wealth in the hands of a few inevitably leads to the destruction of political freedom.

Thus Hegel stands for the greatest equality of wealth possible as a means of maximizing political freedom. This freedom is the fruit of putting the common interest before one's private interest and not the fruit of enjoying the use of a freely disposable property. He makes it quite clear that his position is similar to that of the radical phase of the French Revolution: "Perhaps the system of Sansculottism", he says, "has been done a grave injustice by those who see rapacity as the sole motive underlying their wish for a greater equality of wealth".(50)

It nevertheless remains to be seen how this classical democracy fell into decline. Hegel elaborates an ingenious historical explanation no doubt borrowed from the "pragmatic" historians of the Enlightenment, Gibbon and Montesquieu. Despite the strictures against inequality, successful campaigns abroad brought about the increase in wealth and luxuries and the rise of a wealthy and indolent aristrocratic class. The free republic which was based upon a very ascetic and severe way of life could not sustain these changes and the spirit of virtue slowly lost its vigour. When the aristocracy usurped political power and established a dictatorship maintained through force of arms, there occurred the extinction of all freedom and liberties. Here again it will be necessary to quote Hegel at length as a paraphrase does less than justice to his portrayal of this phenomenon:

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(50)Ibid., p.269.

> The picture of the state as a product of his own energies disappeared from the citizen's soul. The care and oversight of the whole rested on the soul of one man or a few. Each individual had his own allotted place, a place more or less restricted and different from his neighbor's. The administration of the state machine was intrusted to a small number of citizens and these served only as single cogs deriving their worth solely from their connection with others. Each man's allotted part in the congeries which formed the whole was so inconsiderable in relation to the whole that the individual did not need to realize this relation or to keep it in view. Usefulness to the state was the great end which the state set before its subjects, and the end they set before themselves in their political life was gain, self-maintenance, and perhaps vanity. All activity and every purpose now had a bearing on something individual; activity was no longer for the sake of the whole or an ideal. Either everyone worked for himself or else he was compelled to work for some other individual. Freedom to obey self-given laws, to follow self-chosen leaders in peacetime and self-chosen generals in war, to carry out plans in whose formulation one had had one's share - all this vanished. All political freedom vanished also; the citizen's right gave him only a right to the security of that property which now filled his entire world. Death, the phenomenon which demolished the whole structure of his purposes and the activity of his entire life, must have become something terrifying, since nothing survived him. But the republican's whole soul was in the republic; the republic survived him, and there hovered before his mind the thought of its immortality. (51)

For Hegel, an important reason for the collapse of the ancient world was the increasing concern with private property. The immediate consequence of this was that the citizen no longer worked for the good of his country, but for his own personal aggrandizement. Since all activity was related to the individual, the right of property came to take precedence over political participation. And in order to compensate for this loss of identity with the community, legal guarantees were established against it. It was the introduction

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(51) Nohl., op. cit., p.233.

of Roman law that severed the relationship between the citizen and the commonwealth which formerly had been the mark of freedom. This law reduced each individual to his solitary atomistic self unrelated to his fellows except as a property owner.(52) Needless to say, this law which was formalized and codified had little in common with the old law which was based upon custom and habit and was nowhere written in words, but was imminent in the minds of those subject to it.

This was the first appearance in history of the split between man's private life and public life, a split which would later be manifested as the unhappy consciousness which Hegel views as the source of the contemporary political malaise. It was not Hegel, however, but Rousseau who first drew attention to this split in modern life. He set out the problem as the difference between l'homme privé and the citoyen. The first is an exclusively private individual with a will and conscience uniquely his own, the second is a member of a political society which necessarily limits his will and violates his conscience. Man in modern society is thus forced to lead a dual existence floating, as Rousseau says in Émile, between his penchants and his devoirs. His solution to this dilemma is advanced in the Social Contract where each individual agrees to surrender his rights and property to the community and through this act of association there is formed "un corps moral et collectif" in which each individual will desire only what is generally willed.(53)

It is not possible to say with absolute certainty that this was also Hegel's solution to the problem. It is true that, like Rousseau,

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(52)cf. Hegel's analysis of the "abstract legal personality" in Phänomenologie, op.cit., pp.342-46; Phenomenology, op.cit.,pp.501-06.

(53)Rousseau, op.cit., II, p.33.

Hegel desires a form of political association which could recapture the spontaneous and intuitive harmony of the early Greeks and Romans thereby overcoming the debilitating dualism in modern life between the private sphere and the public sphere, the bourgeois and the citoyen. And like Rousseau's volonté générale, the Hegelian Volksgeist is intended to include the individual within a wider frame of reference than his isolated existence. Still Hegel leaves unresolved whether the social contract has its origins in an actual covenant between all and all or whether it is the consequence of the subjection of the weak by the strong.(54) Meanwhile, however, we shall follow Hegel's account a few steps further.

The reduction of the citizen to a private, property owning individual created in him an inordinate fear of death. While the republican's whole soul has been bound up with the republic in which he survived even after death, nothing survived the property owner who had eschewed all political participation. Hegel uses this changed attitude towards death as a means of contrasting the greatness and nobility of antiquity to the baseness and pettiness of the modern Christian world.(55) The Greeks faced death as a power of nature before which they could do nothing but passively submit. In this way they were able to face it manfully and undaunted and without a bevy of priests and spiritual advisers. The Christian fear of death, on the other hand, was initiated by Jesus who attempted to instil a feeling of guilt and remorse into humanity in penance for his sacrifice.

With this exaggerated fear of death, there arose, not surprisingly, a disinclination for military service which had been one of the pillars

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(54)Nohl, op.cit., pp.191-93.

(55)Ibid., pp.46,59.

of the antique city. In another of his historical fragments Hegel contrasts military service under the Greek republic and under a modern monarchy.(56) Under a monarchy the people are active only for the duration of armed conflict after which it must return to a state of servile obedience. Under a republic, however, the matter is entirely different: "Here the word of command is liberty, the enemy tyranny, the commander-in-chief the constitution, subordination obedience to its representatives". Here the people enter combat enflamed by an enthusiasm for liberty, an enthusiasm which cannot

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(56)Quoted from Karl-Rosenkranz, Georg Wilhelm Fredrick Hegels Leben, Berlin, 1844, photo reprint Darmstadt, 1963, p.532. The actual authorship of this piece is somewhat in doubt as, it has been pointed out, it is written in French, a language which Hegel neither previously nor subsequently used to express his ideas. Of course even if Hegel was not the author of this extract, the question would still remain as to why he chose to write it down. In order to give the reader a more accurate picture of what is at issue, I shall here quote the entirety of the original French text:

> Dans la monarchie le peuple ne fut une puissance active, que pour le moment du combat. Comme une armée soldée il devoit garder les rangs non seulement dans le feu du combat même, mais aussitôt après la victoire rentrer dans une parfaite obéissance. Notre expérience est accoutumée, de voir une masse d'hommes armés entrer, au mot d'ordre, dans une furie réglée du carnage et dans les loteries de mort et de vie, et sur un même mot rentrer dans le calme. On le demanda la même chose d'un peuple, qui s'est armé lui-même. Le mot d'ordre étoit la liberté, l'ennemi la tyrannie, le commandement en chef une constitution, la subordination l'obéissance envers ses réprésantants. Mais il y a bien de la différence entre la passivité de la subordination militaire et la fogue d'une insurrection; entre l'obéissance à l'ordre d'un général et la flamme de l'enthousiasme que la liberté fond par toutes les veines d'un être vivant. C'est cette flamme sacrée, qui tendoit tous les nerfs, c'est pour elle, pour jourir d'elle, qu'ils s'étoient tendus. Ces efforts sont les jouissances de la liberté et vous voulez, qu'elle renonce à elles; ces occupations, cette activité pour la chose publique, cet interet est l'agent, et vous voulez que le peuple s'élance encore à l'inaction à l'ennui?

simply be extinguished when victory has been attained. It is their constant readiness to defend freedom which characterizes a free people.

Under these changed conditions, the old civil religion no longer made sense. But even while despotism had transformed the classical citizen into a mere private person, it could not destroy his need for an absolute which transcends the insignificance of his own individuality. It was only here that Christianity with its promise of freedom and equality in the hereafter was able to make any impact. While the citizen had found his absolute through political participation in his city, Christianity served as a suitable ideology for men who had despaired of finding happiness in their earthly existence:

> Thus the despotism of the Roman emperors had chased the human spirit from the earth and spread a misery which compelled men to seek and expect happiness in heaven; robbed of freedom, their spirit, their external and absolute element, was forced to take flight to the diety. The objectivity of God is a counterpart to the corruption and slavery of man, and it is strictly only a revelation, only a manifestation of the spirit of the age....The spirit of the age was revealed in its objective conception of God when he was no longer regarded as like ourselves, though infinitely greater, but was put into another world in whose confines we had no part, to which we contributed nothing by our activity, but into which, at best, we could beg or conjure our way. It was revealed again when man himself became a non-ego and his God another non-ego.... In a period like this, God must have ceased altogether to be something subjective and have entirely become an object, and the perversion of the maxims of morality is then easily and logically justified in theory. (57)

Unlike the pagan civil religion which was based upon man's practical reason, the free self-determination of the individual, Christianity is based upon this innate moral corruption of mankind. And this is obviously a convenient doctrine for despots who find it advantageous

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(57)Nohl, op.cit., pp.227-28.

to turn their subject's attention from their actual condition in the here and now to salvation to be found in heaven alone.

Hegel's conclusion is, then, that the major factor contributing to the rise of Christianity was the decline of the old democratic freedom and the non-positive, subjective civil religion which sustained it, through the emergence of economic and political inequalities. This was brought about by the Roman Empire's expansionist policies which completely levelled other foreign nations and their national religions. Such a situation in which there was no longer an immediate identity between the individual and the community provided fertile soil for a purely private religion like Christianity. Thus Christianity arose to meet certain social needs brought about by the bifurcation in the Roman experience between public and private life.

What now needs to be clarified is how Christianity which began as a purely private religion was able to insinuate itself throughout the whole of political life and thus become "positive" in the sense already described. To some extent, Hegel distinguishes between the teachings of Jesus and how these teachings later became perverted into a positive doctrine. Jesus is seen as a great moral leader whose task it was "to raise religion and virtue to morality and to restore to morality the freedom which is its essence".(58) This humanistic, non-authoritarian religion appeals not so much to dogma or some transcendent entity, but to the reasonableness of man. It is precisely this sort of natural religion which Hegel sees as central to the harmonious moral life of the community.

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(58)Ibid., p.154.

In one important respect, however, the positivizing of Christianity was, according to Hegel, the fault of Jesus himself. In order to widen his appeal, Jesus was forced to stress the divinity of his own person and to speak of himself as the sole repository of divine legislation. The legalistic faith of his Jewish audience which was accustomed to conceiving all laws as revealed would have no means of grasping a purely rational religion: "To propose", he says, "to appeal to reason alone would have meant the same thing as preaching to fish, because the Jews had no means of apprehending a religion of that kind".(59) Hence the original intentions of Christ were subverted by the debased circumstances in which they arose.

Another feature responsible for turning Christianity into a positive religion was Jesus' attitude toward his disciples. In contrasing the narrow sectarianism of Jesus with the universal humanism of Socrates, Hegel notes how the former rigidly fixed his number of disciples at twelve while for the latter any friend of virtue was welcome. In accordance with the private nature of Christianity, Jesus sought to divorce his small band of disciples from the ongoing life of society in order to make them completely private individuals. Socrates, on the other hand, taught men how to be good citizens by developing their own unique skills and capabilities each quite different from the others. In this way they were enabled to enrich the life of the community: "Each one of his students was himself a master: many founded schools of their own; several were great generals, statesmen, heroes of all kinds.... Besides, whoever was a fisherman, remained a fisherman; nobody was to

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(59)Ibid., p.159.

leave his home; with each he started with his handicraft and thus led him from the hand to the spirit".(60) Of course Hegel's interest in this matter is not merely antiquarian. It is to expose the malignant effects of Christian doctrine in contrast to the beautiful Greek way of life and to uphold the latter as a norm for the political reform of modern society.

The disciples, too, must bear some of the responsibility in positivizing Christianity. In order to win converts they emphasized the more fantastic and miraculous aspects of Christ's teachings thus pandering to ignorance and popular superstition. This was obviously easier than propagating Jesus' moral vision of the world. Consequently Jesus came to be revered not because of his virtue, but his virtue because of him.(61) What was once a humane religion based upon the individual's practical reason thus became transcendentally sanctioned and commanded in a positive sense. But it was only when the moral precepts of Jesus, suited only for the edification of private individuals, were extended to society at large, that Christianity truly adopted a positive character. While such precepts are admissable in a small sect or community where everyone has the right to be or not to be a member, when extended to a large state they become incompatible with freedom and serve only to enslave man.(62)

In a series of brilliant images Hegel shows how the transition of Christianity from a voluntary sect to a state religion was intrinsically bound up with the emergence of inequality of wealth. For the early Christians, for example, the surrender of all private

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(60)Ibid., p.33; see also pp.163-64.

(61)Ibid., pp.164-66.

(62)Ibid., p.44.

property was a strict condition for admission into the group. But Hegel notes that if this principle of communal property had been rigorously applied it would scarcely have aided the cause of Christianity in a world where the enjoyment of property had become the highest good. Consequently whether from necessity or from prudential considerations, this principle was abandoned at an early date. In its place voluntary offerings to the common purse were accepted as a means of buying one's way into heaven. Contributions to the priesthood were also encouraged with the result that the priests, careful not to squander their acquisitions, used them to enrich themselves and reduce the laity to penury. Thus the priesthood was able to set itself up as a class apart from the rest of humanity. As monopolists of religious truth, all moral legislation was handed over to this priestly authority and the criterion for right actions became enmeshed in a "systematic web" outside the grasp of the common layman.

In a similar fashion the principle of equality came to be positivized. For the primitive church, equality was the principle whereby the slave is the brother of his owner. Since this theory could not be accommodated by the political society into which Christianity was a product, it was suitably amended: "This theory, to be sure, had been retained in all its comprehensiveness, but with the clever addition that it is in the eyes of heaven that all men are equal in this sense. For this reason, it receives no further notice in the earthly life".(63) Even while inequality was repudiated in theory it was retained in practice. As a result, many Christian ceremonies such as Holy Communion where the equality and fraternity

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(63)Ibid., p.168.

of the disciples plays a major role became nothing more than empty formalities practiced by pious hypocrites.

Hegel's vitriolic attack upon Christianity is not merely confined to the period of Rome in decline, but is intended to cover the whole of European history, and what he particularly despises is Christianity's ability to accommodate itself to every form of political regime:

> It was the religion of the Italian states in the finest period of their licentious freedom in the Middle Ages; of the grave and free Swiss republics; of the more or less moderate monarchies of modern Europe; alike of the most heavily oppressed serfs and their overlords: both attended one church. Headed by the Cross, the Spaniards murdered whole generations in America; over the conquest of India the English sang Christian thanksgivings. Christianity was the mother of the finest blossoms of the plastic arts; it gave rise to the tall edifice of the sciences. Yet in its honour too all fine art was banned, and the development of the sciences was reckoned an impiety. In all climates the tree of the Cross has grown, taken root, and fructified. Every joy in life has been linked with this faith, while the most miserable gloom has found in it its nourishment and its justification. (64)

In this manner no aspect of life has escaped the influence of positive Christianity which has everywhere served as a pillar of despotism and oppression.

In the final analysis what Hegel dislikes about the Christian religion is the purely passive attitude it adopts to any debased situation in which it finds itself. For the ancient Greeks as well as for the Kantian moralist, what is of moment is the free will, man's power of practical reason. Both the pagan civil religion and the pagan republic were produced by the voluntary will of the citizen. Christianity, however, replaced this active side of human nature with

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(64)Ibid., p.140.

a purely passive desire.(65) For the Christian, neither his god nor his community is in any way an emanation of his will. Both appear implacably given, something which confronts him in an alien and positive manner. Thus Christianity breaks man's will to lead an active, creative life as a citizen of a free state.

Hegel concludes "On the Positivity of the Christian Religion" with a practical solution to the impasse posed by positive Christianity. His solution is to develop a new non-positive, non-objective civil religion as a means of establishing a fully integrated, harmonious political culture in Germany. While such a religion would be based upon the political religion of classical antiquity, it would have to be tailored to meet specifically German needs. Indeed Rosenkranz reports a fragment where Hegel contemplates the supersession of both paganism and Christianity by a new religion which could bring about the moral regeneration of Germany.(66) But this moral regeneration which Hegel hopes for is still a future utopian ideal, as yet it has no concrete existence in the actual world. Only, he believes, through practical political action will this ideal be realized.

In contrast to his utopian ideal, Hegel holds up the present wretchedness and misery of Germany where positivity is the predominant feature of religious and political life. He goes on to blame Christianity for putting an end to the old indigenous national religious imagery and popular culture:

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(65)Ibid., p.224.

(66)Rosenkranz, op.cit., p.141.

> Christianity has emptied Valhalla, felled the sacred groves, extirpated the national imagery as a shameful superstitition, as a devilish poison, and given us instead the imagery of a nation whose climate, laws, culture, and interests are strange to us and whose history has no connection whatever with our own. A David or a Solomon lives in our popular imagination, but our country's heroes slumber in learned history books, and, for the scholars who write them, Alexander or Caesar is as interesting as the story of Charlemagne or Fredrick Barbarossa. Except perhaps for Luther in the eyes of the Protestants, what heroes could we have had, we who were never a nation? Who could be our Theseus, who founded a state and was its legislator? Where are our Harmodius and Aristogiton to whom we could sing scolia as the liberators of our land? (67)

The only event, according to Hegel, which a large part of the nation took any interest, the Lutheran Reformation, has been allowed to lapse in the popular imagination. It has become only a dimly perceived memory and is no longer retained in any living fashion in the practical life of the people.

This absence of any national religious imagery has its counterpart in the absence of any political imagery. Returning to a theme developed in his early essay on the ancient poets, Hegel remarks that the difference in the education of the classes prevents any popular culture from taking root in Germany. Hegel is not blind to the cultural achievements of the educated upper class, but he observes that the delightful jeux d'esprit of Holty, Burger and Musaus are entirely lost on the masses of people who cannot understand the characters and scenes depicted in their works.(68) The overly refined and sophisticated art of the moderns is, however, nothing in comparison to the great art of the Greeks. The plays of Sophocles

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(67)Nohl, op.cit., p.215.

(68)Ibid., p.216.

and Euripides were not written for the amusement of a cozy elite, but were immediately accessible and understood by the entire nation.

In order to bring about the cohesion and harmony of German culture Hegel speaks of the prior necessity for a religion similar to the subjective civil religions of the Greeks and Romans. The absolute unity of politics and religion in ancient Hellas assured the freedom of the community and Hegel sees a future German republic built upon this classical foundation. In this context he criticizes the anti-classical doctrines of certain romantic poets, notably Klopstock, for their attempts to revive the old Teutonic myths and legends as a basis for a revival of a national culture:

> The project of restoring to a nation an imagery once lost was always doomed to failure; and on the whole it was bound to be even less fortunate than Julian's attempt to inculcate the mythology of his forefathers into his contemporaries in its old strength and universality.... The old German imagery has nothing in our day to connect or adapt itself to; it stands as cut off from the whole circle of our ideas, opinions, and beliefs, and is as strange to us as the imagery of Ossian or of India. (69)

It is only, then, the creation of a new national religion based upon the sovereignty of man's practical reason that can bring about the republic of free men who regard one another as "ends in themselves". Such a republic would put an end to the diremptive split encapsulated in the Christian experience between man's public life and private life, the earthly and the heavenly cities, and return to the classical ideal of wholeness, harmony and simplicity.

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(69)Ibid., p.217.

III

During his years in Tübingen and Berne Hegel's thought can be characterized by its strongly practical bent. His researches, for example, into the Greek and Roman religious practices were not motivated by a disinterested love of the past, but with an eye to the transformation of the present. Yet despite his emphasis upon practical political action, Hegel was no revolutionary. It is nonsense to maintain, as Joachim Ritter has done, that Hegel's early writings are in accordance with French Jacobinism.(70) This assertion is based upon an altogether too facile comparison between Hegel's adulation of the pagan civil religion and Robespierre's culte de l'être supreme. It seems entirely to ignore Hegel's explicit strictures against Robespierre and the Jacobins. As he put it in a letter to Schelling: "You will no doubt have heard that Carriere has been guillotined. Do you still read French newspapers? If I remember correctly I have heard that they have been proscribed in Württemberg. This trial is very important as it has uncovered the ignominy of the Robespierrists".(71) And in another letter to Nanette Endel he expresses his disgust at how the revolutionary wars had laid waste to the villages and reduced the churches to their bare walls.(72)

It would, however, be unfortunate if the conservative, if not to say, reactionary tendencies of Hegel's mature political thought

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(70)Joachim Ritter, Hegel und die französische Revolution, Köln and Opladen, 1957; see also Jean Hyppolite "The Significance of the French Revolution in Hegel's Phenomenology" in Studies in Marx and Hegel, trans. John O'Neill, London, 1969, pp.35-69.

(71)Letter from Hegel to Schelling, 24 December 1794, Briefe, op.cit., I, p.12.

(72)Letter from Hegel to Nanette Endel, 25 May 1798, Briefe, op.cit., I, p.58.

are seen as somehow implicit in his early writings.(73) Like many German intellectuals, Hegel was a supporter of the moderate Girondist phase of the Revolution. The Girondists led by such men as Brissot and Condorcet seemed the cultured republicans who favoured an aristocracy of merit and the rule of law. By contrast the xenophobia and fanaticism of a Saint-Just seemed inimical to a well ordered republic. Unlike some of his more radical contemporaries, Hegel did not feel it would be desirable to import revolution to Germany where he hoped that political reform could accomplish the same end. But even while he did not support a German uprising, the reforms he advocated were of a fairly radical variety considering the society in which he lived. This becomes readily apparent in two short political tracts written shortly after his arrival in Frankfurt am Maim where he had gone to join his friend Hölderlin.

The first of these, Hegel's first published work, is an annotated translation of some letters of a Swiss lawyer Jean-Jacques Cart entitled Confidential Letters upon the previous constitutional relation of Wadtland (Pays de Vaud) to the City of Berne.(74) Cart, like Hegel, was a Girondist by temperament and his letters are a defense of French speaking Vaud against its German speaking Bernese overlords. In these letters Cart shows how the rights of the Vaudois had come to be increasingly violated ever since they had fallen under the suzerainty of Berne in the early XVIth century. An abortive uprising had only brought harsher and more repressive measures by the Berne oligarchy. While these letters were originally published in

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(73)This is the consistent flaw of Franz Rosenzweig's Hegel und der Staat, 2 vols., Berlin and Munich, 1920 who persists in enlisting Hegel's support for Bismark's later policies of "blood and iron". At no time, not even in his later years, did Hegel ever support the sort of crude Machtpolitik endorsed by Rosenzweig and the Meineke school.

(74)Dokumente, op.cit., pp.247-57.

Paris in 1793 - the author was subsequently forced to flee to America when the Jacobins assumed power - Hegel's translation did not appear until 1798 by which time Vaud had already been liberated by French troops; and it was not for over a century that the anonymous translator was definitively established as Hegel.(75)

Hegel's purpose in undertaking this translation is to unmask the corruption and abuses of the Bernese government which he conceives as typical of aristocratic misrule. The essence of his critique can already be found in his letter to Schelling cited earlier:

> Every ten years the sovereign council replaces about ninety of its members. Compared to the combinations that go on here, the intrigues of cousins and relatives at princely courts are nothing. It is such that I cannot describe it. The father nominates his son or the husband of his daughter who will bring in the largest dowry and so on. In order to understand an aristocratic constitution it is necessary to spend a winter here before the Easter election. (76)

In launching this attack Hegel was demanding that all existing governments rule in accordance with justice. At the head of his translation he put the phrase "Discite justiciam moniti - Listen and learn justice". Justice is not viewed here in terms of abstract natural law, but as the historically established positive laws of a people, or the "good old law" (gute alte Recht). Of course, as Falkenheim has observed, this defense of ancient rights in the name of justice is far from a radical posture. What he forgets to include, however, is that at this time the defense of ancient rights was the best defense against absolutism and arbitrary rule.

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(75)Hugo Falkenheim, "Eine unbekannte politische Druckschrift Hegels" in Preussische Jahrbücher, CXXXVIII, 1909, pp.193-220.

(76)Letter from Hegel to Schelling, 16 April 1795, Briefe, op.cit., I, p.23.

Most of Hegel's statements are merely intended to elucidate Cart's views, but occasionally his own political position comes through. Hegel agrees with Cart that a low level of taxation cannot serve as a measure of a people's freedom. It is pointed out that nowhere are taxes as high as in England, but England is still a free nation because taxes are freely administered by the people themselves and not arbitrarily imposed by an external authority. To substantiate his claim Hegel, in a marginal note, refers to the American experience: "The tax, which the English Parliament imposed on tea imported into America, was very small; but the belief of the Americans, that by accepting the payment of that sum, however insignificant in itself, their most important right would be lost to them, made the American Revolution."(77) Unlike Cart in this respect Hegel is not an unqualified admirer of the British government, and he shows that due to the iniquitous system of representation which excludes a large sector of the populace from being heard in Parliament, the prestige enjoyed by the British nation has been diminished even amongst its greatest admirers.(78)

Hegel's other political tract, an original piece entitled "On the Recent Domestic Affairs of Württemberg, Especially on the Inadequacy of the Municipal Constitution" was occasioned by the summoning of the Estates Assembly by Duke Fredrick.(79) Originally entitled "That Town Councillors should be Elected by the Citizens" -

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(77)Dokumente, op.cit., p.249.

(78)For a brief summary of Hegel's interest in British politics, especially the parliamentary debates over the Poor Laws see Rosenkranz, op.cit., p.85.

(79)G.W.F. Hegel, Schriften zur Politik und Rechtsphilosophie, ed. G.Lasson, Leipzig, 1923, pp.150-53; henceforth cited as Lasson. Unfortunately only the introduction to this essay is still existent although Rudolf Haym, Hegel und seine Zeit, Berlin, 1857 photo reprint Hildesheim, 1962, p.67 provides a synopsis of the remainder of the missing text.

it is not known exactly why Hegel changed the title - this pamphlet was not published on the advice of a friend who claimed that it would be more of a hindrance than a benefit to the cause of popular reform.(80) The reconvening of the Estates which had not met for over twenty five years bolstered republican sentiments within the duchy and led many, although not Hegel, to demand that it be transformed into a representative parliament elected by popular suffrage. The pro-French republicanism of the Estates was at odds with the Duke's support of the Austrian intervention and as a result they were dissolved, but not before a protracted debate was well under way to which Hegel's pamphlet was a contribution.

Here, too, Hegel's basic theme is that the constitution should be amended to accord with justice. In this context, however, justice does not mean rule in accordance with ancient right. Rather it has the traditional Greek sense of giving each his due. Continuing a line of argument first expressed in his letter to Schelling Hegel sees the present time as one in which the vitalizing power of ideas, such as justice and freedom, has taken hold of the people who now demand their rights. The spirit of the age is no longer characterized by hopelessness and acquiesence. The picture of a freer world, one of unrestricted possibility, has put men at variance with actuality. Thus Hegel calls on his fellow citizens to "give up wobbling between fear and hope, and oscillating between expectancy and deception", and to alter those aspects of the constitution which no longer conform to the norms of justice. Justice must be the sole criterion by which these reforms should be carried out: "The courage

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(80)Letter to Hegel from an anonymous friend, 7 August 1798, Rosenkranz, op.cit., p.91.

to do justice is the one power which can completely, honourably, and peaceably remove the tottering edifice and put something safe in its place".(81) If the needed modifications are not instituted Hegel sees the ever present spectre of revolutionary turmoil, an option which he calls "dishonourable" and "contrary to all sense".

Despite the radical rhetoric of the introduction, Hegel's conclusions are, as Haym observes, extremely timid and hesitant.(82) This is all too evident in his handling of the problem of the franchise. While his sympathies are obviously with the Estates against the absolute power of the Duke, he is nevertheless sceptical about the people's ability to elect its own representatives wisely. In a country ruled for centuries by an hereditary monarch and where the people have been excluded from all political participation, to suddenly grant them the suffrage would be to jeopardize the entire constitution. Hegel concludes his pamphlet with an appeal to each class of civil society to weigh up its rights and privileges judiciously and if it finds itself possessed of certain privileges contrary to the demands of justice to give them up freely and graciously. The problem of the suffrage is left unresolved.

Hegel's political attitude in these two pamphlets coincides for the most part with his earlier thought. What is greatly in evidence is the cautiously optimistic belief that European society in general and Germany in particular is gradually evolving toward freedom. Freedom would be realized in the form of a homogeneous and cohesive republican state based upon a non-transcendent, non-positive civil religion. Following Kant, Hegel exalts the sollen as the starting

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(81)Lasson, op.cit., p.151.

(82)Haym, op.cit., p.67.

point of philosophy, but as we shall see, Hegel's Kantianism as a pendant to his republicanism did not survive the crisis in his thought.(83)

IV

It has been alleged by several commentators that during his Frankfurt period (1797-1800) Hegel suffered a traumatic intellectual crisis. The first evidence of this can be found in a letter from Hölderlin to Hegel in which the former expresses his sadness at his friend's low spirits and cheerfully remarks: "No doubt you'll be yourself again next spring".(84) More important perhaps is his letter to Nanette Endel in which he speaks of his inability to become reconciled with man and society. Here he says that in Berne he sought reconciliation with himself and his fellows through communion with nature, but in Frankfurt he seeks out nature to avoid their company altogether. The relevant passage reads as follows:

> That which continually drives me out of Frankfurt is the memory of those days spent in the country and while there I sought reconciliation with myself and other men in the arms of nature, here I often seek refuge with this faithful mother in order to separate myself from the people with whom I live in peace and finally to protect myself from their influence under her aegis and to prevent making any pact with them. (85)

The primary evidence for a turning point in Hegel's thought is another letter, this one written well after the fact, in which Hegel describes a certain "hypochondria" which he suffered for a couple of years and which he takes to be a common feature in the development

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(83)Franz Gabriel Nauen, Revolution, Idealism and Human Freedom: Schelling, Hölderlin and Hegel and the Crisis of Early German Idealism, The Hague, 1971, p.82.

(84)Letter from Hölderlin to Hegel, 20 November 1796, Briefe, op.cit., I, p.45.

(85)Letter from Hegel to Nanette Ende, 2 July 1797, Briefe, op.cit.,I,p.53.

of the human mind:

> I know from my own experience this state of the soul or rather the reason where once one has penetrated with one's interest and forebodings into the chaos of phenomena and where inwardly certain of one's goal, but not yet able to achieve a clear view of the whole in its detail. For some years I suffered from this hypochondria to the point of total debility; every man has doubtlessly known such a critical point in his life, the nocturnal point of the contraction of his being, a narrow passage through which he forces his way, by which he is fortified and confirmed in his self-assurance, in the assurance of his ordinary, everyday life, or, if he has rendered himself incapable of being fulfilled in this manner, with the assurance of a more noble inner life. (86)

This argument is even fortified by a reference in Hegel's Berlin lectures on the philosophy of mind in which he speaks of the decade between the twenty seventh and thirty sixth year - Hegel's Frankfurt period fell between the ages of twenty seven and thirty - as the transition from the ideals of youth to manhood. Here again he uses the term "hypochondria" to characterize this transitional period in life.(87)

If this crisis was of a purely psychological nature, it would be of little interest to a study of Hegel's political thought. I believe, however, that this trauma was at least in part occasioned by his perception of the changing role of politics in the modern world and particularly the inability of the French Revolution to achieve anything remotely resembling classical polis democracy. This became increasingly evident after the events of Thermidor in which there was not created a close-knit, cohesive republic, but a

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(86)Letter from Hegel to Windischmann, 27 May 1810, Briefe, op.cit., I, p.314; see also Rosenzweig, op.cit., I, p.102.

(87)G.W.F. Hegel, Sämtliche Werke, ed. H. Glockner, 20 vols., Stuttgart, 1927-30, X, addition to paragraph 396.

society in which the stresses of commercial enterprise and the craze for wealth came to dominate all else. In fact in one of his many historical fragments Hegel muses upon the impossibility of revitalizing the ethos of ancient republics in the large states of the contemporary world.(88) While the forces of feudalism had been dealt a mortal blow, a truly ethical state governed by the general will had not been substituted in its place. The new government, the Directory, merely represented the ultimate triumph of the property owning bourgeois over the ideal citizen. Hence while the Revolution had been fought to overcome feudal alienation, it had not been able to establish a harmonious relationship between the individual and the state.(89) What increasingly came to dominate Hegel's thought from this period is, then, the modern form of alienation.

While Hegel did not witness the Thermidorian reaction first hand, he did experience it indirectly through the Congress of Rastatt. This Congress met from December 1797 to April 1798 in order to resolve the war with France. Many young progressives such as Hegel and Hölderlin were hopeful that French victories would bring about new and democratic institutions in Germany and thus update the antiquated constitutions. There was even talk of political revolution in Hegel's native province of Swabia. These German progressives were shattered to discover that the French negotiators cared little about modernizing German political institutions, but were concerned only with the annexation of conquered territories. It was this humiliation of the patriot's cause coupled with the duplicity of the reform party in the

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(88)Dokumente, op.cit., p.263.

(89)See Roger Garaudy, Dieu est mort: Étude sur Hegel, Paris, 1970, pp.44-9.

Württemberg Estates which may very well have contributed to Hegel's crise de conscience.

This rather abrupt change in Hegel's attitude is first manifested in the major essay of the Frankfurt period entitled "The Spirit of Christianity and its Fate".(90) Indeed T.M. Knox has maintained that between the sober Kantianism of the Berne period and this new essay "there is a gulf so wide, that the later essay, written as it is with such assurance, such passion, and such independence of mind, may seem at first as it could scarcely have come from the same pen".(91) On Knox's account, Hegel's new position is that of a Christian mystic seeking speculative expression for his religious experience. This is in fact a fairly accurate assessment of the break in Hegel's thought for during these years he came to believe that only through the personal and directly formative power of religion could the basic unity and harmony of life be restored.

The concept which Hegel uses to depict the essential coherence of experience is Geist, a notoriously elusive word which can be rendered as either "mind" or "spirit".(92) In one respect Hegel's use of the term Geist can be seen as an attempted improvement upon what he took to be the deficiency in the Kantian-Fichtean conception of the transcendental ego or the "I think" which accompanies all representations.(93) This is the formal unifying principle of

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(90)Nohl, op.cit., pp.243-342; this essay is also included in the Knox translation of the Early Theological Writings, op.cit., pp.182-301, but here too I shall continue to cite Nohl.

(91)T.M. Knox, "Hegel's Attitude to Kant's Ethics" in Kant-Studien, XLIX, 1957-58, p.72.

(92)For a brief but incisive philosophical account of this subject see R.C. Solomon, "Hegel's Concept of 'Geist'" in Hegel, ed. Alasdair MacIntyre, New York, 1972, pp.125-49.

(93)Immanuel Kant, Critique of Pure Reason, trans. Norman Kemp Smith, London, 1950, pp.152-55.

perception which makes all consciousness possible. While Hegel was no doubt sympathetic to Kant's efforts to determine the underlying principle of knowledge and experience, he was extremely sceptical of Kant's identification of this transcendental ego with particular individuals thus claiming that there is one such ego per person. For Hegel, Geist is not simply a principle unifying all knowledge and experience but refers to a more general or universal consciousness. It is not the mind of a single individual, but is literally a plurality of minds thinking together. Geist is thus a departure from the disharmonious conception of all men as individuals, to the absolute conception of all men as one. But there is obviously more to Hegel's Geist than this. Geist cannot simply be reduced to the collective consciousness of a people, that is to say, the way in which a people conceives its relationship to the world around it. It is like the Greek Nous, a demiurge which controls and directs human affairs and activities. But this absolute mind does not stand outside the world, rather it is manifest within reality. Indeed it is from this period that Hegel began to view history as the process whereby the world mind reveals itself through its various manifestations in the spirits of individual peoples. Thus it would seem that the Volksgeist of which Hegel spoke in his Tübingen essay is merely a representation of the "Infinite Mind" which is, as it were, the motor of historical development.

Geist becomes manifest in what Hegel calls the fate (Schicksal) of a people. Fate is, for Hegel, an "iron necessity" imminent within reality before which the individual is powerless and to which he must submit. This conception of an imminent fate marks a significant departure from Hegel's earlier speculations. In Berne he had regarded

the entire history of Christian civilization from the fall of Rome to the present as representing the decline and degeneration of mankind. It would only be through the rebirth of the ancient republic that positivity could be abolished and the regeneration of humanity could begin anew. In Frankfurt, however, he began to see the present as a product not so much of historical regress, as of an overall historical fate or destiny which man must bear with patience and acquiesence. It is because this fate is is in some sense necessary that man must learn to reconcile himself with reality and the type of political society it offers. This desire to be reconciled with reality becomes evident in the far more conciliatory attitude Hegel adopts to Christianity and gentile society. While earlier his emphasis had been upon the power of man's free practical reason to shape and transform the world, now his emphasis is upon a rapproachment with reality.

While Hegel speaks at length about this supposed historical fate he is not at all clear about its precise nature which is perhaps why his language is so mystical and obscure. At one point he remarks that fate is the consciousness of oneself but as an enemy and in a passage of exceeding obscurity he contrasts the omnipotent power of fate to the purely human and therefore limited power of punishment:

> But fate has a more extended domain than punishment has. It is aroused even by guilt without crime, and hence it is implicitly stricter than punishment. Its strictness often seems to pass over into the most crying injustice when it makes its appearance, more terrible than ever, over against the most exalted form of guilt, the guilt of innocence. I mean that, since laws are purely conceptual unifications of opposites, these concepts are far from exhausting the many-sidedness of life...but over the relations of life which have not been dissolved, over the sides of life,

> which are given as vitally unified, over the domains of the virtues, it exercised no power. Fate, on the other hand, is incorruptible and unbounded like life itself. It knows no given ties, no differences of standpoint or position, no precinct of virtue. Where life is injured be it ever so rightly, i.e. even if no dissatisfaction is felt, there fate appears, and one may therefore say "never has innocence suffered; every suffering is guilty". But the honour of a pure soul is all the greater the more consciously it has done injury to life in order to maintain the supreme values, while a trespass is all the blacker, the more consciously an impure soul has injured life. (94)

What is of importance for Hegel is the manner in which man is reconciled to this fate and he is most explicit that such a reconciliation is only possible through love. Love does not entail a reasoned, thought-out relation to the world, but is a lived relation and as such remains at the level of feeling and practical experience. Love is, for Hegel, commensurate with religion which, as he demonstrated earlier, effects man's imagination and sensibility rather than the understanding and intellect. Thus through love fate no longer appears an "alien thing", but the manifestation of the spirit of a people to which man can be reconciled. Indeed it is for his insistence upon the redemtive power of love that certain critics have seen Hegel's Frankfurt period as characterized by an irrationalist mysticism.(95) It will

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(94)Nohl, op.cit., pp.283-84.

(95)This claim was first made by Wilhelm Dilthey in his Die Jugendgeschichte Hegels, Gesammelte Schriften, Leipzig and Berlin, 1921, IV, pp.1-187 where Hegel is dubbed a "mystical pantheist". This interpretation was given even more elaborate expression by Richard Kroner, Von Kant bis Hegel, 2 vols., Tübingen, 1921-24, II, p.271 who says: "Hegel is undoubtedly the greatest irrationalist known to the history of philosophy". Also the study of Jean Wahl, Le malheur de la conscience dans la philosophie de Hegel, Paris, 1929 attempts to establish links between Hegel, Kierkegaard and the irrationalist philosophy of existentialism.

be shown later, however, that Hegel soon abandons this vague language of religion and love for a rigorous and systematic philosophical grasp of reality.

As in his earlier works Hegel in "The Spirit of Christianity and its Fate" is concerned to provide an historical account of man's contemporary political malaise. What is still at issue is the problem of the unhappy consciousness, that is, the sense of estrangement and alienation the genesis of which Hegel here traces back to the time of the flood. Before the deluge, man lived in a peaceful, tranquil relationship with nature. There was at that time an immediate, non-alienated identity between man and his environment. By unleashing merciless destruction upon mankind, the flood irrevocably broke this bond of trust and friendship and replaced it with various forms of society.(96)

As a result, two paths were followed by the survivors of the catastrophe. Nimrod and his followers attempted to arm themselves against nature by erecting a tower which could withstand any future devastation. In this way man set out to master nature and subordinate it to his will. But this plan was conceived only after men had become estranged from nature and from one another and rather than reverting to their earlier happy form of life, Nimrod established a despotic tyranny maintained through strict discipline and force of arms. Noah, on the other hand, saved himself and his people by subjecting themselves to an all-powerful, omniscent diety. This diety appeared not as an idea, that is, something which stems from man's own freedom, but as an ideal, that is, something which is purely

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(96)Nohl, op.cit., pp.243-44.

external to him.(97) This ideal is similar to the Fichtean non-ego which is totally alien to the ego's free subjectivity. In return for their absolute obedience, God promised to control nature and protect man from its ravages. By giving themselves over to this ideal, estrangement became one of the chief features of the post-diluvian epoch.(98)

It was this sense of estrangement which, according to Hegel, was to become the fate of the Jewish people. The case of Abraham serves as a striking example:

> Abraham, born in Chaldaea, had in youth already left a fatherland in his father's company. Now, in the plains of Mesopotamia, he tore himself free altogether from his family as well, in order to be a wholly self-subsistent, independent man, to be an overlord himself....The first act which made Abraham the progenitor of a nation is a disseverence which snaps the bonds of communal life and love. The entirety of the relationships in which he had hitherto lived with men and nature, these beautiful relationships of his youth, he spurned. (99)

By separating himself from society, Abraham was condemned to a life of wandering exile amongst foreign peoples for whom he had no feelings and to whom he owed no obligations. Living a completely nomadic

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(97)Ibid., p.244; cf. p.366: "In a republic one lives for an idea in a monarchy only for specific things - even in a monarchy, men cannot dispense with ideas, they fix on a particular idea, an ideal - in a republic they live according to ideas as they ought to be; in a monarchy, they have an ideal, i.e. rarely something they have made themselves, a diety. In a republic, a great mind expends its entire physical and moral energies in the service of his idea; the sphere of his activity has unity. The pious Christian who dedicates himself to his idea is a mystical fanatic. If his ideal fills him to the exclusion of all else, if he cannot divide his energies between this and his secular life, if all his strength goes in this one direction, a Guyon will be the result. The need to contemplate the ideal will satisfy the over stimulated imagination, and even the senses will assert their rights; examples are the countless nuns and monks who dallied with Jesus and dreamed of embracing him. The idea of the republican is of the sort that enables his noblest energies to find satisfaction in true labour, while that of the fanatic is a mere figment of the imagination".

(98)Ibid., pp.244-45.

(99)Ibid., pp.245-46.

existence with his herds, Abraham never stopped at one place long enough to improve or cultivate the soil for fear of developing some sort of physical or emotional attachment to it.

This separation from the ongoing life of society has a metaphysical dimension in the separation from God. Unlike the pagan gods who were essentially human and as such intimately involved in the affairs of the community, Abraham's jealous God stands outside the world altogether: "The whole world Abraham regarded as simply his opposite; if he did not take it to be a nullity, he looked on it as sustained by a God who was alien to it. Nothing in nature was supposed to have any part in God; everything was simply under God's mastery".(100) In fact Abraham's infinite ideal was the antithesis of everything human to such an extent that it could not even be characterized in a concrete shape or image.(101) This condition whereby man was reduced to the level of something "made" brought about a slave-like demeanour incompatible with a free people. By depriving themselves of any living spirituality, the Jews could do nothing but curry favour from a despotic diety who ensured their national survival in times of crisis.

It was only with Jacob and Moses that the Jewish nation as a political entity was founded. It was based, not surprisingly, on a strictly theocratic form of rule, one in which the political sphere was completely subordinate to the religious. This theocracy was predicated upon the absolute equality of its members. But Hegel does not conceive this equality in the Greek sense where each citizen

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(100)Ibid., p.247.

(101)Ibid., pp.250-51.

gives himself over to the community. Rather this is an equality of unfreedom where there are no civil rights and the individual is excluded from all political participation. Thus the introduction of the monarchical principle represented a certain positive advance. Even though the monarchy created differences in wealth and status, it at least raised some persons to a level of political importance.(102) Here for the first time Hegel recognizes the existence of classes and the inequalities between them as symptomatic not of fragmentation and decline, but as contributing a beneficial role in the development of society. This is the first hint of Hegel's later view that the class system as it exists in modern society forms the basis of man's integration into the community and that it is not entirely divisive and antithetical to freedom.

What Hegel is seeking is a means of overcoming this fragmentation of life experienced by the Jews. This fragmentation, which he would later describe as madness, consists, as described above, in man's separation from nature, his separation from society and his separation from God. Hence the point is to annul this fragmentation and divisiveness and create, so to speak, a whole man, one who is in all respects at one with the world. The paradigm for wholeness is here not based upon a return to classical antiquity as it was in Berne. Hegel now sees the polis experience as irretrievably lost to mankind. Neither is it based, as Schiller believed, on a lengthy process of "aesthetic education" in which man's play instinct is liberated from the debilitating effects of modern society with its division of labour. For Hegel, harmony and cohesion can be created only through a religion of love.

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(102)Ibid., pp.254-60.

The form of religious experience which Hegel now embraces is the Christian religion. In fact he views Christianity as the religion of love par excellence. It might even be said that at no other time in his life did Hegel feel so emotionally close to Christianity as he did in his Frankfurt years.(103) While in Berne he had castigated the positivity and dead objectivity of Christianity, he now commends it for setting forth the "subjective in general". This message of love emerges most forcefully in the Christian conception of the relationship between man and God. As opposed to the Judaic notion that God is to man as a master to a slave, Jesus, who Hegel describes as setting himself against the entire Jewish fate, taught that this relationship is one of a loving father to his children. Father and child are both modifications of the same life in which the father is of the same essence as the child and the child the father. Hegel expresses this harmonious unity between man and God thus:

> The hill and the eye which sees it are object and subject, but between man and God, between spirit and spirit, there is no such cleft of objectivity and subjectivity; one is to the other only in that one recognizes the other; both are one. (104)

And again in precisely the same manner:

> How could anything but a spirit know a spirit? The relation of spirit to spirit is a feeling of harmony, is their unification; how could heterogeneity be unified? Faith in the divine is only possible if in the believer himself there is a divine element which

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(103)This thesis that Christianity, and in particular the Protestant form of Christianity, is the key to understanding Hegel's thought is central to Theodor Haering's, Hegel, sein Wollen und sein Werk, 2 vols., Leipzig, 1929-38. It is unfortunate indeed that the occasional good insight that Haering provides is usually obscured by his own fascist proclitivities.

(104)Nohl, op.cit., p.312.

> rediscovers itself, its own nature, in that on which it believes, even if it be unconscious that what it has found is its own nature. (105)

It only remains to repeat that this unity of man and God, the finite and the infinite, is not a unity produced by scientific or philosophical knowledge. Such knowledge is never able to grasp the richness and complexity of life. This union is only possible in love where it is not so much understood as lived.

This idea of a loving relation between man and God could never have occurred to the Jews primarily because of their intellectualist point of view. The intellect (Verstand) or the power of reflective thinking is here set in direct opposition to love. Later in the Phenomenology and the Logic Hegel would describe the principle of the intellect as a mode of cognition utilized by mathematics and the natural sciences. These disciplines assume that the world is nothing more than an arbitrary conglomeration of discrete elements each of which is strictly demarcated from the others. The intellect relies upon the tenets of formal logic such as the principle of non-contradiction or the mutual exclusion of opposites whereby each thing is assumed to be identical to itself alone and to nothing else. While Hegel's formulation of intellectual reflection is in Frankfurt merely tentative, he does view it as a form of cognition which bifurcates experience into rigid and irreconcilable antinomies such as the finite and the infinite. Thus when Jesus declared himself both the son of man and the son of God, the Jews took this for blasphemy as they could not apprehend how the nature of the divine could be part of the same personality as human nature.(106)

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(105)Ibid., p.313.

(106)Ibid., pp.309-10.

Hegel's views on love are obviously designed as a rebuttal to the Kantian ethic of practical reason which he had earlier adopted. Rosenkranz reports that shortly prior to the composition of "The Spirit of Christianity and its Fate" Hegel had undertaken a systematic critique of Kant's moral philosophy as well as his philosophy of law.(107) In these works Kant maintains that the fundamental feature of moral experience is a perpetual struggle between inclination, man's sensuous desires, and reason, the law of duty. In his view man behaves as an ethical being only when his reason has achieved complete mastery over his inclinations which he derisively regards as pathological. Hegel sees this separation of inclination and reason as containing a deep bifurcation in which man is set against himself. What Hegel rejects is the fragmentation of man resulting from the highly abstract and metaphysical nature of Kant's moral precepts. The basis of Hegel's critique of Kant is very likely taken over from Schiller who argues that Kant's differentiation of the faculties resulted in whole classes of people developing only a part of their dispositions while the rest, like crippled plants, are scarcely suggested in faint traces. The Kantian moralist, Schiller suggests, has a cold heart in that he clinically dissects the impressions which stir the whole soul of man.(108) Kantian morality thus seems the antithesis of the well-rounded, harmonious personality.

Hegel's basic argument is that the Kantian postulate of moral reason is simply the counterpart of Mosaic legalism. For the Mosaic code, Hegel maintains, law is an arbitrary command handed down from a master to a slave, while for Kantian morality, the moral law

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(107)Rosenkranz, op.cit., p.87.

(108)Schiller, op.cit., pp.321-23.

emanates from the free will and which man need have no other reason for obeying than the love of duty for its own sake. As Hegel sees it, however, there is no difference between the man who obeys an externally imposed positive command and a man who obeys his own self-imposed commands of duty. Both necessitate coercion and are therefore both variants of slavery:

> By this line of argument, however, positivity is only partially removed; and between the Shaman of the Tungus, the European prelate who rules church and state, the Voguls, and the Puritans, on the one hand, and the man who listens to his own commands of duty, on the other, the difference is not that the former make themselves slaves, while the latter is free, but that the former have their lord outside themselves, while the latter carries his lord in himself, yet at the same time is his own slave. (109)

The problem with the Kantian doctrine is that it disregards the whole living man by attempting to subjugate all the human faculties to the tyranny of reason alone. Hegel's desire is to overcome this cleavage in a new form of moral experience where man's humanity can be fully restored.

Hegel finds this form of moral experience in the ethic of love as embodied in Christ's Sermon on the Mount. Hegel even describes Jesus as a "spirit raised above morality". Christ taught not a slavish obedience to the law, but a loving disposition which both fulfils the law and at the same time annuls it. When motivated by love, man carries out his duties not because they have been commanded but because of a "liking to perform all duties".(110) The law is stripped of its legal form and replaced by a loving disposition which

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(109)Nohl, op.cit., pp.265-66.

(110)Ibid., pp.266-67.

makes it superfluous. In this manner love is the unity of reason and inclination and these aspects of life which Kantian morality had torn asunder are synthesized in a superior type of humanity.

Hegel's conclusion is, then, that only a social and religious ethic based upon love can restore human freedom by providing men with the correct perception of the relationship between man and God. Love is a synthetic power which is able to transcend all dead, positive barriers which stand in the way of an harmonious social order:

> True union, or love proper, exists only between living beings who are alike in power and thus in one another's eyes living beings from every point of view; in no respect is either dead for the other. This genuine love excludes all oppositions.... In love the separate does still remain, but as something united and no longer as something separate; the living senses the living. (111)

And in another passage which significantly prefigures his later dialectical method, Hegel shows how love is even able to incorporate the reflective power of the intellect thus creating a true union of opposites:

> This unity is therefore perfect life because in it even reflection gets its due; in the original, undeveloped unity the possibility of reflection, of cleavage, still stood over against it; in this unity, however, unity and cleavage are united, they are a simple living thing which had been opposed to itself (and still feels itself so opposed), but has not rendered this opposition absolute. In love one living being senses another living being. Thus in love all tasks, the self-destructive, one-sidedness of reflection and the infinite opposition of an unconscious, undeveloped unity, are resolved. (112)

For the young Hegel, as for Feuerbach and Hess forty years later, only when love is generalized to embody the entire community, does the

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(111)Ibid., p.379.

(112)Ibid.

world cease to appear as something implacably given and become a place in which man can feel himself fulfilled.

Ultimately, however, Hegel recognizes the failure of Jesus to create a society based upon love and this recognition led him to adopt an extremely pessimistic and resigned tone in "The Spirit of Christianity and its Fate". Hegel accounts for the failure of Jesus in terms of the historical context in which he was operating. On the one hand, Jesus could have attempted the reform of Jewish society from within, but run the risk of compromising his message of love. On the other hand, he could have divorced himself entirely from his society and retain the purity of his message intact, but forgo the possibility of realizing it.(113) Of these two alternatives, Jesus chose the latter. Rather than corrupt the original beauty of his message, he preferred to flee from any association with his people and concentrate all his efforts upon the spiritual edification of his immediate friends and disciples. His attempt to reconcile man and God and therefore establish the basis of a true community proved too radical to make any impact upon the Jewish culture of his time. Being at odds with the general spirit of the age, his message could not but fall upon deaf ears.

Hegel describes the fate of Jesus as a "beautiful soul" who refuses to take any interest in earthly existence. Jesus exhorted his followers not to succumb to the violence of life. By withdrawing into himself, he fled from life and remained no longer vulnerable to its injuries. Any misfortune which occurred in the course of life was merely tolerated as part of the human condition. Thus while he

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(113)Ibid., pp.328-29.

had come to reconcile man and God, Christ was forced to the conclusion that the Kingdom of God is not of this world. The life of Jesus became a separation from the social world and a flight into heaven where human relations can proceed only from the most disinterested love. This dualism between the earthly and heavenly cities became the fate of the Christian religion and as such it was never able to completely sublimate the feeling of alienation and estrangement which man has suffered ever since the flood rudely separated him from the state of nature: "In all the forms of the Christian religion", Hegel remarks, "which have been developed in the advancing fate of the ages, there lies this fundamental characteristic of opposition....And it is the fate that church and state, worship and life, piety and virtue, spiritual and worldly action, can never dissolve into one".(114)

Despite his awareness of the duality and inner-split of the modern Christian world, Hegel believes that withdrawal from reality is "dishonourable" and ultimately the source of madness. The position of man alienated from the world, the paradigm of which was Abraham and the entire Jewish experience, is one which he desperately sought to overcome. Indeed there is evidence that Hegel viewed the extreme isolationism of ancient Judea under Roman imperial domination along lines similar to the fragmentation and dissolution of his contemporary German culture.(115) Hence this practical problem of putting an end to the unhappy consciousness and therefore bringing about a reconciliation between man and society became of paramount importance.

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(114)Ibid., pp.341-42.

(115)Lasson, op.cit., p.136.

As we have just seen, during his first years in Frankfurt, Hegel believed that the harmony and unity of human experience could only be restored through the power of religion and this is an assumption given its most explicit statement in the so-called "Fragment of a System".(116) What underlies Hegel's attitude here is a polemic against philosophy. In his view philosophical reasoning which he here equates with the diremptive force of the intellect is incapable of grasping the richness and complexity of experience, but bifurcates experience into so many petrified antitheses. Each thought which is a product of reflection may take into account one aspect of life and experience but cannot conceive the underlying unifying principle of life and experience. For each thought which is propounded, another is necessarily excluded and in this manner thought is driven ever onward in an "infinite progress" never reaching any stable hold on reality. Also the thought process gives rise to an epistemological dichotomy between the thinking ego and the object of thought which it is unable to overcome.(117)

This unifying principle of all experience is, Hegel believes at this time, not a product of reflection, but a "reality beyond all reflection". This, of course, refers to religion which expresses a practical, lived relation to the world and is for this reason, he maintains, superior to the merely contemplative philosophical attitude. As opposed to philosophy, religion does not proceed "from the finite to the infinite (for these terms are only products of mere reflection, and as such their separation is absolute), but

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(116)Nohl, op.cit., pp.345-51.

(117)Ibid., p.348.

from finite life to infinite life".(118) And later Hegel remarks that "religion is any elevation of the finite to the infinite, when the infinite is conceived as a definite form of life".(119) The general point which Hegel is trying to make is that ultimate reality is not amenable to conceptual analysis, but must simply be lived in its fullness and immediacy. Philosophy can only play at best a preparatory role for the coming of religion; it is, as it were, the handmaiden to religion.

It is only at the end of the Frankfurt period, forreasons not altogether clear, that Hegel abandons his erstwhile religious mysticism in favour of a rational, philosophical comprehension of reality. Indeed it is this endorsement of philosophy which marks the real turning point in Hegel's development. Of course it would only be over a period of many years that his complete system of philosophy would be worked out in detail. Here he only hints at the possibility of such a philosophy. This is first expressed in the Preface to a proposed essay on the German Constitution which itself was occasioned by Germany's defeat in the revolutionary wars with France. This essay will be treated in some detail in the following chapter, but what is of importance here is that for the first time Hegel calls on a new metaphysic to come to terms with the period of revolutionary turmoil. Such a metaphysic would have the task of "setting limits to the restrictions of existence and giving them their necessity in the context of the whole".(120) It should be mentioned, however, that what Hegel calls metaphysics bears nothing

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(118)Ibid., p.347.

(119)Ibid., p.350.

(120)Lasson, op.cit., p.140.

in common to the philosophies of reflection which he would identify primarily with Kant and Fichte. While these philosophies admirably express the intractable disintegration of an age in crisis, they prove, upon examination, unable to find the path which leads beyond this disintegration to the humanistic idea of wholeness and unity. Hegel's final remark on his philosophical predecessors is that they are "sublime and awful, but not beautiful and humane".(121) The new philosophy which Hegel envisages bears far more resemblance to what he had earlier called religion in that they are both concerned to provide a coherent, harmonious account of experience. There is, though, one crucial methodological distinction between them. While religion operates at the immediate level of feeling and imagination, philosophy relies upon reason and logic.

Hegel's decision to adopt philosophy as his métier was very likely influenced by his collaboration with Hölderlin during this formative stage in his career. Hölderlin, too, was interested in the problem of man alienated from society and for him the only answer to this problem lay in the renaissance of the ancient polis. Living in a time of grave social unrest, Hölderlin could find no way of coming to grips with reality except through ineffectual wishful thinking. Unable to compromise the republican ideals of his youth he slowly gave way to insanity.(122) No doubt fearful of Hölderlin's dilemma, Hegel was determined to make his peace with the world. He now believed that only through the philosophical comprehension of

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(121)Nohl, op.cit., p.351.

(122)For an excellent study of Hölderlin's thought during these years see Jacques Taminiaux, La Nostalgie de la Grèce à l'aube de l'idéalisme allemande, The Hague, 1967, pp.128-205.

political society could humanity be regenerated. This new insight that philosophy is the form of thinking best attuned to ultimate reality and as such most suited to bring about a rapport between man and ordinary experience is expressed in a letter to Schelling written at the very end of his Frankfurt period. The pertinent passage is here quoted in full:

> I have considered your great public progress with great admiration and joy: you will overlook it if I do not speak about it or do not present myself to you with false humility. I prefer a middle course and I hope that we shall meet anew as friends. In my own development which began with the most elementary needs of man, I was necessarily pushed toward science and the ideals of my youth necessarily became a form of reflection, transformed into a system. I ask myself now, while still engaged in this, how to find a way back to the lives of men. From all the men I see around me, you are the only one in whom I would like to find a friend, from the view point of the expression of ideas and of action on the world. For I see that you have grasped man wholly, that is to say, with all your soul and without vanity. It is for this reason that I approach you with confidence, that you will recognize in my disinterested efforts, even if they be in an inferior sphere, something of value. As for the desire and hope of our reunion, I am obliged to honour fate and hope that it will favour the possibility of our reunion. (123)

It is from this desire to return to the lives of men that Hegel's philosophical thought takes its point of departure. We shall now see how he intends to carry this out.

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(123)Letter from Hegel to Schelling, 2 November 1800, Briefe, op.cit., I, pp.59-60.

CHAPTER II

HEGEL AT JENA: A PHILOSOPHICAL UNDERSTANDING OF POLITICS

I

Hegel's decision to provide a philosophical explanation of human experience in general and man's political experience in particular is in a sense the turning point in his development. It signalizes the passage from the writings of his youth to those of maturity. Having given up his revolutionary aspirations for the practical transformation of reality, he came to maintain that only the philosophical interpretation of the world as a totality can overcome fragmentation and disharmony. As he sees it, only by understanding the world as it is can man become reconciled to it.

Hegel's philosophy of experience did not, however, arise full blown. Rather it emerged slowly by degrees over a number of years and was, at least in its initial stages, tied very closely to the philosophy of Schelling. Of course it is well known that in his Berlin lectures on the history of philosophy, Hegel contemptuously dismissed Schelling as a man who "completed his philosophical education in public"(1) but this rather harsh judgement only came after the almost total eclipse of Schelling's influence. When Hegel arrived at Jena in 1801 to assume the position as Privatdozent at the university, Schelling was the leading intellectual light of his generation, having already issued several books. Like Hegel, Schelling was concerned with the total comprehension of reality and

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(1)G.W.F. Hegel, Sämtliche Werke, ed. H. Glockner, 20 vols., Stuttgart, 1927-30, XIX, p.647.

at this time he was particularly preoccupied with the philosophy of nature. Schelling was never a systematic philosopher, however, and he left large areas of inquiry completely untouched. The comprehension of social and political experience appeared to Hegel as just such a blind spot in Schelling's work which he might elaborate. But before going into Hegel's own system of philosophical politics, it will be necessary to examine, albeit in a very schematic fashion, Schelling's relation to Fichte.

During the early years of their collaboration, Fichte and Schelling believed themselves equal partners embarked upon a common philosophical venture. This venture had been initiated by Fichte's treatise the Wissenschaftslehre which first appeared in 1794 and which was intended to rectify what he understood as the epistemological deficiency of Kant's Critique of Pure Reason, namely the unknowability of the thing-in-itself (Ding-an-sich). In this work Kant argues against Hume and the philosophy of empiricism, that the mind plays an active part in structuring reality and is not merely a passive recipient of external sensations. From the outset he merely assumes that there are such things as synthetic a priori judgements and his task is to demonstrate how such judgements are possible.(2) His answer is that there are certain innate categories of the mind which he designates as the fundamental forms of intuition (space and time) and the forms of the understanding (quantity, quality, cause, effect, etc.) which are not given in experience, but which are necessary prerequisites for any possible experience. This solution gives rise,

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(2)Immanuel Kant, Critique of Pure Reason, trans. Norman Kemp Smith, London, 1950, pp.41-3.

however, to the notorious discrepancy between things as they appear, that is as structured by the mind, and things in themselves which stand outside the limits of all human cognition. Knowledge in Kant's view only extends to the appearances of things and not to the essential reality which underlies them.

Fichte, as the foremost representative of the Kantian school, had published his treatise not as a rebuttal of Kant's epistemology, but as an extension and an improvement of it. Indeed, Kant had at first embraced Fichte as a brilliant young disciple, but shortly before his death in 1804 he had become aware of certain irreconcilable differences between them, differences which could not simply be ignored or papered over, but had to be made explicit. The breach between them was inevitable.

Fichte's theory of knowledge is based upon a radical and systematic subjective idealism far beyond anything envisaged by Kant. Fichte holds that Kant had been unable to solve the problem of the thing-in-itself, or the unknowable substrate of all objects of experience, because of his dualism between the ego and the external world. Fichte attempts to overcome this dualism by arguing that the external world is merely something "posited" by the ego and in-sofar as the ego has created the world it can have certain knowledge of it. Hence Fichte's epistemology begins from the rudimentary thesis that the facts encountered in experience are merely the facts of self-consciousness. They exist only for the thinking ego and it only remains for philosophy to show that this objective world of facts is not other to man, but a result of his own subjective activity. The thing-in-itself is therefore eliminated as nothing in the world is opaque to the omnipotent power of thought.

It is in terms of a counterpart to the Wissenschaftslehre that Schelling conceived his System of Transcendental Idealism (1800). Like Fichte, Schelling also takes his point of departure from the concept of the thing-in-itself. His argument is basically that we can have knowledge of the thing-in-itself through an act of what he calls "intellectual intuition". This notion of a purely intuitive understanding by which ultimate reality may be known is not completely Schelling's own, but was suggested by Kant himself in the Critique of Judgement. In fact it is not at all surprising that Schelling who had a highly developed aesthetic sensibility should be influenced by this work of Kant's where aesthetics and teleology are the crowning points of the entire system. In the section dealing with the teleological judgement Kant argues that in ordinary thought there is always a residue of contingency located in the particular which the judgement attempts to bring under the universal categories of the understanding. It is this contingency which makes it difficult to reduce the manifold of nature to the unity of knowledge. But there is, Kant maintains, a form of judgement based upon the "complete spontaneity of intuition" which is able to bring about a harmony between the particular and the universal:

> But now it is at least possible to consider the material world as mere phenomenon, and to think as its substrate something like a thing-in-itself (which is not phenomenon), and even to attach to this a corresponding intellectual intuition (even though it is not ours). Thus there would be, although incognisable by us, a supersensible real ground for nature, to which we ourselves belong. (3)

This mode of cognition which he refers to as "intellectus archetypus"

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(3)Immanuel Kant, Critique of Judgement, trans. J.H. Bernard, London, 1914, p.325.

is here not proved or demonstrated, but only proposed. This proof can only be worked out in detail in transcendental philosophy.(4)

It was Schelling who first took this suggestion seriously and elaborated an entire philosophy based upon this complete spontaneity of intuition. In a central passage from his System of Transcendental Idealism he defines this form of intuition as follows:

> This knowledge must be (1) an absolutely free knowledge because all other knowledge is unfree; it must, therefore, be a knowledge to which we cannot be led by means of demonstrations, syllogisms or the mediation of concepts; it must be an intuition. (2) This knowledge must be such that its object is not independent of it; it must, therefore, be a knowledge which at the same time produces its object - an intuition which produces freely and in which the productive act is at one with its product. In opposition to sensible intuition which does not produce its object, where the act of intuition is distinct from its object, this act of intuition must be called an intellectual intuition. (5)

Even while Schelling here obviously takes his point of departure from Kant, any supposed similarity between them must be more apparent than real. Since Schelling maintains that intellectual intuition is an absolutely free and unconditioned knowledge, it is,therefore, not amenable, as Kant would have liked, to rigorous philosophical proof or deduction. Rather it is only revealed through a higher form of aesthetic experience. In this manner Schelling, following the romantics Jacobi, Novalis and Schliermacher, succumbs to a dubious mystical aestheticism which is incapable of being rationally accounted

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(4)Ibid., pp.313-14.

(5)F.W.J. Schelling, Werke, ed. Manfred Schroter, 14 vols., Munich, 1927, II, p.369.

for.[6] As a result Schelling makes the cognition of reality the exclusive province of a privileged spiritual elite; and, as we shall see later, it is on precisely this point that Hegel takes him to task.

Even while Fichte and Schelling initially saw themselves engaged in a common enterprise, that is, the philosophical comprehension of the whole of reality, it soon became apparent that there were substantial differences between them, just as earlier differences had emerged between Kant and Fichte. The major source of contention was that Schelling was not satisfied with Fichte's claim that nature is merely "posited" by the ego, a passive object upon which the ego reflects. For Schelling, who had come to embrace a form of Spinozism, nature is governed by a creative dynamic of its own, the laws of force, which are not simply the product of the pre-conscious intellect.[7] Indeed, both mind and nature are conceived as two separate branches of the same totality or absolute which Schelling calls the "indifference point". It was Schelling's refusal to attribute primacy to the thinking ego which ultimately drove a wedge between him and Fichte. By assigning a spiritual telos to nature, which implies that things other than man may have a purpose, Schelling hoped to overcome the epistemological opposition between subject and object which in his view Fichte had failed to supply. Such a reconciliation is brought about through the above mentioned intellectual

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(6)The best study on this subject by far is Hinrich Knittermeyer, Schelling und die romantische Schule, Munich, 1929; for an excellent account of Hegel's critique of Schelling's romantic nature philosophy see Otto Pöggeler, Hegels Kritik der Romantik, Bonn, 1956, pp.138-85.

(7)This is put forward in Schelling, op.cit., I, pp.653-706.

intuition in which a perfect harmony between man and nature, subject and object, is achieved.

What is at issue here is not merely an obscure debate between two German philosophers, but a much larger question which was to have vital implications for the entire history of philosphy. It is a debate concerning two quite different forms of idealism. It is the absolute supremacy of the ego over nature and the extreme solipsistic conclusions which can be drawn from such a position which places Fichte squarely in the camp of subjective idealism. It is Schelling's attempt to give a certain degree of independence to nature which gives his thought a recognizably objective idealist perspective. In fact in many respects this objective idealism clearly borders upon philosphical materialism with its proposition that being is, at least initially, independent of consciousness. It is no accident, for example, that the young Marx in a celebrated letter speaks of Schelling's "genuine youthful insight" and refers to him as a "distorted reflection" on Feuerbach's materialism.(8) Even Engels in later years remarks how Schelling's and other philosophies of nature, containing as they do a great deal of nonsense and fantasy, nevertheless played a positive role in the development of the natural sciences.(9) Of course it was Schelling's great misfortune, Marx maintains, never to have developed his genuine

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(8)Letter from Marx to Ludwig Feuerbach, 20 October 1843 in Marx-Engels Gesamtausgabe, ed. D. Rjazanov and V.Adoratskij, Frankfurt and Berlin, 1927-32, I, p.316; cf. the comment of Feuerbach in his Zur Kritik der Hegelschen Philosophie (1839) in Sämtliche Werke, ed. F.Jodl and W. Bolin, 10 vols., Stuttgart, 1903, II, p.193; "(With Schelling) philosophy becomes beautiful, poetic, comfortable, romantic, but at the same time transcendental, superstitious, and absolutely uncritical".

(9)Fredrick Engels, Anti-Duhring, Moscow, 1969, p.16: "It is much easier, along with the unthinking mob à la Karl Vogt, to assail the old natural philosophy than to appreciate its historical significance. It contains a great deal of nonsense and fantasy, but not more than the unphilosophical theories of the empirical natural scientists contemporary with that philosophy; and that there was also in it much that was sensible and rational...."

youthful insight into a full fledged materialism and it was this failure which ultimately brought his system into disrepute.

It was in terms of this dispute between Fichte and Schelling that Hegel, soon after arriving at Jena, published his first philosophical manifesto entitled The Difference between the Fichtean and Schellingian Systems of Philosophy (1801). In this brief and hastily composed essay Hegel, for the first time, gives systematic philosophical expression to what he had earlier characterized as a realm beyond thought accessible only to religious experience. Throughout this essay Hegel sides with Schelling against Fichte, or, to put it another way, he adopts the position of objective idealism against subjective idealism. Indeed it might be fair to say, and there is considerable evidence for saying it, that in his early years in Jena Hegel considered himself a Schellingian. Not until the publication of the Phenomenology of Mind were his differences with Schelling made public.

Continuing the basic theme developed in his early writings, Hegel begins by examining the need for philosophy and he traces this back to the appearance of bifurcation and disharmony:

> When we consider more closely the particular form which a philosophy has, we see how at once it develops from the living originality of a mind which has actively structured a fragmented harmony and which also develops from the particular form of disunity from which the system springs. Bifurcation is the source for the need for philosophy, and as the culture of its age, it is its unfree, pre-determined aspect. In culture manifestations of the absolute have become isolated and fixed as autonomous things. (10)

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(10)G.W.F. Hegel, Erste Druckschriften, ed. G. Lasson, Leipzig, 1928, p.12.

And Hegel expresses precisely this idea again shortly afterward:

> The need for philosophy arises when the power of unification disappears from the life of men, when the contradictions have lost their living relation and reciprocal interaction and become independent from one another. (11)

This unifying power to which Hegel refers is the harmony of the individual and the general will which typified the antique republics and which guaranteed the freedom of the whole. But the harmony of the Greek world was an immediate harmony which was merely felt and lived spontaneously. It was not a closely reasoned, intellectualized relation to the world. With the development of the powers of the human mind, man could no longer live intuitively with his environment, but had to conceptualize it. As a result the original close-knit unity was broken apart and Hegel interprets the rise of philosophy as motivated by a need to restore the sense of totality to man's political experience.

Hegel's argument is that the culture of his own time represents the highpoint in fragmentation and disunity, even though he is not explicit about what this fragmentation and disunity consists of. In any case it is the task of philosophy to comprehend the sources of these antagonisms and in doing so, eliminate them:

> To do away with such fixed antagonisms is the specific task of philosophy. This does not mean that it is against opposition and limitation in general; indeed disunity is a necessary factor in life which develops from a perpetual process of oppositions, and it is only from the condition of the greatest possible disunion, that the totality can be recreated in all its vitality. But reason is against the absolute fixing of disunity by the understanding, and even more so when absolute oppositions have arisen from reason itself. (12)

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(11)Ibid., p.14.

(12)Ibid., pp.13-14.

This passage, while extremely murky, says a great deal. First, it says that while the task of philosophy is to do away with antagonisms, a return to the unmediated identity of Greek culture is a practical impossibility. Indeed the existence of modern culture is predicated upon the development of certain oppositions which are a necessary factor in life. Second, it says that philosophy is not wrong to give expression to these antagonisms, but only to portray them as fixed and static. In fact they are in an eternal process of development in which fluidity and movement are the outstanding characteristics. Third, it says that this rigid fixation of antagonisms is the result of a particular form of theorizing which he identifies with the intellect or the understanding (Verstand). This as demonstrated in "The Spirit of Christianity and its Fate" is a type of thought that bifurcates experience into antinomies which are incapable of being resolved. As Hegel sees it, it is the task of reason (Vernunft), of philosophy, to locate the source of these antagonisms and find a means of creating unity out of them. In this manner does Hegel for the first time give expression to the nature of the philosophical enterprise.

In the Difference Hegel does not even attempt to provide a sketch for a philosophy of culture. What he does provide, however, is a sustained attack upon Fichte's theory of knowledge showing it to be an unsatisfactory foundation for any possible philosophy of culture. He focuses particular attention upon two problems of Fichte's, the first being his inability to reconcile adequately the subject-object opposition and, as a corollary of this, his inability to free himself from the grip of the thing-in-itself. For Hegel,

the source of all disunity now appears under the aegis of an epistemological conflict between the knowing subject and the object of knowledge and it is only after this conflict is resolved that philosophy can find the path back to harmony and coherence.

Like his mentor, Schelling, Hegel claims that Fichte's failure to resolve this conflict between subject and object ultimately stems from the basic principle of his system. Hegel correctly points out that the Fichtean system of philosophy depends upon a primary act called the Grundsatz by which the ego posits itself as itself before it is posited in nature. This first principle is expressed in the simple form of Ego = Ego which, so far as Hegel is concerned, constitutes a denial of objectivity as the objective world merely becomes a predicate of the ego. Rather than postulating an absolute which is the common ground of both subject and object, Fichte merely raises the subject to the level of an absolute thus making any genuine reconciliation completely untenable. Hegel himself explicitly recognizes the logical incoherency of Fichte's identical subject-object when he says: "The absolute identity is certainly the principle of speculation, but it remains like his expression Ego = Ego nothing more than a rule whose infinite fulfilment is postulated but never achieved in the system".(13) As a result the opposition between ego and nature for which Fichte had criticized Kant is never reconciled in his own system as the latter simply remains a backdrop for the development of the former.

As a consequence of Fichte's failure to reconcile satisfactorily

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(13)Ibid., p.46.

subject and object, he remains the victim of a perpetually coercive ought, the thing-in-itself. Here too Hegel traces this back to the Grundsatz. Following the Kantian thinker Reinhold, Fichte argues that while the mind could have certain knowledge only of things existing in time and space it could have a partial, relative knowledge of the transcendental forces of which the Grundsatz is itself an expression. Although he does not venture as far as Schelling who claims that the ultimate object of knowledge can be known through a mystical act of intellectual intuition, he does feel that the mind could attain a limited though inconclusive view of it. As a result, Hegel says, Fichte's philosophy remains stuck on the ought:

> This impossibility of the ego reconstructing itself from the opposition of subjectivity and of the X which emerges in the act of unconscious production and of uniting with its manifestation is expressed thus: the supreme synthesis of which the system is capable is expressed as an ought (Sollen). Ego equals Ego is transformed into Ego ought to equal Ego; the end of the system does not return to the beginning. (14)

Put in simple terms this means that the ego is never able to assimilate its object and that a part of the object always remains outside of consciousness. Thus Fichteanism, like Kantianism before it, is forced into an "infinite progress" which can never reach any conclusion within philosophy.

In due course the social and political implications of Fichte's theoretical philosophy will be examined. Suffice it to say for now that since he commences with the single, isolated ego, the community of other egos simply appears as something which must be assimilated

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(14)Ibid., pp.52-3.

to consciousness as would any other object. The community is merely a part of the objective world and as such a limitation to the free subjectivity of the individual. This is the direct opposite of Hegel's view which holds that the community is in fact the basic precondition of human freedom. Referring to Fichte's view that the community is a limitation on freedom, Hegel says that as such it would amount to the highest form of tyranny.(15)

At this time Hegel accepted, with only certain reservations, Schelling's solution to the problems of Fichte's philosophy. Schelling believed that subject and object can only be adequately harmonized in an indifference point which is knowable through philosophical intuition. This indifference point is neither pure objectivity nor pure subjectivity, but an absolute which stands over and above both. But even while Hegel is here the avowed disciple of Schelling and frequently coquettes with some of his more esoteric terminology, there is already imminent the germ of their later division. For Schelling, the point of indifference, like the Spinozist absolute, tends to eliminate all struggle between subject and object in favour of a peaceful and quietistic equilibrium. But unlike Spinoza's famous "order and connection" Schelling's absolute negates all the articulations of that which is ordered and connected.(16) Here all differences are merely absorbed into a perfect identity or what Hegel would later call "a night in which all cows are black".(17)

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(15)Ibid., p.65.

(16)See Benedict de Spinoza, The Chief Works, trans. R.H.M. Elwes, 2 vols., New York, 1951, II, p.86: "The order and connection of ideas is the same as the order and connection of things".

(17)G.W.F. Hegel, Phänomenologie des Geistes, ed. J. Hoffmeister, Hamburg, 1952, p.19; The Phenomenology of Mind, trans. J.B. Baille, London, 1971, p.79.

While Hegel's own position is not yet clearly delineated, he makes it evident that the struggle between subject and object cannot simply be eliminated at the philosopher's convenience, but is a necessary feature of the development of the human mind. It is impossible to delete all bifurcation and discord and return to a condition of complete equipoise. Rather bifurcation and discord are a part of reality and therefore must be incorporated within a philosophical understanding of it. In a passage reminiscent of Schelling but already some distance from him, Hegel remarks that to provide an accurate grasp of reality, philosophy must depict it as an identity of identity and non-identity:

> Just as identity must be validated, so too must division. In so far as identity and division are opposed to one another, each is absolute, and if identity is to be upheld through the annihilation of duality then they remain opposed to one another. Philosophy must give division in subject and object its due; but in assuming it be as absolute as the identity opposed to duality - since it is based upon the annihilation of duality - it assumes it as relative. Thus the absolute is the identity of identity and non-identity; both opposition and unity are equal within it. (18)

This passage bears a certain similarity to Hegel's earlier "Fragment of a System" where he speaks of reality as a union of union and non-union.(19) The great difference, of course, is that in Frankfurt Hegel believed that this insight was the exclusive product of religious experience, while in Jena he hopes to give it systematic philosophical expression.

In order to comprehend the complexity of reality and experience,

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(18)Hegel, Erste Druckschriften, op.cit., pp.76-7.

(19)G.W.F. Hegel, Hegels theologische Jugendschriften, ed. H. Nohl, Tübingen, 1907, p.348.

Hegel is led to view it within the context of an overall philosophy of mind. Since we have already seen in some detail exactly what is entailed in Hegel's use of the term Geist, further elucidation will not here be necessary. What is crucial, however, is the manner in which he sees this new philosophy in relation to his predecessors. As Richard Kroner correctly observes, it is from this period that Hegel adopts a genuinely historical approach to the understanding of philosophy.(20) Neither Kant, nor Fichte, nor Schelling had any real historical sense (although at one time or another each of them dabbled with the philosophy of history), but merely viewed ideas in abstraction from the social situation in which they were expounded. For Hegel, however, philosophy is viewed in terms of a progressive historical development over time. Each philosophy represents its age comprehended in thought. Philosophy is thus the intellectual apotheosis of its time. And just as no man can overstep the general spirit of his age, so too does this hold true for philosophy which is always intimately related to the dominant political and cultural problems of the era. Starting from this methodological premise, Hegel interprets the philosophy of subjective idealism as representative of political society in crisis as it vividly depicts the imminent disintegration of true community relations. In a similar fashion Hegel criticizes the materialist philosophy of Helvetius and d'Holbach referring to the latter's System de la nature as characteristic of "mind estranged from itself" as it views the universe as governed by certain blind natural laws which operate entirely independently of human consciousness.(21) In this manner

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(20)Richard Kroner, Von Kant bis Hegel, 2 vols., Tübingen, 1921- 4, II, p.146.

(21)Hegel, Erste Druckschriften, op.cit., pp.96-7.

both subjective idealism and materialism are complementary as they merely provide a partial, one-sided grasp of reality and therefore perpetuate man's sense of estrangement and alienation. In Hegel's view, however, only a new philosophy which understands experience as the total development of mind or consciousness can overcome this malaise. It will be shown later exactly how on Hegel's account such a philosophy is possible.

II

Hegel's Difference was intended as a critique of the theoretical philosophy of subjective idealism. In this work he came down largely on the side of Schelling's objective idealism with its attempt to discover the transcendental conditions of knowledge which both Kant and Fichte had declared to be unknowable. Here Hegel had merely to follow the lead of Schelling in exposing the obvious inadequacies of Kantian and Fichtean philosophy. Shortly thereafter, however, Hegel was to turn his attention to the practical philosophy of subjective idealism, that is, its moral and political doctrine. Since the practical philosophy was not something with which Schelling was particularly concerned - his own interests being more in the domain of nature philosophy and aesthetics - Hegel was here forced to generate his own original insights rather than to fall back on those of his friend. It is perhaps thus that the extreme density and obscurity of Hegel's thought during this period can be explained. Hegel's first philosophical attempt to understand the character of man's practical experience is put forward in an essay "On the Scientific Treatment of Natural Right" which was published in 1802 in the Critical Journal of Philosophy which Hegel was then co-editing

with Schelling.[22] As Rosenkranz observes, it was with this work that Hegel hoped to make his impact upon the intellectual milieu at Jena which was then the cultural capital of all Germany.[23] In this essay Hegel is not simply content to criticize his predecessors, but he attempts to stake out the boundaries of a new ethical and political philosophy both with respect to the ancient and the modern traditions of thought. This new practical philosophy, he believed, would provide the perfect counterpart to Schelling's speculative physics and together would express their joint philosophical ideal.

Hegel begins his essay with an incisive critique of the empiricist approach to politics and society. Empiricism, he argues, represents an advance over the philosophies of Descartes and Spinoza primarily in its rejection of innate ideas and its assertion that all truth and knowledge stems from experience. He sees the truth of empiricism in its claim that all thought is a reflection upon a given mode of experience. This claim is, however, not without difficulties. If empiricism is to remain true to itself in maintaining that all thought derives either directly or indirectly from experience, it cannot account for how this experience is organized and arranged by the mind. The mind, as Hume had demonstrated, becomes nothing more than a flow of sense impressions and their faint traces in memory. Reality is thus perceived as a

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(22)G.W.F. Hegel, Schriften zur Politik und Rechtsphilosophie, ed. G. Lasson, Leipzig, 1923, pp.327-411; henceforth cited as Lasson. For a good account of Hegel's views on the subject of natural right see Manfred Riedel, "Hegels Kritik des Naturrechts" in Studien zu Hegels Rechtsphilosophie, Frankfurt a/M, 1969, pp.42-74.

(23)Karl Rosenkranz, Georg Wilhelm Fredrick Hegels Leben, Berlin, 1844, photo reprint Darmstadt, 1963, p.149.

vast catalogue of things and events none of which can claim any precedence over the others: "For empiricism each thing has the same equal right as the others and no one determination is superior to any other, all are equally real".(24) Thus for the true empiricist reality is a hodge-podge of particular details with no inherent rationality.

It should be said that Hegel always remained faithful to a certain type of empiricism in that he felt philosophy should be purely descriptive and should contain nothing that is not included within experience. What he condemns here, however, is a bogus empiricism which claims to describe, but in fact distorts and mystifies experience. In describing experience this vulgar empiricism frequently selects one particular aspect of reality and transforms it into the fundamental determination or essence of the whole: "For an account", he says, "which must incorporate a multitude of concepts to remain coherent, it is necessary to give primacy to one of the determinations which expresses itself as the end or law of the whole so that all the other determinations appear as unreal or null".(25) In its search for absolute certainty, empiricism frequently has recourse to these rather surreptitious techniques. When speaking about the institution of marriage, for instance, it is often alleged that the procreation of children is the essence of the relation. Or it is also alleged that the reformation of the criminal is the essence of penal law.(26) By thus abstracting one

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(24)Lasson, op.cit., p.335.

(25)Ibid., p.340.

(26)Ibid., pp.332-33.

element of experience and elevating it to the status of a first cause, empiricism is enabled to attribute a certain rationality to experience but at the cost of negating its own premises.

Hegel next criticizes the direct opposite of empiricism, formalism, which is simply the practical philosophy of subjective idealism. In their haste to avoid the pitfalls of empiricism, the formalists were led to abandon actual concrete experience in favour of a purely a priori type of thinking which can account for the intelligibility of reality. To do this formalism attempts to construct a philosophically coherent concept of reason, but without any reference to the facts encountered in experience. As an instance of this type of theorizing Hegel focuses on the moral idealism of Kant whose entire ethical doctrine is based upon this highly abstract and metaphysical principle of reason. Hegel's critique here is much along the same lines as in Frankfurt, but he elaborates it in far more detail and with direct reference to Kantian texts. Hegel correctly poihts out that for Kant the principle of pure practical reason is the basis of all moral legislation. But having propounded this principle of reason in complete abstraction from all experience, Hegel says that it cannot legitimately pass judgement on the morality or immorality of any course of action as this would drag it down from its ethereal a priori status to the world of sensuous human activity. So long, Hegel maintains, as the principle of reason is independent of experience, so long will its commands be utterly vacuous.

Hegel substantiates this claim by reference to one of the central arguments in Kant's Critique of Practical Reason. In this work Kant says that the categorical imperative, the highest law of morality,

consists in self-consistency or the absence of contradiction in human actions. As an instance of this law he discusses the case of a man who has decided to embezzle a deposit, the original owner of which had died and the whereabouts of which was unknown to anyone except the man to whom it was entrusted. Even under these circumstances Kant says that such an action cannot be considered moral on the grounds that it becomes involved in contradictions when universalized into a law: "I at once become aware that such a principle, viewed as a law, would annihilate itself, because the result would be that there would be no more deposits".(27) Kant wants to show then that the morality of an action can be established simply by a deduction from the internal coherence of the moral law.

Hegel's argument is that by attempting to assess the moral rightness or wrongness of a particular situation in this manner, Kant himself falls prey to certain contradictions. For example, to say that the embezzlement of a deposit is morally contradictory because it would result in the negation of all future deposits presupposes a society which puts great store in such things as deposits. While Kant claims that the law of moral reason is independent of empirical actuality, the presupposition of contingent human institutions like deposits and property is smuggled in through the back door. Taken on its own, Hegel says, the existence or non-existence of property is perfectly consistent with itself and there is no means by which the principle of reason can decide between them. Hegel puts it thus:

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(27)Immanuel Kant, Critique of Practical Reason, trans. T.K. Abbot, London, 1967, p.115.

> If the determination of property in general is posited, the following tautology can be deduced from it: property is property and nothing other. And this tautological production is the legislation of practical reason: property, if there is property, must necessarily be property. But if the opposite determination, the negation of property, is posited, then the legislation of this same practical reason produces this tautology: non-property is non-property and if there is no property that which pretends to be property is annulled. (28)

While Hegel's reasoning is no doubt difficult, his point is a fairly simple one. Moral legislation, he maintains, is not something which can be propounded in abstraction from man's concrete social existence. Rather morality is itself a part of a wider social and political whole. Thus the maxims of moral legislation are not timeless and ahistorical, but vary according to time and place and may on occasion, although Kant had strenuously denied this, conflict with one another. The full ramifications of this position will come out more clearly later when we examine Hegel's social ethics.

What Hegel dislikes is the strictly a priori manner in which Kant establishes the precepts of morality. But this he feels is not only peculiar to Kant alone, but to Fichte as well who in The Foundations of Natural Right (1796) attempts to deduce legal and political institutions from the requirements of philosophy alone. As an instance of this highly abstract and unrealistic approach to politics, Hegel singles out for criticism Fichte's notion of an Ephorate or a board of governors whose task it is to supervise the actions of the government. On the one hand he points out that if this Ephorate had any real power it would merely be setting itself up as an alternate government and in any state a dual authority is in the long run

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(28)Lasson, op.cit., p.352.

unworkable. If both were equal in power the result would be a perfect equilibrium, a perpetuum quietum, leading to political paralysis.(29) On the other hand, if the Ephorate was to have no real power of its own, it would only exist as an appendage to the government and in times of crisis would be impotent. Hegel supports this second contention by reference to actual events thus showing how Fichte's theories run contrary to historical fact. In a rather oblique reference to Napoleon's coup d'état of 1799 he demonstrates how little influence such a board of control would actually have:

> We recall the recent dissolution by a government of a legislative body which was in competition with it and paralysing it. The idea that the establishment of a commission of control analogous to the Fichtean Ephorate would have prevented such a coup d'état has been correctly judged by a man closely involved in this matter. According to him, such a supervisory council which attempted to resist the government would have been treated with equal violence. (30)

It will be shown later to what an extent Hegel's political thought during the Jena period was influenced by the Napoleonic experience.

Hegel's own view of natural right is based largely upon the concept of Sittlichkeit which is roughly equivalent to his earlier use of the term Volksgeist and which signifies a comprehensive field of social ethics which transcends the purely subjective morality of the individual. In fact the German word Sitte like the Greek ethos literally means customs, manners and morals of a people as embodied in a living and organized community. At one point he even says that "the absolute ethical totality is nothing other than a people".(31) By thus viewing the community as a continuation of ethics Hegel is

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(29)Ibid., pp.361-62.

(30)Ibid., p.363.

(31)Ibid., p.368.

returning to the wisdom of the ancients, most notably Aristotle. Indeed he cites Aristotle's Politics to the effect that the community as a whole is always anterior to the individual. The isolated, autonomous individual is an abstraction of recent origin, a phenomenon of the times, and such a man who is totally self-reliant and without need of political association must either be a beast or a god.(32) Since it is only as a participant in the ethical life of the community that man becomes truly human, it follows that politics is the moral science par excellence. Hegel also cites the words of Diogenes to a man who asked him what would be the best education for his son: "Make him the citizen of a people with good institutions".(33)

By referring to the ethical life of the community, it should not be felt that Hegel is moving any closer to the practical philosophy of Kant and Fichte. For Hegel, ethical maxims cannot be deduced prior to all experience but are an intrinsic part of a people's social existence. The ethical life of a people is absolutely unique in history and cannot be subordinated to any fictitious transcendental laws as previous natural right theorists were wont to do. All the ethical relations which comprise the community are part of an irreducible unity. The only modern theorist who had in Hegel's opinion succeeded in grasping this fact is Montesquieu:

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(32)Aristotle, The Politics, trans. Ernest Barker, Oxford, 1957, p.6: "From these considerations it is evident that the polis exists to the class of things that exist by nature, and that man is by nature an animal intended to live in a polis. He who is without a polis by reason of his own nature and not of some accident, is either a poor sort of being, or a being higher than man: he is like the man of whom Homer wrote in denunciation: 'Clanless and lawless and hearthless is he'".

(33)Lasson, op.cit., p.392.

> Montesquieu had founded his immortal work on the intuition of the individual character of peoples. If he did not elevate this to the most living idea, he at least knew not to either deduce the particular dispositions and laws from reason or to abstract them from experience only to raise this abstraction to the universal. (34)

The point which Hegel is trying to develop from Montesquieu's initial intuition is that men are what they are because of the social and political context in which they find themselves. The mind of man is not something which inhabits a realm outside of all other cultural considerations, but is bound to that culture, as it were, by bands of steel. This idea that there is an interaction between the human mind and the environment in which it is formed may now seem a commonplace, but at the time it was a radical departure from the philosophical orthodoxy which attributed to the mind certain qualities, such as a "social instinct", etc., from which it would be possible to explain the growth of culture. This seemed to Hegel far too facile an explanation and in his Jena lectures on the philosophy of mind as well as in the Phenomenology he attempted to develop a new methodology for the philosophical explanation of culture.

It is difficult to know whether the commonwealth or ethical absolute which Hegel describes is meant to be an ideal construct which exists only in the mind of the philosopher or whether it is an approximation of an actually existing state. It is more likely that the latter is the case primarily because of Hegel's antipathy to utopian speculations. But even if he is referring to an actual historical reality, it is not always easy to discern which. Jean Hyppolite has remarked that, under Schelling's influence, Hegel tends

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(34)Ibid., p.406.

to poeticize the state calling it a "great work of art" and indeed it is true that both this essay and his "System of Ethics" carry certain mystical Schellingian overtones especially in the terminology employed.(35) Nevertheless, it is possible to discover, albeit in a very rudimentary fashion, a fairly realistic philosophical description of the development of modern European society.

Hegel's method of understanding society is here genetic, historical. As in his earlier writings he traces the origins of the modern world back to the collapse of the Greco-Roman civilization. But even though there is a certain similarity between this essay and his early ones, more importantly there is a crucial difference. While in Tübingen and Berne Hegel had viewed the ancient republic as a classless society with no social or economic differentiation, he now sees it as divided into two distinct classes. The first is the class of citizens or freemen who the ancients identified with the warriors who daily risked their lives for the preservation of the polis. The work of this class is thus not directed toward any one particular object, but toward the conservation of the ethical organization as a whole. To be a citizen, says Hegel, is to lead a universal life which appears wholly in the public domain.(36) The second is the class of bondsmen or slaves who are the material and economic foundation of society. While this class does not face the danger of death in its work, its function is to labour for the citizens who are engaged in political and military matters. Hence while the young Hegel had seen the antique city exclusively from the standpoint of the citizen, he now sees it from

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(35)Jean Hyppolite, Introduction à la philosophie de l'histoire de Hegel, Paris, 1948, p.69.

(36)Lasson, op.cit., p.375.

the standpoint of the slave as well.

Hegel is reluctant to go into any detail concerning the relationship between the citizens and the slaves except to say that the former were free while the latter were not. It was only with the dissolution of the Roman world that the two classes were equalized:

> With the loss of the ethical world and with the debasement of the noble class, the two hitherto distinct classes became equal. The end of liberty necessarily swept away the end of slavery. The principle of unity and formal equality began to prevail thus doing away with the true imminent distinctions between classes....This principle of universality and equality had to possess the whole in such a way as to replace the destruction of the classes by a mixture of the two. Under the law of formal unity this mixture is in fact the annullment of the first class and the extension of the second to the totality of the people. (37)

As a response to this changed situation, a new system of law evolved which recognized the individual not as a member of a state, but as a private, property owning person. What was recognized was not the concrete, living man, but the mere mask or _personna_, the abstract legal personality. It was this triumph of the private life over the public life which, according to Hegel, has resulted in the transformation of the classical _citoyen_ into the modern _bourgeois_. Here is the way in which Hegel defines this _bourgeois_:

> The power of this class is defined in the following manner: its domain is possession and the system of law which corresponds to this possession; at the same time it constitutes a coherent system in which the relations of possession have been transcribed into a formal unity. Each individual, in so far as he is capable of possession, relates to all as a universal, that is to say a _Bürger_ in the sense

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(37)_Ibid._, p.377.

> of bourgeois. The political nullity of this class of private persons is compensated by the fruits of peace and industry and the full security in which these things can be enjoyed.(38)

Even though Hegel sees the possession and enjoyment of property as the central feature of bourgeois society, he is careful to avoid the claim that the preservation of property is the sole rationale of civil association. He is clearly concerned to raise the state above the level of competing economic interests which he calls the "system of needs". It is, however, only through war that the state is able to maintain its independence from these private interests. It does not follow from this as Heller and Popper have argued that Hegel is thus prescribing war as a good thing thereby providing some sort of intellectual justification for the exploits of future fascist states.(39) Neither does it follow as Avineri and other liberal sympathizers have tried to demonstrate that Hegel's views on war are inconclusive and insufficient to support the thesis that he advocates war as a means of settling international disputes.(40) Both of these interpretations fail to note that from the period of the French Revolution the idea of pacificism was often associated with conservatism, while revolutionary propaganda was often incarnated in bellicostic

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(38)Ibid., p.379; cf. p.401: "In modern times the internal arrangement of the natural law has been characterized by the fact that exterior justice, a reflection of the infinite into finite existence, which is the principle of bourgeois law, has acquired a certain domination over public and international law. The form of an inferior relationship such as contract has insinuated itself into the absolute majesty of the ethical totality".

(39)Herman Heller, Hegel und der nationale Machtstaatsgedanke in Deutschland, Leipzig and Berlin, 1921, p.118; Karl Popper, The Open Society and its Enemies, London, 1973, II, pp.68-70.

(40)Shlomo Avineri, "The Problem of War in Hegel's Thought" in Journal of the History of Ideas, XXII, 1961, pp.463-74; see also John Plamenatz, Man and Society, London, 1963, II, p.261.

ideologies. It need only be recalled that in the 1790s Hegel had endorsed the policies of the Girondins who were in fact the war party, but who were also the cultured republicans who truly believed in their Athenian ideal. Thus Hegel does not fall prey to the romantic theories of war of Bonald and de Maistre which flourished in the fin de siècle nor does he subscribe to the enlightenment cosmopolitanism of Herder who denounced all wars as civil wars in light of the essential brotherhood of mankind. For Hegel, war is the means by which the sense of classical virtus can be revived in the modern world.

While there has been great controversy over Hegel's views on war, his general position is a fairly simple one. He seems to suggest that it is only in periods of war and great national upheaval that the public spirit of a people becomes genuinely manifest. War prevents a people from becoming too rooted in one particular way of life and attaching too much importance to ephemeral things such as property. An extended peace generally favours a predominantly commercial mentality which can only debase the spirit of a people by giving rise to the mistaken view that the state is an alien power which the individual may utilize to further his private interests.(41) One of the principal characteristics of a state must be its ability to adequately defend itself in time of war and citing Gibbon Hegel notes that the collapse of Rome was brought about by the decline in the martial spirit. While private courage remained, public courage which is nurtured on the love of independence and sense of national pride

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(41) Lasson, op.cit., p.369: "Just as the movement of the winds protects the lakes from the stagnation of a durable tranquility, so do wars protect peoples from corruption by a prolonged or even eternal peace".

disappeared.(42) Hence Hegel's statement that war preserves the "ethical health" of a people must be seen within the context of a general philosophy of history which holds that prolonged peace must give rise to the moral degeneration and decay of society.

It will not be necessary to go into any further detail concerning Hegel's account of the state or the relations between states as this will be taken up later in our analysis of the Philosophy of Right. What is of moment is Hegel's view of the community as an ethical body. He does not confine ethics to the private actions of the individual as the practical philosophy of subjective idealism had done, but shows how all actions are part of a living social totality the nature of which is essentially ethical. What needs to be shown is the way in which this ethical body has developed in history and this Hegel undertakes in his "System of Ethics" and his two sets of lectures the Realphilosophie I and Realphilosophie II.

III

In 1803-04 and 1805-06 Hegel lectured on logic, the philosophy of nature and of mind at Jena. The latter is closely tied to his unpublished "System of Ethics" which consists of lecture notes for an earlier course given in 1802. From these manuscripts emerge Hegel's first attempt to work out a comprehensive system of philosophy which can explain the various modes of experience and show how they are related to one another. Hegel focuses particular attention upon the development of (a) language, (b) labour and (c) ethical or community relations as primary media of human experience. What is

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(42)Ibid., pp.377-78.

outstanding here is the way in which these manuscripts prefigure Hegel's mature social and political thought as expounded in the Philosophy of Right and the Encyclopedia. This would seem to disprove the commonly held assumption that these later works are merely an apologia for the existing Prussian state as in its broad outlines Hegel's arguments were formulated long before he moved to Prussia to take up the chair as Professor of Philosophy at the University of Berlin. It should perhaps also be mentioned that while there are certain differences between the "System of Ethics" and the sections on the philosophy of mind (Geistesphilosophie) in the Realphilosophie I and II they will for the sake of convenience, here be treated as a unit.(43)

Hegel begins with man in a pristine natural state in which he is not yet distinct from his immediate environment. At this stage consciousness is universal, submerged within this primitive community so as to produce an entirely undifferentiated form of experience.(44) It is only with the development of language that consciousness becomes individuated. Language is the first means by which man attains a degree of mastery over nature. To give something a name is in a sense to possess it: "The first act,"Hegel says,"by which Adam constituted his domination over the animals was to give them a name".(45)

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(43)"System der Sittlichkeit" in Lasson, op.cit., pp.415-99; G.W.F.Hegel, Jensener Realphilosophie I: Die Vorlesungen von 1803/04, ed. J. Hoffmeister, Leipzig, 1932 and Jensener Realphilosophie II: Die Vorlesungen von 1805/06, ed. J. Hoffmeister, Leipzig, 1931; henceforth cited as Realphilosophie I and II respectively. For an interesting Marxist view of these writings see Jürgen Habermas, "Arbeit und Interaction: Bemerkungen zu Hegels Jensener Philosophie des Geistes" in Technik und Wissenschaft als Ideologie, Frankfurt a/M, 1968, pp.9-47.

(44)Lasson, op.cit., p.417.

(45)Realphilosophie I, op.cit., p.211.

And elsewhere he says: "To give a name is the right of majesty".(46) Only with the appearance of language does man become aware that consciousness and being are distinct. What was previously a shadowy realm of images and sense impressions is now translated into an ideal realm of names and symbolic representations. In this way language is the first form of bifurcation and discord as it distances man from his natural state. In another respect, however, language brings about the first specifically human community, a linguistic community. Following certain suggestions of Herder, Hegel shows how language can never be a private affair, but is a product of social interaction:

> Language only exists as the language of a people.... It is something universal, something granted recognition in itself and in this manner resounds in the consciousness of all. Each speaking consciousness immediately becomes another consciousness. It is only, however, within a people that a language, as to its content, becomes a true language and permits each to express exactly what he means. (47)

As this passage indicates language is a decisive force in the evolution of man from barbarism to culture.

Even while language is the first means by which man asserts his dominance over nature, it still leaves the world unchanged. In Hegel's terms, it is an expression of man's theoretical, not his practical intelligence. It is only with the advent of labour (Arbeit) that man gains conscious control over his environment. Labour is not an instinctual, but a purposive activity, a "mode of spirit" by which man is able to transcend purely physical objective matter by making it

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(46) Realphilosophie II, op.cit., p.183.

(47) Realphilosophie I, op.cit., p.235; see also Daniel Cook, "Language and Consciousness in Hegel's Jena Writings" in Journal of the History of Philosophy, X, 1972, pp.197-211.

an extension of the human personality and as such human history. An animal, for example, does not work, but merely satisfies its desires through the immediate destruction of its object, such as a piece of meat. This simple gratification never creates anything of enduring value, but must always "begin again from the beginning" every time the need reappears.(48) Labour differs from this immediate gratification in that it does not destroy its object, but aims at positively transforming it into something else. Hegel defines this process thus:

> The destruction of the object or of intuition, but only as a moment, that is not finally or absolutely, so that this destruction is replaced by another object or intuition...it does not destroy the object as an object as such, but in such a way that another is put in its place...and this destruction is called labour. (49)

What Hegel wants to do is to reverse the traditional Aristotelian disdain for the work of the body as an inferior occupation of only instrumental value. For him, labour is an ennobling civilizing activity through which man becomes fully human.

Hegel's views on labour did not arise in a vacuum, but are based upon a thorough study of classical political economy. While he never developed his own independent system of economics, Hegel always remained a connoisseur of the English economists, notably Smith and Steuart. It is known that as early as 1799 Hegel had read Steuart's An Inquiry into the Principles of Political Economy in German

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(48)Realphilosophie II, op.cit., p.197.

(49)Lasson, op.cit., p.420.

translation.(50) According to Rosenkranz, so impressed was Hegel with this work that he composed a lengthy commentary on it as well. As this commentary has unhappily been lost, all that remains is Rosenkranz's brief and inconclusive precis:

> All of Hegel's thoughts upon the nature of civil society, upon need and labour, upon the division of labour and the resources among the classes, poor relief and the police, taxes, etc. were finally concentrated in an annotated commentary on the German translation of Steuart's Political Economy....Within this there are many impressive views upon politics and history, many fine observations. Steuart was still an adherent of the mercantile system. With great pathos, with many interesting examples, Hegel fought against what was dead in it as he strove to save the heart (Gemüt) of man within the competition and mechanical interaction of labour and commerce.(51)

While these remarks are indeed rather paltry, it does not necessarily follow as Lukács has argued, that through his use of the term Gemüt Rosenkranz views Hegel along the lines of the reactionary romantics who sought to escape the complexity of modern society by returning to the more organic Middle Ages.(52) Such a construction would be quite remarkable as from this period Hegel is most explicit about the essentially progressive nature of modern civil society and far from advocating an escapist attitude, he urges man to reconcile himself with the realities of the contemporary world.

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(50)Joachim Ritter in Hegel und die französische Revolution, Köln and Opladen, 1957, p.62 observes that there existed in the XVIIIth century two different German translations of Steuart's work from which Hegel could have chosen. The first was published in Hamburg in two volumes dated 1769 and 1770 respectively under the title Untersuchung der Grundsätze der Staats-Wissenschaft. The second translation appeared in Tübingen again in two volumes between 1769 and 1772. The available evidence, which is admittedly slim, seems to indicate that Hegel used the second slightly later translation of Steuart's Inquiry.

(51)Rosenkranz, op.cit., p.86.

(52)Georg Lukács, Der Junge Hegel: über die Beziehungen von Dialektik und Ökonomie, 2 vols., Frankfurt a/M, 1973, I, pp.278-79.

What is important in Hegel's treatment of political economy is his account of man as an active, productive being whose labour shapes and transforms the world. It was Marx who first focused on this aspect of Hegel's outlook. In the first of his famous "Theses on Feuerbach", Marx observes that the chief defect in all previously existing materialist philosophies is that they conceive man primarily as a passive contemplative being for whom reality is only an object of thought (Marx's term is actually Anschauung: literally intuition). In contrast to this, idealism was left to develop the "active side" of man.(53) This active side was first given expression by Kant and particularly Fichte who treated practice merely "abstractly" as morality. It will be recalled that Hegel himself criticized the abstract ethics of subjective idealism for treating man not as a member of an ethical community for whom morality is only one, albeit an important, aspect of his total social activity, but for abstracting man from all the concrete conditions of existence and carnal participation within society. Such an abstract and restricted notion of human activity was epistemologically legitimized by Kant through his perpetual dualism between the thing and the thing-in-itself and by Fichte through his perpetual dualism between the ego and the non-ego. While Hegel never understood labour in Marx's sense of "sensuous human activity" (menschliche sinnliche Tätigkeit), he came far closer to this position than either Kant or Fichte. For Hegel, human activity is

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(53)Karl Marx and Fredrick Engels, Werke, 39 vols., Berlin, 1956, III, p.5, henceforth cited as MEW; "The chief defect of all hitherto existing materialism - that of Feuerbach included - is that the thing, reality, sensuousness is conceived only in the form of the object or of contemplation, but not as human sensuous activity, practice, not subjectively. Hence it happened that the active side, in contradistinction to materialism, was developed by idealism - but only abstractly, since, of course, idealism does not know real, sensuous activity as such".

economic before moral. This comes out very clearly in the "System of Ethics" in which his analysis begins with need, labour and enjoyment and progresses to appropriation, the product of labour and the possession of this product.(54) Thus what for his contemporaries was a peripheral aspect of human nature, Hegel now places at its centre - productive labour. Hence the appropriateness of Marx's observation: "Hegel's standpoint is that of modern political economy. He grasps labour as the essence of man".(55) We shall see shortly, however, that what Hegel calls labour Marx qualifies by calling alienated labour.

According to Hegel, labour is the source of the various forms of social integration which have appeared in history. The first and most rudimentary of the social institutions which Hegel discusses is the family. Labour unites previously disparate individuals into a family or tribe which then appropriates as its property the objects which provide for its sustenance. So long, however, as the family remains an isolated unit among other such units, its property and possessions will lead a precarious existence. In such a state each individual or group of individuals needs to have the right to its property recognized by others. The problem is that at this stage of social development, this mutual recognition is not immediately forthcoming. Rather each party demands to be recognized, but without giving equal recognition in return. Each wants to be recognized alone with the result that a life and death struggle for recognition (Kampf des Annerkennens) occurs which in certain respects resembles Hobbes' bellum omnium conta omnes. In the course of this struggle for

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(54)Lasson, op.cit., pp.418-21.

(55)Karl Marx, The Economic and Philosophic Manuscripts of 1844, trans. Martin Milligan, ed. Dirk Struik, New York, 1969, p.177.

recognition a decisive contradiction appears:

> In seeking the death of the other, I expose myself to death, I involve my own life. I perpetuate the contradiction of wanting to maintain the individuality of my being and my possessions, but this maintenance is transformed into its opposite since I sacrifice all my possessions, the possibility of possession and even the enjoyment of life itself. (56)

It is this fear of mutual destruction that forces men to recognize one another as equals and signalizes the transition from the family to the nation.

In his further remarks on labour, Hegel goes on to describe the mode of production characteristic of modern society where men utilize tools and instruments to facilitate their work. At one point Hegel remarks that man makes tools because he is a rational being and that this is the first expression of his will.(57) The tool serves as a mediator between man and nature as it puts a distance between him and the object of destruction. What's more, the tool raises the level of work from an isolated individual activity to a universal social one. For the first time Hegel uses the term "cunning" (List) to signify the mediating function of the tool:

> The tool in itself does not yet have activity. It is an inert thing, it does not turn back in itself. I must still work with it. I have interposed cunning between myself and the external world so as to spare myself...I remain the soul of the syllogism in relation to the tool, to activity....Making myself into a thing is still unavoidable; the activity of the impulse is not yet in the thing; it remains to make this tool spontaneously generate its own activity.... Nature's own activity, the elasticity of a watch spring, water, wind, and so on are employed to do totally different things than if they were left to themselves so that their blind action becomes purposive, the opposite

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(56)Realphilosophie I, op.cit., pp.228-29.

(57)Realphilosophie II, op.cit., p.197.

> of itself, that is to say, the rational behaviour of nature, laws, in its external existence. Nothing happens to nature itself; the individual ends of natural existence become universal. Here impulse entirely departs from labour. It allows nature to act on itself while simply looking on and controlling it with the light touch of cunning. In this way the broadside of force is attacked by the fine point of cunning. (58)

Hegel first really discerns the importance of tools and machines in a discussion of the teleology of means and ends. For him, labour is an essentially teleological project as it aims at translating an idea or image of a thing into objective reality by setting to work certain causal relations inherent within nature. Generally the tool is used simply as a means of satisfying some other end, but it is in fact far more exalted than any finite, limited end, since the invention of each new instrument of labour is handed down from generation to generation for the benefit of all mankind. Each such acquisition contributes to the cumulative progress of technology and society leading to man's ability effectively to control nature. As he would put it later on:

> Further, since the end is finite it has a finite content; accordingly it is not absolute or utterly in and for itself reasonable. The means, however, is the external middle of the syllogism which is the realization of the end; in it, therefore, reasonableness manifests itself as such - as preserving itself in this external other and precisely through this externality. To what extent the means is higher than the finite ends of external usefulness; the plough is more honourable than those immediate enjoyments that are procured by it, and serve as ends. The instrument is preserved while the immediate enjoyments pass away and are forgotten. In his tools man possesses power over external nature, even though, as regards his ends, nature dominates him. (59)

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(58)Ibid., pp.198-99.

(59)G.W.F. Hegel, Wissenschaft der Logik, ed. G. Lasson, 2 vols., Leipzig, 1923, II, p.398; Science of Logic, trans. A.V. Miller, London, 1969, p.747.

It is perhaps of interest to note that Lenin in his famous "Conspectus on Hegel's Logic" singled out this passage as containing the germ of Marx's historical materialism.(60)

As a consequence of the development of labour and tools, there is created a vast system of mutual interdependence which Hegel calls the "system of needs". Originally man worked to satisfy some immediate concrete need, but as work becomes universalized, he produces not for himself alone but on a reciprocal basis with öthers. Thus he works to satisfy the "abstraction" of a general need. In short man produces commodities which are not objects of direct utility, but objects of exchange which allow him to satisfy his heeds indirectly. Here are a couple of characteristic passages describing this pattern:

> Man thus satisfies his needs, but not by the object manufactured by him since by satisfying his needs this object becomes something other than it is. Man no longer produces that which he needs or put another way he no longer needs that which he produces. In effect, this object is not the reality of the satisfaction of his needs, but becomes merely the possibility of satisfaction. His work becomes formal, abstract, universal, singular. He limits himself to only one of his needs which he then exchanges for the other necessities. (61)

And again:

> Things that serve the satisfaction of needs are produced...this production is manifold; it is consciousness transforming itself into things. But since it is universal, this act becomes abstract labour. Needs are multiplied....Each individual because he is an individual works for one need. The content of his work transcends his own need; he works for the satisfaction of many and so does everyone. Each person thus satisfies the needs of many and the satisfaction of his many particular needs is the labour of many others. (62)

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(60)V.I. Lenin, Philosophical Notebooks, London, 1961, pp.189-90.

(61)Realphilosophie.I, op.cit., pp.237-38.

(62)Realphilosophie II, op.cit., pp.214-15.

While this system of needs assists in raising men above their isolated natural condition and uniting them in an ethical community, Hegel is also aware of its baneful consequences. In the "System of Ethics" he calls it an "alien power" over which the individual has not control yet upon which he is entirely dependent. And in the same work he refers to "an unconscious, blind totality of needs and the means of their satisfaction".(63) In the Jena lectures he even goes so far as to compare this system to a wild animal which calls for permanent control and curbing, which seems a fairly obvious metaphor for government intervention in the economic domain.(64) Indeed only through the direction of a strong state apparatus can this blind and elemental economic activity be put under conscious and rational control.

As a student of English political economy Hegel was not unaware that an advanced technological competency goes hand in hand with a highly developed division of labour, the paradigm of which can be found in Adam Smith's description of a pin factory in his An Inquiry into the Nature and Causes of the Wealth of Nations. Under this division of labour not only does work become narrow and specialized, but the worker himself becomes enervated and dehumanized:

> The division of labour increases the abundance of manufactured objects. In an English manufacture 18 men work in the production of pins. Each has a particular task and only this task. A single worker could perhaps not produce 120 pins nor even one. These 18 workers...produce 4000 pins per day....But the decrease in the value of work is in direct proportion with the increase in productivity. Work becomes more and more absolutely dead; it becomes the work of a machine. The individual's

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(63)Lasson, op.cit., p.489.

(64)Realphilosophie I, op.cit., pp.239-40.

> skill becomes infinitely limited and the consciousness of the worker is reduced to the lowest degree of degradation. And the connection between one particular species of work and the infinite mass of needs becomes impossible to see, thus turning into a blind dependence. It often happens that a far away operation renders superfluous and redundant the work of a whole class of men who had formerly satisfied their needs through it.(65)

From this passage it should be evident that in no respect did Hegel endorse a reactionary economic romanticism which proclaimed that only a return to a simpler and more primitive culture could counteract the ill effects of modern industry. Like Smith and even Marx, Hegel sees the positive attributes of industry's increased productive capacity as far outweighing its "bad side". Unlike Marx, however, he does not see the periodic crises of capitalism as in any way posing an insurmountable problem and with minor modifications and adjustments he believes it to be a self-regulating self-perpetuating system.

Under this modern division of labour man not only uses tools in the production process, but for the first time heavy machinery comes into play. The introduction of the machine marks a new plateau in human development. The tool, it will be recalled, is something inert; man is still forced to make himself into a "thing". Only the machine is a perfect mediator between man and nature. The irony of this situation, however, is that while man has invented machines to ease his burdens, to deceive nature, nature has its revenge upon him. Man achieves greater material comfort, but at the expense of losing all joy and satisfaction in his work:

> In the machine man even abolishes his own formal activity and makes it work completely for him. But this trickery (Betrug) which man exercises upon nature...has its revenge on him. What man wins from nature by subjugating it merely serves to render him more feeble. In exploiting nature by all sorts of machines man does not abolish the

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(65)Ibid., p.239.

> necessity for his own work, but only pushes it away, moves it further from nature so that he does not relate to nature as one living thing to another. Instead labour loses its negative vitality and becomes more mechanical. Man only diminishes the amount of labour for the whole, but not for the individual. Rather he increases it for the more mechanical labour becomes the less value it has and the more he must work in this manner. (66)

The amazing lucidity with which Hegel analyses this aspect of the production process shows not only how he differs from the economic romanticists, but how far he was from embracing the facile optimism of Benthamite utilitarianism or Bastiat's economic theodicy. Even though he was convinced of the superiority of industrial production, Hegel never allowed this admiration to degenerate to the level of stale apologetics.

Despite the fact that Hegel cites Smith approvingly, he still had an insight into the dialectics of modern economy of which Smith was incapable. For the classical economists, poverty and the pauperization of the working class was merely a peripheral feature of the economy. For Hegel, however, it is central and is directly correlated to the existence of great wealth. It is this dichotomy between wealth and poverty which cuts down the very centre of modern society dividing it into two hostile camps. In a passage which could almost be mistaken for Marx, Hegel says:

> A mass of the population is condemned to the stupefying, unhealthy and insecure labour of the factories, manufactures, mines and so on. Whole branches of industry which supported a large class of people suddenly fold up because of a change in the mode or because the value of their products falls or for other reasons. Thus whole masses are abandoned to poverty. There appears the conflict between vast

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(66)Ibid., p.237.

> wealth and vast poverty, a poverty unable to do anything for itself....This inequality of wealth and poverty, this need and necessity, turn into the utmost tearing up of the will, inner rebellion and hatred. (67)

Despite any similarities, Hegel's account of modern civil society differs from Marx's in one crucial respect, which must now be briefly examined in order to avoid any confusion.

The differences between Hegel and Marx is an enormous question and goes far beyond the scope of this study. Here it will only be possible to hint at one of their major differences. According to Marx, a basic flaw in Hegel's philosophy as a whole is his confusion between alienation and objectification. On the one hand, Hegel sees labour as a process whereby man externalizes or objectifies himself in the outer world thus making it an extension of his own humanity. It is the transformation of nature from dead, lifeless matter to a higher and more refined mode of being. This is labour's positive side. The negative side is that every act of objectification necessarily entails alienation: "(a) In labour I make myself into a thing, a form which exists. (b) At the same time I externalize my existence, make it into something alien and maintain myself in it".(68) Alienation consists, then, in the fact that the product of human labour confronts man as something "other than himself" or put another way, he fails to recognize himself in his product. Alienation thus becomes a built in feature of all labour and even a constitutive aspect of man himself.

Marx's own viewpoint is quite different. For him, too, labour comprises an act of objectification. This objectification is a

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(67)Realphilosophie II, op.cit., pp.232-33.

(68)Ibid., p.217.

characteristic of work in general. But on Marx's account, objectification is not strictly commensurate with alienation. It merely happens that under capitalism, an historical contingency, the two which are ontologically distinct, phenomenologically coincide.(69) Alienation is not inherent in all labour, but is the consequence of a specific historical mode of production - capitalism or the regime of private property.(70) Only under this system does "the object which labour produces - labour's product - confront it as something alien, as a power independent of the producer".(71) Hence the gist of Marx's critique is that by viewing all labour as entailing alienation, Hegel overlooks what is specific to capitalist society.(72)

Of course the differences between Hegel and Marx do not end here. They also differ substantially over their respective prescriptions to

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(69)For an interesting commentary on this problem see Jean Hyppolite, "Alienation and Objectification: Commentary on G. Lukacs 'The Young Hegel'" in Studies on Marx and Hegel, trans. John O'Neill, London, 1969, pp.70-90.

(70)Marx, op.cit., pp.106-19.

(71)Ibid., p.108.

(72)It is Hegel's identification of alienation, man's loss of self and sense of estrangement, with objectification, the very existence of things, which has, ironically, contributed to a great revival of interest in his philosophy in recent years. See, for example, Jean Hyppolite, op.cit., pp.86-7: "The author of the Phenomenology, the Encyclopedia, and the Philosophy of History cannot have confused the historical alienation of the human spirit with objectification without some valid reasons, other than those one might find in the economic structure of the period and the stage reached by the capitalist system. By objectifying himself in culture, the State, and human labour in general, man at the same time alienates himself, becomes other than himself, and discovers in this objectification an insurmountable degeneration which he must nevertheless try to overcome. This is a tension inseparable from existence, and it is Hegel's merit to have drawn attention to it and to have preserved it in the very centre of human self-consciousness. On the other hand, one of the great difficulties of Marxism is its claim to overcome this tension in the more or less near future and hastily to attribute it to a particular phase of history".

the problem of alienated labour. As we have seen in the analysis of the Differenzschrift Hegel's solution to alienation and bifurcation is philosophy. Only philosophy can restore a sense of the totality and unity of human life. In this manner alienation is overcome not in deed, but in thought. Since it is itself a product of the thinking mind, it can be overcome through the activity of mind reflecting upon itself. Thus the historical function of philosophy is to reconcile man to the world thereby making him feel at home in it.

For Marx, philosophy is an inadequate means of overcoming the historical problem of alienation. While Hegel argues that philosophy constitutes the annulment of alienation, Marx tries to show how philosophy is itself merely a mode of alienation: "The philosophic mind is nothing but the alienated mind of the world thinking within its self-estrangement - i.e. comprehending itself abstractly".(73) This alienated philosophic mind, as even Feuerbach had pronounced, is the result of certain conditions in the material life of man. Rather than overcoming alienation, philosophy can only reflect it. In the place of philosophy Marx substitutes revolutionary practice or as he would put it: "Social life is essentially practical. All mysteries which mislead theory to mysticism find their rational solution in human practice and in the comprehension of this practice".(74) Only thus does Marx feel man can overcome his unhappy consciousness and pave the way to a truly just and humane society.

While there are certainly great differences in their world outlooks, Marx always maintained that there is a fundamental kernel of truth contained in Hegel's assessment of reality. But while Marx

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(73)Marx, op.cit., p.174.

(74)MEW, op.cit., III, p.7.

feels that capitalist society is ultimately doomed because of the great contradiction between the social mode of production and the individual mode of appropriating surplus-value, Hegel believes that through occasional state intervention, the economy can be made to function rationally and harmoniously for the good of all. The state must be above the competing interests of the system of needs in order to mitigate the worst aspects of economic inequality:

> The government should do all in its power to fight against this inequality and the general destruction which follows. This may be done immediately by making it harder to achieve great profits; and if the government abandons a part of this class to mechanical and factory labour leaving it in a state of brutality, it must nevertheless preserve this whole class in a condition of relative health. The necessary or rather immediate way to attain this is through a proper constitution of the class in question. (75)

This call for state intervention in the economic domain as a means of rectifying some of the abuses of laisser-faire economic individualism, departs significantly from the liberal model of civil society and calls for a word of explanation.

Hegel's ideas on government regulation of economic activities could very easily have come from Steuart's notion of the Staatsmann. As Rosenkranz remarked, Steuart was an adherent of the mercantile system, a system still operative in early XIXth century Germany, and this could have provided some common ground for these two thinkers. Steuart believed that a certain degree of external control was necessary in order to ensure maximum economic efficiency. As one recent commentator has put it: "Steuart's ideal state is technocratic, his principle is economism".(76) This statesman does not, however,

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(75)Lasson, op.cit., p.492.

(76)Paul Chamley, "Les origines economique de la pensée de Hegel" in Hegel-Studien, III, 1965, p.248.

exercise an arbitrary authority, but operates within a rule of law, even if this law has largely been laid down by himself. In a sense he is Diderot's or Voltaire's image of an enlightened despot or what Hegel later would describe as a Theseus able to bring the interests of the individual into harmony with the interests of the whole.

Just as easily Hegel could have received his ideas from Fichte's The Closed Commercial State which Xavier Leon has described as a panegyric to the social and political ideals of Robespierre.(77) In this work Fichte warns his fellow Germans against minimizing the role of the state in economic affairs. He argues that the government must be responsible for overseeing the production and consumption of commodities and fixing prices to accord with a commodity's intrinsic value. He also rejects the use of money as it creates glaring class differences within the community and in international trade always confers advantages upon the wealthier nations to the disadvantage of the poorer. Still Hegel remains sceptical of what he takes to be the more authoritarian elements of the Fichtean state and ridicules Fichte's deduction of a police state from a system intended to liberate mankind from its bondage and oppression. In his essay on "The German Constitution" he makes his point as follows:

> The pedantic craving to determine every detail, the illiberal jealousy of (any arrangement whereby) an estate, a corporation, &c., adjusts and manages its own affairs, this mean carping at any independent action by the citizens which would only have some general bearing and not a bearing on the public authority, is clothed in the garb of rational

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(77)It is perhaps the only flaw in his other wise brilliant Fichte et son temps, 3 vols., Paris, 1922-27 that Xavier Leon continues to treat Fichte as a liberal apologist for the French Revolution even after 1800 when his disillusionment with the entire revolutionary experience is very much in evidence; for an excellent account of the relationship between Fichte's philosophy and his mature political position see Heinrich Rickert, "Die philosophische Grundlagen von Fichtes Sozialismus" in Logos, XI, pp.149-80.

> principles. On these principles not a shilling of the public expenditure on poor relief in a country of 20 or 30 million inhabitants may be incurred unless it has first been not merely allowed but actually ordered, controlled, and audited by the supreme government. (78)

Hegel goes on to argue that while the government must take the initiative in some matters, it should not encroach upon the freedom of its citizens which is "inherently sacrosanct". Although he rejects the more extreme elements in Fichte's prognosis, Hegel nevertheless adopts the view that the state should steer a middle path between the absolutist notion that everything should come under its auspices and the liberal notion that there should be no external intervention as everyone will naturally direct his conduct in accordance to the needs of others.

Unfortunately in his Jena lectures Hegel does not precisely spell out the relation between the state and the economic domain. This is largely due to his uncertainty as to the form and structure of the modern political community. Still he provides some penetrating insights into the historical development of this community which in many ways prefigure his later philosophy of history. Throughout this period Hegel is concerned to elucidate the various types of communities which have developed in history. The first type he designates as tyranny where the force of a single individual welds a people into a unified whole:

> All states have been founded by the power of great men. This does not signify physical strength since the many are stronger than a single individual. But the great man has something in his traits that make others call him their master; they obey him against their will. It is against their will that his will is their will.

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(78)Lasson, op.cit., p.28.

> All gather round his banner; he is their god. In this way Theseus founded the Athenian state; also in this way during the French Revolution a terrible power held the state generally. This power is not despotism, but tyranny, pure terrifying power. But it is necessary and just in so far as it constitutes and preserves the state as a real individual. (79)

Hegel justifies tyranny on the grounds that it establishes the state and no matter how horrible this experience may be it is preferable to anarchy. Tyranny as a means to national unification is justifiable, but after this has been accomplished its raison d'être vanishes.

While the stage of tyranny represents the lowest level of political development where human will and consciousness are barely distinguishable from nature, it unconsciously paves the way for a higher and more complex form of political integration. In educating the people to obey a superior force, namely himself, the tyrant makes possible the obedience to law and therefore brings about his own demise: "Tyranny is overthrown by a people not because it is abominable, beastly, etc., but because it has become superfluous".(80) If the tyrant is wise he will step down voluntarily but this is rarely the case and he must usually be deposed by force. Such was the case with Robespierre whose "power abandoned him, because necessity abandoned him and so he was violently overthrown". Hegel concludes that while tyranny is under certain circumstances a necessary stage in history, it is only transitional and must consequently give way to more advanced forms of community.

The second type of community which Hegel considers is democracy as embodied in the Greek polis. As we have seen, Hegel's earliest

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(79)Realphilosophie II, op.cit., p.246.

(80)Ibid., pp.247-48.

writings display a profound nostalgia for the days of classical antiquity and initially he saw the French Revolution as effecting a return to this civilized utopia. Even at Jena Hegel describes antique democracy in glowing terms as the unity of private life and public life where the particular and universal are merged into one. It appears as a beautiful work of art in which justice and harmony prevail:

> This is the beautiful happy freedom of the Greeks which has been and is so envied. The people is broken up into citizens who at the same time constitute the individual, the government. It is in reciprocal relation with itself. The same will is both individual and universal. The alienation of the individuality of the will is its immediate preservation....It is the realm of ethical life; each individual is himself ethical, immediately one with the universal. There is no protest here; each individual knows himself immediately as universal, i.e. he renounces his particularity without knowing it as such, as a self, as essence....In the ancient world beautiful public life was the customs of all. Beauty was the immediate unity of the universal and the particular, a work of art in which no part is separate from the whole, a union of self-knowing self and its representation. But this absolute self-knowledge of the individual did not yet exist, this being-in-oneself was not present. The Platonic republic, like that of Sparta, is the disappearance of self-knowing individuality. (81)

Hegel's attitude here is far from uncritical adulation of the Greek world. He is indeed aware of the restrictions of polis democracy which presuppose an extremely limited range of social and political experience. What the Greeks lacked was the sense of individuality or subjective freedom by which man differentiates himself from his environment. At Tübingen and Berne Hegel, following Schiller, had provided an extremely trenchant moral critique of the corrosive effects of modern individualism. He had seen it as a mark of political

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(81)Ibid., pp.249-51.

decadence and cultural backsliding. The Frankfurt crisis brought about a new perception of this problem and he began to see it as an aspect of man's fate which must be borne with resigned fortitude. Only at Jena does he come to see this principle of individuality, "the higher principle of the modern age that the ancients and Plato did not know", as historically progressive and as such something to be commended. No longer does Hegel wish to resurrect polis democracy, as did Rousseau, but now he views it as something which belongs entirely and exclusively to the past.

While the emergence of the principle of subjectivity represents an advance in terms of the overall development of human consciousness it has not been without its ill effects. This principle which in fact divides the ancient and modern worlds has brought about a fundamental rift in human experience between private life and public life. While Greek democracy admirably expressed the indissoluble unity between man and the state, this is a condition which no longer prevails in the contemporary world. Indeed the modern property owning bourgeois who Hegel had earlier described as a "political nullity" has gained a certain degree of precedence over the classical citoyen. This rift represents a primary form of alienation which must be overcome in a new political union. It is only in a modern constitutional monarchy, Hegel believes, that a happy balance can be reached between these two aspects of experience.

What Hegel desires is then a political situation in which the personal freedom of the individual is given its due, but at the same time is integrated within the universal structure of the state. This would be quite different from the Platonic and Lacaedemonian republics

whose existence depended upon the complete abnegation of all individuality.(82) The modern state must be the substance responsible for conciliating the various private interests of its members. Hence his statement: "The cunning of the government is that it allows free reign to the self-interest of others".(83) And again: "The eccentricity, ruin, licentiousness and vice of others must be borne - the state is cunning".(84) This state must, therefore, combine the principles of substantiality and subjectivity and such Hegel claims is not the case in Germany where uncontrolled individualism has led to a general condition of anarchy.

This might very well be the place to embark on a brief digression into Hegel's analysis of Germany's political malaise or what the poet Heinrich Heine called the German misère. Germany's problem, according to Hegel, is that it is not a state of any description, but a mere collection of disparate principalities held in the grip of a protracted feudalism. At no time has a common authority arisen to unite these various parts into a single cohesive national entity: "The German political edifice is nothing but the sum of rights which the individual parts have wrested from the whole, and this justice, which carefully watches to see that no power is left over to the state, is the essence of the constitution".(85) It is this attempt to turn the public power of the state into private property which accounts for the impotence of German political life. This impotence was itself

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(82)Ibid., p.251: "Plato did not set up an ideal, but he interiorized the state of his own time in himself. But this state has perished - the Platonic republic is not realizable - because it lacked the principle of absolute individuality".

(83)Ibid., p.262.

(84)Ibid., p.251.

(85)Lasson, op.cit., pp.13-14.

forcefully manifested in Germany's military defeat at the hands of republican France. Hence following Voltaire, Hegel refers to Germany as a constitutional anarchy.

Germany's inability to rise above the quagmire of feudalism presents a sorry spectacle in comparison with modern nation states such as France and England. Hegel shows the highest esteem for Richelieu who he regards as the architect of modern France. It was he who established the unity of the French state by breaking the power of the nobility and the Huguenots both of which had been operating as a sort of state within a state.(86) Germany which had not yet produced such a statesman had found itself powerless to overcome the divisiveness and fragmentation of feudal particularism. This condition, Hegel says, was ensured by the Peace of Westphalia which guaranteed that Germany would remain a conglomeration of warring states each independent of the others.

Due to its failure to become a state, Germany, like Italy, has remained a theatre for constant warfare. With this analogy in mind, Hegel invokes the authority of Machiavelli who he sees as the great prophet of Italian unification: "Profoundly moved by this situation of general distress, hatred, disorder, and blindness, an Italian statesman grasped with cool circumspection the necessary idea of the salvation of Italy through its unification in one state".(87) Hegel argues that Machiavelli was misunderstood by those who took his book The Prince as a prescription for the way political affairs should be carried out in all times and places. He sees it as basically a period piece which cannot be understood outside the particular political

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(86)Ibid., p.108.

(87)Ibid., p.111.

context in which it was written. Nevertheless Hegel obviously feels there is something of enduring importance in Machiavelli for he favourably contrasts his actions as an advocate of the national revival of his country to those of Fredrick the Great "a modern monarch whose whole life and actions have expressed most clearly the dissolution of the German state into independent states".(88)

Like Machiavelli, Hegel realizes that national unification cannot be achieved through deliberation, but only through force and violence. Since the German people have never known anything but division Hegel here as in his later lectures calls on a tyrant, a modern Theseus, to compel them to act as though they belonged to one state:

> This Theseus would have to have the magnanimity to grant to the people he would have had to fashion out of dispersed units a share in matters that affected everyone. Since a democratic constitution like the one Theseus gave to his own people is self-contradictory in modern times and in large states, this share would have to be some form of organization. Moreover, even if the direction of the state's power which he had in his hands could insure him against being repaid, as Theseus was, with ingratitude, still he would have to have the character enough to be ready to endure the hatred with which Richelieu and other great men who wrecked men's private and particular interests were saddled. (89)

Hegel then goes on to observe that if the Germans persist in their love of particularism and find themselves unable to bring about any viable form of community, they will, like the Jewish people, be pushed to the edge of madness and will eventually be destroyed.

It would be well to note that Hegel is here fairly evidently involved in some sort of paradox. Time and again he makes the claim

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(88)Ibid., p.115.

(89)Ibid., pp.135-36.

that qua philosopher all he can do is describe or better yet the task of philosophy is to explain that which has occurred showing this to be both rational and necessary to the development of Mind. Philosophical explanations involve the analysis of particular modes of experience and can contain nothing that is not already a part of that experience. Hence his criticisms of Kant and Fichte who, he felt, were simply building sand castles in the air with no reference to concrete reality. Yet in his image of a Theseus come to restore German national unity, Hegel is himself clearly making a rather peculiar political and moral prescription concerning some desired state of affairs. No longer is he making a broad generalization about the foundation of all states, but he is saying that Germany must and should follow this path too. As a practical argument in favour of German unity Hegel's logic, as future statesmen well understood, is forceful and convincing, but a practical argument is, of course, not a philosophical argument and it is for failing in this instance to distinguish between these two types of discourse that Hegel is to be criticized. It would be abortive to attempt to explain away this confusion between prescription and description because that is precisely what it is, a confusion. Yet it would be equally abortive to see in Hegel's prescription nothing more than idle wishful thinking. His Theseus is certainly not, as Professor Avineri has said, simply a longed for deus-ex-machina.(90) Rather this Theseus represents a real and practical means of bringing about a genuine European political revival in the person of Napoleon.

For Hegel, Napoleon was the restorer of the French state after

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(90)Shlomo Avineri, Hegel's Theory of the Modern State, Cambridge, 1972, p.61.

its dissolution during the period of revolutionary turmoil. Whereas earlier Hegel had envisioned the French Revolution as a great act of liberation freeing men from the bonds of despotism and revealed religion, in the Phenomenology he depicts only the negative aspects of this great event referring to the period immediately prior to the revolution as absolute Zerrissenheit, literally "being completely torn apart".(91) The revolution, as Hegel understands it, resulted from the philosophical struggle of the Enlightenment which he characterizes as an essentially religious crisis in which reason attempts to repudiate faith and remake the world in accordance with its own secularized vision of absolute freedom of the will. Such an attempt was, Hegel believes, bound to fail for the reason that faith and reason are not antithetical but identical to one another.(92) The revolution merely attempted to implement this vision of freedom arrived at by the philosophes and especially Rousseau, but the result was a purely "self-destructive" freedom, destructive because it was carried out by individuals against

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(91)Hegel, Phänomenologie, op.cit., pp.367-70; Phenomenology, op.cit., pp.536-40.

(92)The basic unity of faith and knowledge which Hegel believes was torn apart by the Enlightenment is the major thesis of his essay "Glauben und Wissen"; see Hegel, Erste Druckschriften, op.cit., p.223: "Our culture has elevated our age so far above the old opposition between reason and faith, of philosophy and positive religion, that this opposition between faith and knowledge has acquired a totally different meaning: it has today been transferred to a position within philosophy itself. In the past reason was claimed as the servant of faith and against this philosophy has irresistably affirmed its absolute autonomy. Now these conceptions or modes of expression have disappeared and reason, if in fact there is reason in that which gives itself that name, has become so influential within positive religion that even an attack by philosophy on the positive aspects of religion such as miracles and the like is considered something outmoded and obscure".

the state rather than by the state itself.(93) This totally unconditioned negative freedom was achieved from 1789-94 and was bolstered by the terror which was intended to prevent any restriction or limitation upon freedom. The terror brought about the complete dissolution of the state and society which were only restored by Napoleon.

While Napoleon is not explicitly mentioned in the Phenomenology Hegel does express great enthusiasm for him on a number of different occasions, mostly in his private correspondence. In a letter to Niethammer he says: "I saw the Emperor - this world soul - come to the city for a reconnaissance. It is indeed a marvellous sensation to see, concentrated in one point, an individual who, sitting on a horse, overruns the world and conquers it".(94) And in another letter he makes the following observation:

> We speak a great deal about the unification of the various states of the Empire. The principle decision will doubtlessly come from Paris....The German professors of constitutional law are still writing a great number of works on the idea of sovereignty and the meaning of the Confederation. The great teacher of constitutional law (der grosse Staatsrechtslehrer), however, sits in Paris....After the Württemburg Estates had been dissolved, Napoleon said to one Württemburg Minister: 'I made your master a sovereign, not a despot'. The German princes have not yet grasped the idea of a free monarchy, nor have they even attempted to put it into practice - it will be necessary for Napoleon to organize these affairs. (95)

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(93)See the analysis of absolute freedom and the terror in Hegel, Phänomenologie, op.cit., pp.414-22; Phenomenology, op.cit., pp.599-610.

(94)Letter from Hegel to Niethammer, 13 October 1806 in G.W.F. Hegel, Briefe von und an Hegel, ed. J. Hoffmeister, 3 vols., Hamburg, 1952-54, I, p.120; henceforth cited as Briefe.

(95)Letter from Hegel to Niethammer, 29 August 1807, Briefe, op.cit., I, p.185.

And later Hegel made this comment upon learning of the introduction of the Napoleonic Code into Germany: "The importance of the Code cannot be compared with the importance of the hope that other parts of the French and Westphalian constitutions will be introduced into Germany".(96)

What is significant, however, is not Hegel's response to this or that aspect of the Napoleonic experience, but the fact that he interprets this experience as an entirely new epoch in world history representing a qualitative rupture from the ancien régime. This new epoch which Hegel designates as a new form or configuration of consciousness has as yet not had time to develop, but only exists in abstract form. For this reason modern philosophy which is nothing more than a reflection upon the times must also remain incomplete and abstract. The novel and revolutionary character of the modern age was given its first succinct expression by Hegel in the conclusion to his lecture course of 1806:

> This Gentlemen, is speculative philosophy as far as I have been able to present it. Look upon it as the commencement of the philosophy which you will carry forward. We stand at the gates of an important epoch of world history, when spirit leaps forward, transcends its previous form and takes on a new one. The whole mass of existing representations, concepts and bonds holding our world together have collapsed and dissolved as in a dream. A new phase of spirit is in preparation. Philosophy in particular must welcome it and grant it recognition, while others, who impotently oppose it, hold to the past and the majority unconsciously constitute the masses in which it is manifest. (97)

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(96)Letter from Hegel to Niethammer, 11 February 1808, Briefe, op.cit., I, p.218.

(97)Lecture of 18 September 1806 in G.W.F. Hegel, Dokumente zu Hegels Entwicklung, ed. J. Hoffmeister, Stuttgart, 1936, p.352.

It is this idea that the present constitutes a turning point in contemporary history which is at the centre of the Phenomenology as well. It would be impossible to provide even a schematic account of what Hegel attempts to accomplish in this work, but what comes out particularly in the Preface is his conviction that his is an age of transition. Both the French and the Kantian revolutions, he argues, have put an end to the old order of things and given birth to a new age even though, he admits, it is as yet impossible to know what form this age will take. Here is how he describes this process:

> For the rest it is not difficult to see that our epoch is a birth-time, and a period of transition. The spirit of man has broken with the old order to things hitherto prevailing, and with the old ways of thinking, and is in the mind to let them all sink into the depths of the past and to set about its own transformation. It is indeed never at rest, but carried along the stream of progress ever onward. But it is here as in the case of the birth of a child; after a long period of nutrition in silence, the continuity of the gradual growth in size, of quantitative change, is suddenly cut short by the first breath drawn - there is a break in the process, a qualitative change - and the child is born. In like manner the spirit of the time, growing slowly and quietly ripe for the new form it is to assume, disintegrates one fragment after another of the structure of its previous world. That it is tottering to its fall is indicated only by symptoms here and there. Frivolity and again ennui, which are spreading in the established order of things, the undefined foreboding of something unknown - all these betoken that there is something else approaching. This gradual crumbling to pieces, which did not alter the general look and aspect of the whole, is interrupted by the sunrise, which, in a flash and at a single stroke, brings to view the form and structure of the new world. (98)

Still Hegel is aware that the Phenomenology is merely a work in outline since only the foundation of the new era has been laid. We shall see

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(98)Hegel, Phänomenologie, op.cit., pp.15-16; Phenomenology, op.cit., p.75. Cf. also letter from Hegel to Niethammer, 5 July 1816, Briefe, op.cit., II, pp.85-6.

later that while in 1807 Hegel refers to the dawn of an age in the Preface to the Philosophy of Right written in 1820 he speaks of the close of the epoch. In this respect by the end of his life both Hegel and the culture he came to represent had gone full circle.

Despite his admiration for Napoleon and the new historical era he inaugurated, Hegel sees in him merely an agent for a higher purpose which transcends him and of which he is unconscious. Napoleon thus becomes the bearer of a world historical principle, constitutional monarchy, which is realized through his actions and of which he is himself not fully cognizant. This general outlook is fairly typical of Hegel's idealism whereby men are conceived simply as instruments or agents who unwittingly bring about the ultimate ends of history. Of course this idea of an historical teleology is as old as Bossuet and before him Augustine and the Church Fathers. But while for earlier Christian thinkers the goal of history was attuned to securing the happiness of a small portion of humanity in another world, for Hegel, this goal is the political state, a constitutional monarchy which he would later call the "constitution of developed reason". When the basis of this state has been laid, however, the work of its architect is made redundant. Thus Hegel says, Napoleon, this modern tyrant, like the original Theseus is fated to disappear from the scene which he helped to prepare. In fact much later on during the period of Napoleon's decline, Hegel in a letter to Niethammer claims that this had been foreseen in the Phenomenology.(99)

In the Realphilosophie II Hegel goes into some detail concerning the structure of the modern state which in many ways prefigures his

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(99)Letter from Hegel to Niethammer, 29 April 1814, Briefe, op.cit., II, pp.28-29.

later more systematic treatment of the subject in the Philosophy of Right. In its broad outline this state is modelled along the lines of the constitution which Napoleon had given to the Italians with its divisions into colleges of possidenti, merchanti and dotti.(100) As opposed to the undifferentiated unity of the antique republic, the constitution of the modern state is essentially complex and pluralistic, a phenomenon which Hegel attributes to the increase in size and population.(101) This complexity and pluralism is primarily reflected in the system of estates into which society is divided.

A detailed discussion of the concept of estate (Stand) will be put off until the next chapter. What is significant here is the way in which Hegel defines each estate according to the type of labour it performs. The first estate, the peasantry, is characterized by its immediate relationship with the object of its labour, the land. In Hegel's opinion this estate exhibits a very low level of consciousness and intelligence befitting the simple, concrete nature of its labour. Unlike the urban bourgeoisie whose work is extremely technical and abstract and only accidentally connected with his personal needs, the peasant is able to look after all his needs himself: "The peasantry," Hegel says, "is thus unindividuated trust, having its individuality in the unconscious individual, the earth. As for his labour, the peasant's labour does not have an abstract form, but he takes care of just about all his needs".(102) He goes on to say that the peasantry serves as the "raw mass" in times of war which is as it should be for the estate of unreflective trust. This rather dim view of the peasantry is

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(100)Lasson, op.cit., p.305.

(101)Ibid., pp.24-5.

(102)Realphilosophie II, op.cit., p.254.

obviously a reflection upon the feudal backwardness of this estate in early XIXth century Germany. While in other parts of Europe the peasantry was being radically transformed due to the introduction of modern industrial technology into agricultural production, Hegel, despite his knowledge of the classical economists, chooses to ignore this fact. For him, the peasantry produces only for immediate need and not for exchange at the market place.

The second estate is designated as the Bürgerstand, a rather archaic German word which is roughly, although not literally, commensurate with bourgeoisie or middle class.(103) While the peasant puts his faith and fate in the hands of nature, the Bürger puts his confidence in the legal and juridical institutions of society. Hegel's thoughts on such subjects as property, contract and law are extraordinarily oblique, but what is evident is that he sees these institutions as in some sense necessary for the smooth functioning of a fully developed society. Never did he harbor the chiliastic illusions of a Fichte for whom the rule of law was merely propaedutic to the coming of a society governed by the principles of pure morality. The purpose of the law is to put the interests of the individual into harmony with the common interest and it is this identity of particularity and universality which assures the freedom of the whole.(104) It is of course another question altogether whether the law actually functions in this manner or whether Hegel too falls prey to the tendency of idealizing existing reality by attributing to it the perfection of some future ideal.

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(103)An excellent historical account of the rise of the German middle class can be found in W.H. Bruford, Germany in the Eighteenth Century, Cambridge, 1935, pp.214-34.

(104)Realphilosophie II, op.cit., p.248.

The Bürgerstand is divided into two branches. The first consists of craftsmen or the petit bourgeoisie whose work is devoted to transforming the raw materials of nature into suitable objects for human consumption. The second consists of the commercial and industrial capitalists who deal only with the exchange of finished commodities. Here there is a very highly developed degree of abstractness as work is completely disassociated from any connection with immediate use or need. The commodity, Hegel says in a passage strikingly similar to the opening pages of Marx's Capital, has two aspects, that which it is in itself as an article of commerce and that which it is in its universal equivalent, money, "a great invention". Indeed the phenomenon of money must have presented Hegel with great difficulties as the following passage demonstrates:

> A person is real to the extent that he possesses money. Imagination is squandered; the meaning has immediate existence; the essence of the thing is the thing itself; value is hard cash. The formal principle of reason is present here (but this money which bears the meaning of all needs is itself an immediate thing) - it is the abstraction from all particularity, character, historicity, etc. of the individual. The disposition of the merchant is this hardness of spirit whereby particularity is completely alienated and no longer counts; only the strict law prevails. The bill must be honoured come what may even if he himself, his family, wealth, life, etc. are destroyed. (105)

This account very clearly bears out how far Hegel was from glorifying the life of the contemporary bourgeois. In fact in a completely realistic fashion he observes that the accumulation of money is made possible only through the ruthless and brutal exploitation of a class, left unnamed, in the mines and mills.

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(105) Ibid., pp.256-57.

The third estate Hegel designates as "universal" as its function is to oversee the entire political edifice. In the essay on "Natural Right" Hegel had identified this estate with the class of citizen warriors whose position was levelled with the collapse of the Roman Empire. In the "System of Ethics" as well Hegel continues to operate with the concept of a military aristocracy which he models not along the lines of the old nobility, but along the Napoleonic scheme. There is, however, something of an ambivalence within this work as Hegel tends to view this estate as the personification of the government rather than an intermediate body subordinate to the state. This glorification of the military should come as no surprise when considered in the light of his belief that the constant preparedness for war and willingness to sacrifice one's life for the fatherland is an essential ingredient of the state without which the whole social fabric becomes enervated and dissolute. This is how he expresses it in the Phenomenology:

> In order not to let them get rooted and settled in this isolation and thus break up the whole into fragments and let the common spirit evaporate, government has from time to time to shake them to the very centre by war. By this means it confounds the order that has been established and arranged, and violates their right to independence, while the individuals (who, being absorbed therein, get adrift from the whole, striving after inviolable self-existence and personal security), are made, by the task thus imposed on them by government, to feel the power of their lord and master, death. By thus breaking up the form of fixed stability, spirit guards the ethical order from sinking into merely natural existence, preserves the self of which it is conscious, and raises that self to the level of freedom and its own powers. (106)

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(106)Hegel, Phänomenologie, op.cit., p.324; Phenomenology, op.cit., p.474.

Hegel also mentions in passing the public spirited civil servants, the administrative bureaucracy, but he is not at all specific about their function. Nor for that matter does he go into the function of the monarch whose policies they administer. The only point worth noting is his remark that the true public servant must also be a scholar, for as we shall see later, education is an essential prerequisite for membership in this estate.(107)

Philosophically understood, the system of estates is not a divisive power which alienates man from his fellows, but a means of bringing about social integration and harmony. Since each estate is based upon what is common to its members, their labour, it raises the individual above his natural state of isolated particularity and provides him with a more general social consciousness. Indeed a person, according to Hegel, is what he is by virtue of the estate to which he belongs. It is the estate which fosters an identity between the interests of the individual and the collective interests of the community. Thus the estate mediates betweeh man's private role as bourgeois and his public role as citoyen.(108) Hegel's point is that this dual role is not something to be eschewed, but represents legitimate spheres of differentiation which must be respected. In this regard Hegel's views are the direct opposite of Marx's for whom the division of society into social classes is never really legitimate, but always entails the exploitation of one class by another. While for Marx only a classless society could bring about the rule of reason on earth for Hegel, without the estates system society would become fragmented and atomized. Thus while the former views social classes as a measure of human alienation, for the latter they always remain a buttress against fragmentation and dissonance.

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(107)Realphilosophie II, op.cit., pp.259-60.

(108)Ibid., p.249.

Hegel's Realphilosophie does not conclude, as is sometimes thought, with the supremacy of the state. Rather there is a realm of mind which surpasses the material limitations of the political community which consists of art, religion and philosophy. While each of these modes of expression have the same content, the cognition of ultimate reality, they differ as to their form. Art attempts to depict the absolute or reality in an intuitive manner through material given by the senses. Religion attempts to apprehend it through picturesque representations (Vorstellungen) and images. And philosophy depicts reality through a systematically inter-related set of concepts (Begriffe). It might be fitting to conclude this analysis of Hegel's Jena philosophy with a brief examination of the relationship between the realm of what Hegel would later call mind absolute and the realm of man's social and political experience described above.

My argument so far, it will be recalled, is that Hegel's purpose in providing a philosophical account of experience grew out of a practical need to bring about a harmonious, non-alienated relationship between man and the world. Following the earlier leads of Kant, Fichte and Schelling, Hegel came to the conclusion that only when the whole of reality is grasped by the human mind will man learn to view it as his "second nature". Like his fellow German idealists, Hegel confers particular importance upon religion and specifically upon Christianity as a fundamental mode of explaining man's position in the cosmos. As opposed to the neo-Kantians of Tübingen, Hegel rejects the contention that the Christian God is a remote and alien intelligence completely cut off from human affairs. No longer does God appear as the "infinite Lord of the universe", but his existence is made manifest through man

and his activity in the world. This might well seem a rather pantheistic conception of religion and it does rely heavily upon the pantheistic element in Spinoza's religious philosophy, the influence of which via Jacobi and Goethe was undergoing a revival in the early part of the XIXth century.(109) In this manner the world of God and the world of man are brought together in a harmonious union so that religion rather than being a measure of man's separation from the community becomes central for his integration into it or as Hegel puts it somewhat cryptically: "The state is...the reality of the kingdom of heaven".(110)

It should be mentioned, however, that this reconciliation between the earthly and heavenly cities does not take place within religion, but within philosophy or more precisely within the philosophy of religion. The final pages of the essay "Faith and Knowledge" provide the culmination of this elevation of religion to philosophy where the death of Christ is transformed into a "speculative Good Friday".(111) This point is made even more forcefully later when Hegel remarks that if religion is unable to obtain a rational knowledge of God and the universe, refuge must be taken in philosophy which can.(112) So long as God remains an unknowable thing-in-itself which stands outside of human cognition, there will never be a complete reconciliation between man and the world. In this manner Hegel accomplishes the conceptual

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(109)This revival of interest in Spinoza among the German idealists was largely due to the publication in 1785 of Jacobi's Uber die Lehre des Spinoza.

(110)Realphilosophie II, op.cit., p.270.

(111)Hegel, Erste Druckschriften, op.cit., p.346.

(112)G.W.F. Hegel, Die Vernunft in der Geschichte, ed. J. Hoffmeister, Hamburg, 1955, pp.37-49.

transposition of theology into speculative philosophy. This transposition was in fact first noted by Feuerbach who in his Provisional Theses for the Reform of Philosophy made the observation that: "The secret of speculative philosophy is theology - speculative theology is distinguished from common theology in this, that it transposes into the here and now that is actualizes, determines and realizes the divine essence which otherwise would exist in the beyond."(113)

Equally significant is the relationship between art and philosophy for this brings up once again the matter of Hegel's relation to Schelling. During the early years at Jena, Hegel's philosophical position was not yet entirely distinct from Schelling's and, as we have seen, he adopted a largely Schellingian line in his critique of Kant, Fichte and the philosophy of subjective idealism. Hegel seemed to have accommodated himself to the role of junior partner (although he was five years Schelling's senior) in their joint effort to provide a comprehensive philosophical account of experience. Nevertheless differences between Schelling and Hegel were there from the start and gradually these became increasingly manifest.

The point of contention was that Schelling believed that reality was only cognizable through an act of aesthetic intuition. Art was for him the only medium through which the absolute can be known. As both Lukács and Garaudy have pointed out, Schelling's notion of an intellectual intuition as revealed through aesthetic experience goes hand in hand with an aristocratic theory of knowledge as it implies that the veritable cognition of reality is only open to an artistic

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(113)Feuerbach, op.cit., II, pp.222-23; cf. also p.246: "The essence of speculative philosophy is nothing other than the essence of God, rationalized, realized and actualized. Speculative philosophy is the true, coherent and rational theology".

elite, a few geniuses who have been especially chosen to look upon the god-head.(114) Hegel's claim is that Schelling's use of intuition as the foundation of speculative philosophy, far from providing an adequate knowledge of reality, can only open the floodgates of mysticism and obscurantism. While he was certainly sympathetic to Schelling's attempt to overcome the unknowability of Kant's thing-in-itself and thus restore a harmonious union of subject and object, he denies that this union can be achieved through intuition alone. The pretended immediacy of intuitionism excludes all movement and development of thought so that the differences between subject and object are simply swallowed up in an all encompassing absolute. The crucial passage in which Hegel criticizes the Schellingian absolute for obliterating all distinctions between subject and object was alluded to earlier, but is here quoted in full:

> To pit this single assertion, that 'in the Absolute all is one' against the organized whole of determinate and complete knowledge, or of knowledge which at least aims at and demands complete development - to give out its Absolute as the night in which, as we say, all cows are black - that is the very naïveté of emptiness of knowledge. (115)

And elsewhere Hegel makes the same point when he refers to the merely quantitative divisions within Schelling's absolute meaning that rather than providing a concrete knowledge of reality he only makes abstract and formalistic statements about it.(116)

In Hegel's view the proper comprehension of reality must proceed not by some irrationalist aesthetic principle, but must be firmly grounded

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(114)Georg Lukács, Die Zerstörung der Vernunft, Berlin, 1954, pp.103-14; Roger Garaudy, Dieu est mort: Étude sur Hegel, Paris, 1970, pp.158-59.

(115)Hegel, Phänomenologie, op.cit., pp.19; Phenomenology, op.cit., p.79.

(116)Rosenkranz, op.cit., p.201.

in reason and logical analysis. For him, philosophy cannot rest upon some privileged insight into the nature of reality, but must be universally demonstrable and communicable to all. According to Hegel, absolute knowledge is the terminus ad quem of philosophy which can only be reached through rigorous proof and demonstration. This is why he contemptuously refers to Schelling's intuitive point of indifference as "the sort of ecstatic enthusiasm which starts straight off with absolute knowledge, as if shot out of a pistol, and makes short work of other points of view simply by explaining that it is to take no notice of them".(117) For Hegel, knowledge, rather than being immediate, is a process, an activity which may begin with sensible intuition, but proceeds from there to the understanding which divides and bifurcates and from there to reason which unifies the whole. In the following chapter we shall examine in some detail the method which Hegel employs to arrive at what he takes to be a true understanding of experience.

In conclusion it should be said that while Hegel certainly intended that his philosophical grasp of experience be, at least in principle, open to all, he always steered clear of the sort of popular philosophizing which merely panders to prejudice and public opinion.(118) A truly philosophical knowledge of reality is only possible through a lengthy and arduous process of education (Bildung). Bildung does not mean education in the narrow sense of simply learning by rote, but in the broad sense of learning through experience. As one critic puts it, Bildung signifies "maturation, fulfilment, joy, suffering, a drenching

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(117)Hegel, Phänomenologie, op.cit., p.26; Phenomenology, op.cit., pp.88-9.

(118)Hegel, Erste Druckschriften, op.cit., pp.126-27.

in the stream of time and an emergence to the plateau of judgement".(119) It is the process whereby the individual acquires the knowledge and experience of the species. As Hegel puts it in the Preface to the Phenomenology, it is "the task of conducting the individual mind from its unscientific standpoint to that of science...the formative development of the universal individual, of self-conscious spirit".(120) This philosophical education does not, then, rely upon some divine or privileged inspiration, but upon the systematic expenditure of intelligence.

This emphasis upon education naturally invites comparison with Rousseau and indeed Jean Hyppolite has observed that in Émile, Hegel found a first history of the natural consciousness elevating itself to freedom by means of personal and specially formative experience.(121) But such a comparison is in many respects misleading. Hegel is highly critical of Rousseau's experiment in controlled naturalism which advocates withdrawal from common everyday life and estranging men from the laws of the land. For Hegel, education is always preparatory for life in the practical affairs of the community. It is not so much concerned with technical mastery over nature as it is with the formation and cultivation of character. It is the art of making men ethical.(122) In this manner a philosophical training has as its end the creation of a free and politically conscious citizenry who see the world not as a form of estrangement and alienation, but as the manifest embodiment of themselves.

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(119)George A. Kelly, Politics, Idealism and History: Sources of Hegelian Thought, Cambridge, 1969, p.342.

(120)Hegel, Phänomenologie, op.cit., p.26; Phenomenology, op.cit., p.89.

(121)Jean Hyppolite, Genèse et structure de la phénoménologie de l'esprit de Hegel, 2 vols., Paris, 1946, I, p.16.

(122)G.W.F. Hegel, Philosophy of Right, trans. T.M. Knox, Oxford, 1971, addition to paragraph 151.

CHAPTER III

THE PHILOSOPHY OF RIGHT : HEGEL'S MATURE SYSTEM OF POLITICAL PHILOSOPHY

From 1808 to 1816 Hegel was the headmaster of a Gymnasium at Nürnberg where his duties included instruction in philosophy. It was during these years that he composed the three volumes of the Science of Logic which were intended to complete the cycle that he had begun earlier in the Phenomenology. In 1816 Hegel was offered the chair of philosophy at Heidelberg which he accepted and where he wrote the Encyclopedia of the Philosophical Sciences as a sort of compendium to his entire system. In this work he outlines in a series of consecutively numbered paragraphs the three great branches of his system: logic, the philosophy of nature and the philosophy of mind. Finally in 1818 Hegel was offered the chair of philosophy at Berlin which had been vacant since Fichte's death four years earlier. It was here that Hegel wrote his chef d'oeuvre on political theory entitled Natural Law and Political Science in Outline; Elements of the Philosophy of Right (1821) which is an elaboration of the philosophy of mind and which contains his ideas on social ethics and the theory of the state. Before undertaking an examination of this work, however, it will be necessary to elucidate the methodological base which underlies it.

I

Hegel always viewed philosophy not as one specialized discipline among many, but as the ultimate form of human knowledge, or to use the

expression of a contemporary philosopher, Hegel adopted the view of philosophy as a "master science".(1) As such, Hegel is adamant that philosophy have its own clearly defined method of inquiry which demarcates it from other subordinate disciplines. The problem of a proper methodology for philosophy had been taken up already by Schelling in his Lectures on the Methods of Academic Study of 1802. But here as in his earlier writings, Schelling shows himself unable to proceed beyond a mystical intuitionism as the only means of cognizing reality. As opposed to Schelling's intuitive point of indifference, Hegel argues that the philosophical method must be absolutely rigorous and demonstrable. As early as the Preface to the Phenomenology Hegel equates the method of speculative philosophy with logic.(2) It is, he observes, the special business of logic to express the way in which philosophy operates. And later in the Preface to the first edition of the Logic Hegel remarks that after the theoretical devestation of the old metaphysics wrought by Kantianism, it must be the task of logic to once more raise philosophy to the level of a science (Wissenschaft).(3) There is, however, a crucial difference between Hegel's logic and that of previous logicians, a difference which must now be briefly examined.

Traditional Aristotelian logic or formal logic, according to Hegel, studies purely analytical transformations in which thought is concerned only with itself. This logic concerns only the form of thinking or the

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(1) Peter G. Winch, The Idea of a Social Science, London, 1958, pp.7-10.

(2) G.W.F. Hegel, Phänomenologie des Geistes, ed. J. Hoffmeister, Hamburg, 1952, pp.32-33; cf. also p.40; The Phenomenology of Mind, trans. J.B. Baille, London, 1971, p.97; cf. also p.106.

(3) G.W.F. Hegel, Wissenschaft der Logik, ed. G. Lasson, 2 vols. Leipzig, 1923, I, pp.3-8; Science of Logic, trans. A.V. Miller, London, 1969, pp.25-9.

rules of thought in complete abstraction from all concrete empirical content. It is, as Henri Lefebvre has pointed out, the logic of abstraction as such.(4) The basic principle of formal logic is the law of identity as expressed in the proposition A is A. This law of identity can only assert that a thing is what it is and not anything else which, as Hegel correctly observes, is nothing more than an "empty tautology".(5) From the point of view of formal logic, the world is simply composed of so many isolated and immobile facts or things (Sache) each of which is identical to itself alone and only externally related to others. These things are what they are and that is all that can be said about them. Thought is therefore characterized by a static rigidity, its formal identity with itself.

Hegel's metaphysics is largely intended to rescue logic from the abstractness and vacuity of formalism. Formal logic, he believes, has a certain restricted applicability in such disciplines as mathematics and the natural sciences, but for this very reason it cannot become the method of philosophy.(6) Philosophy, Hegel maintains, must have its own logic, one more attuned to the nature of man's practical experience than traditional scientific or metaphysical reasoning. In order to fill this void left by formalism, Hegel proposes a new dialectical logic which can provide a more adequate, comprehensive grasp of reality.

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(4) Henri Lefebvre, Dialectical Materialism, trans. John Stuttock, London, 1968, p.37.

(5) Hegel, Logik, op. cit., II, p.28; Logic, op. cit., p.413.

(6) The basis of Hegel's criticism of the old pre-critical metaphysics, e.g. that of Descartes, Spinoza, Hobbes and Leibniz is that they merely assume that the method employed by mathematics and the natural sciences is appropriate to the study of philosophy.

Dialectic, Hegel says, is generally regarded as a purely adventitious external art which does not so much pertain to the subject matter, but has its ground in the subjective desire to uproot everything which is fixed and stable.(7) The bad reputation which dialectical reasoning has acquired can be traced back to the Greeks, particularly Zeno, who used it merely to introduce an absolute scepticism about all things and to deny the possibility of attaining a firm grasp of reality.(8) To some extent Hegel praises Kant for attempting to free the dialectic from this seeming arbitrariness and integrate it with precise thinking. But for Kant the dialectic still remains a "logic of illusion" (Logik des Scheins) which he defines as a:

> sophistical art of giving ignorance, and indeed to intentional sophistries, the appearance of truth, by the device of imitating the methodical thoroughness which logic prescribes, and of using its 'topic' to conceal the emptiness of its pretentions. (9)

Nevertheless a substantial part of Kant's argument is given over to developing what he calls "the transcendental dialectic" which is intended as:

> a critique of understanding and reason in respect of their hyperphysical employment. It will expose the false, illusory character of those groundless pretentions, and ... substitute no more than what is a critical treatment of the pure understanding, for the guarding of it against sophistical illusion. (10)

Kant uses this transcendental dialectic to unveil the antinomies to

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(7) Hegel, Logik, op. cit., I, pp.37-8; Logic, op. cit., pp.55-6.

(8) For an excellent account of the relationship between the Hegelian dialectic and that of the ancients see Hans-Georg Gadamer, Hegels Dialektik, Tübingen, 1971, pp.7-30.

(9) Immanuel Kant, Critique of Pure Reason, trans. Norman Kemp Smith, London, 1950, p.99.

(10) Ibid., pp.100-01.

which previous metaphysics has fallen prey in its discussions of dogmatic psychology, cosmology and rational theology. The result of this devestation of metaphysics is Kant's assertion that the cognitive faculties cannot go beyond experience without generating fantasies and illusions.

While it might be argued that Hegel takes his point of departure from Kant's transcendental dialectic, he does so only to resolve the antinomies of pure reason which Kant had left open ended and thus provide a new basis for a genuine system of metaphysics. Hegel's dialectic is used to demonstrate that the static concepts employed by the formalists (and he certainly includes Kant within this camp), contain within them certain contradictory aspects which must be resolved if a satisfactory understanding of the world is to be reached. These contradictions, Hegel says, are not surreptitiously imposed upon the concepts by the philosopher, but are in some sense imminent within the concepts themselves. In opposition to formalism and common sense thinking which claims that the law of identity and non-contradiction is the fundamental principle of logic Hegel argues that:

> "everything is inherently contradictory, and in the sense that this law in contrast to the others expresses rather the truth and the essential nature of things." (11)

While logic hitherto has claimed that the law of identity is the essential determination of a thing, Hegel claims that the law of contradiction is an even more important determination because:

> "as against contradiction, identity is merely the determination of the simple immediate, of dead being; but contradiction is the root of all movement and vitality; it is only insofar as something

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(11) Hegel, Logik, op. cit., II, p.58; Logic, op. cit., p.439.

> has a contradiction within it that it moves, has an urge and activity. (12)

Generally the possibility of contradiction either in thought or reality is dismissed as "a contingency, an abnormality and a passing paroxysm of sickness" but here too Hegel points out that

> Something is therefore alive only insofar as it contains contradictions within it and moreover is this power to hold and endure the contradictions within it. (13)

These passages could be multiplied in abundance, but the point which Hegel is trying to make is that the concepts normally employed in explaining experience are not simple and one-dimensional, but complex and multi-faceted. Furthermore, it is not the purpose of speculative philosophy to avoid these contradictions, but to develop and resolve them with the view to attaining a comprehensive, all-embracing account of experience.

Unlike the rigid antinomies established by formal logic, these dialectical contradictions have a way of resolving themselves in a higher unity. For every concept with its mutually contradictory moments, there is another which contains both these moments, albeit without contradiction, and which is at the same time implicit in them. What Hegel has discovered is the third term or the excluded middle which formalism had banished from the canons of logical thinking.(14) This third term is able to reconcile both previously conflicting aspects of a concept in such a manner that they are no longer in conflict. Contradictions are not ossified and rigidly

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(12) Ibid., II, p.58; Ibid., p.439.

(13) Ibid., II, p.59; Ibid., p.440.

(14) Ibid., II, pp.56-57; Ibid., pp.438-39.

juxtaposed to one another, but are "sublated" a term which Hegel defines in the following manner:

> "To sublate (aufheben) has a two-fold meaning in the language: on the one hand it means to preserve, to maintain, and equally it also means to cause to cease, to put an end to .... Thus what is sublated is at the same time preserved; it has only lost its immediacy but is not on that account annihilated." (15)

Only through this logical process of opposition and the overcoming of opposition is it possible, Hegel claims, to arrive at a satisfactory understanding of experience. Such an understanding cannot isolate and fragment the various aspects of reality, but must bring out the inter-relationships between them and thus show that reality is a unified totality.

Hegel's dialectical method is not merely an external technique by which the philosopher is somehow able to discover the true nature of reality, but is intrinsically bound up with his system of philosophical idealism. In the Logic Hegel remarks that any true philosophy must be essentially a form of idealism:

> "Every philosophy (he says) is essentially an idealism or at least has idealism for its principle, and the question then is only how far this principle is actually carried out." (16)

What Hegel means by idealism is simply the view that finite things or the basic facts of being have no real existence:

> "The idealism of philosophy (he observes) consists in nothing else than in recognizing that the finite has no veritable being." (17)

Idealism attributes existence not to the finite world of matter, but to

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(15) Ibid., I, p.94; Ibid., p.107.

(16) Ibid., I, p.145; Ibid., pp.154-55.

(17) Ibid., I, p.145; Ibid., p.154.

the infinite world of thought. Thought is, for Hegel, the unconditioned absolute and is for this reason completely free. But as such it does not stand opposed to the finite, material world as a cause to its effects. Rather the material world is dialectical in that it constantly strives to surpass its finitude and become unified with the infinite:

> "It is the very nature of the finite to transcend itself, to negate its negation and to become infinite. Thus the infinite does not stand as something finished and complete above or superior to the finite, as if the finite had an enduring being apart from or subordinate to the infinite." (18)

Thus the very soul of reality is dialectical as it is forced to pass over into the infinite realm of thought:

> "Thus the finite has vanished into the infinite and what is, is only the infinite." (19)

In this manner things which simply appear to be what they are show themselves over the course of time to be "inwardly self-contradictory" and become transformed into something "other" than what they are. It is this view that things are both what they are in themselves and what they are as grasped by thought, or expressed symbolically A is both A and not A, that is at the root of Hegel's dialectical logic.

This conception of thought as the true reality behind the ephemeral appearances of things is, Hegel says, a return to the ancient notion of metaphysics which afforded a much greater scope to thought than is current amongst modern philosophers. For the moderns - and here Hegel seems to be thinking of the empiricist philosophies of Locke and Hume - thought is simply the reflection of an object which

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(18) Ibid., I, p.126; Ibid., p.138.

(19) Ibid., I, p.126; Ibid., p.138.

exists independently of it. Truth thus rests upon the passive reception of sensations which are then organized by the brain and retained as faint traces in memory. For the ancients, however, thinking is in no sense alien to the object, but is as much a part of the object as any empirically observable feature. From this view Hegel derives an absolutely unique ontological position which maintains that things are what they are to the extent that they have been grasped by thought.(20) In short things are, for Hegel, primarily objects of consciousness and they have existence only insofar as they have been fully comprehended by the thinking mind. Hegel credits Anaxagoras as the first to discover this principle that Nous or thought governs the world thus laying the foundation for a purely logical view of the universe.(21) It is this desire to bring the entire world within the dominion of pure thought which constitutes the highest aspiration of philosophical idealism.

Only an accomplished system of philosophical idealism is able to provide an all inclusive account of experience, one in which nothing is excluded and which leaves nothing outside itself. What we are concerned with here, however, is the specifically social and political aspect of Hegel's philosophy of experience. Still Hegel's political philosophy as expressed in the Philosophy of Right and the sections on "Geistesphilosophie" in the Encyclopedia is merely a branch of speculative philosophy as a whole. These works deal with the realm of objective mind which within the Hegelian system stands between the realm of subjective mind and the realm of mind absolute. The realm

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(20) Ibid., I, pp.25-6, Ibid., p.45.

(21) Ibid., I, p.31; Ibid., p.50.

of subjective mind consists in the various stages of consciousness through which both the individual and the entire human species pass in its intellectual development from youth to maturity. This entails an elucidation of the evolution of the human mind as it emerges from its natural state on its eventual path to absolute knowledge. The realm of objective mind consists of man's practical activity in the world and the manner in which this activity is embodied in certain social and political institutions. These institutions are broadly divided into the spheres of (1) Abstract Right, (2) Morality and (3) Ethical Life, this latter being further sub-divided into the spheres of (a) Family, (b) Civil Society and (c) State. It is due to their being somehow products of human activity that Hegel refers to these institutions as "objective". But the objective world is still limited and restricted, it is the finite world of things and as such has a tendency to transcend its own conditions of existence and pass into its other, in this case the world of mind absolute as typified in art, religion and philosophy. Only here is true and perfect freedom possible where man can find comfort and solace from the harshness and brutality of reality. The condition of pure contemplation is for Hegel as for Aristotle, the highest good for man.(22)

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(22) Aristotle, The Nicomachean Ethics, trans. Sir David Ross, Oxford, 1972, pp.263-69, in which he links up the contemplative life of reason with the divine; see for example, p. 269: "Now he who exercises his reason and cultivates it seems to be both in the best state of mind and most dear to the gods. For if the gods have any care for human affairs, as they are thought to have, it would be reasonable both that they should delight in that which was best and most akin to them (i.e. reason) and that they should reward those who love and honour this most, as caring for the things that are dear to them and acting both rightly and nobly. And that all these attributes belong most of all to the philosopher is manifest. He, therefore, is the dearest to the gods".

Still Hegel realizes that even though the finite, objective world is transcended by the absolute mind, only the former can provide the environment suitable for the development of art, religion and philosophy.

The point of all this is that Hegel's politics cannot, as one recent critic has argued, merely be abstracted from his general system of metaphysics.(23) Rather it must be shown how the political philosophy forms a central part of the overall system or put another way, Hegel's political thought can only be adequately understood within the context of his metaphysics. This is so, not because there is a strictly necessary connection between the various aspects of Hegel's system. In fact it has been claimed that alternate arrangements are possible. Rather Hegel's politics must be understood within the nexus of his system as a whole because it is only in terms of a total comprehension of human experience that the facts of alienation and estrangement can be overcome and man can become reconciled to the world in which he lives. This need to be reconciled with reality is expressed with great pathos in the Preface to the Philosophy of Right:

> "To recognize reason as the rose in the cross of the present is the rational insight which reconciles us to the actual". (24)

Thus to extract Hegel's political thought from his metaphysics would be to lose sight of his ultimate purpose, that is, to dispel discord and fragmentation and restore a sense of harmony and coherence in the world. Let us now examine in some detail precisely how Hegel carries out his purpose.

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(23) Z.A. Pelczynski, Introductory Essay to Hegel's Political Writings, trans. T.M. Knox, Oxford, 1964, p.136.

(24) G.W.F. Hegel, Philosophy of Right, trans. T.M. Knox, Oxford, 1971, p.12; henceforth cited as Philosophy of Right.

II

The starting point of Hegel's science of right is the concept of the will. The will is simply man's power of practical reason. It is the principle of praxis and as such it represents man's ability to transform the world, making it a manifestation of human activity. The basic feature of the will is freedom. By this Hegel means that the will is self-determining, that there is nothing outside the will which in any way conditions or limits it. This is the point which Schelling had argued in his early work On the Ego where he says that the quality of being conditioned is the fundamental attribute of a thing and it follows from this that an unconditioned thing would be a contradiction in terms.(25) Schelling's point here is that only the ego is unconditioned and cannot be made into a thing. This is precisely Hegel's point of departure as for him the will is not a thing which is determined by something outside it, but is a conceptual form which is entirely self-determining. This supposition of the freedom of the will should not be taken to contravene the earlier statement that thought alone is free because,for Hegel,the will is a "special way of thinking".(26) This distinction between thought and the will is the same as the distinction between the theoretical and the practical attitude. While the theoretical attitude involves contemplating an object, the practical attitude involves acting upon it. But human actions are not a matter of blind impulse or instinct. Human activity is always purposive and rational because it carries out a design previously conceived by the intelligence. In this

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(25) F.W.J. Schelling, Werke, ed. Manfred Schröter, 14 vols., Munich, 1927, I, p.90.

(26) Philosophy of Right, op. cit., paragraph 4.

manner, thinking and willing, while they remain two separate and distinct activities, are nevertheless related to one another.

According to Hegel, the metaphysical freedom of the will can best be explained by an analogy to the natural world. Freedom is just as fundamental a feature of the will, he says, as weight is of bodies. Just as matter is inconceivable without weight, so is the will inconceivable without freedom.(27) As an analogy, however, there must be a crucial difference and it is this. The Philosophy of Right proposes to follow the development of the will, the ultimate end of which is imminent within itself. Indeed the whole thrust of the work is to demonstrate that the will cannot find its own end in nature, but must return into itself and develop its own freedom. The development of the will is, then, a teleological process and is not subordinate to the mechanically organized, causal network of nature. Far from being mutually complementary, nature and freedom are antithetical to each other. Hence the work of the will is manifested in a continuing separation from nature and the creation of a "second nature" in which freedom is actualized.

After establishing the free will as his point of departure, Hegel goes on to characterize the will as a dialectical unity of two qualities. On the one hand, there is:

> the element of pure indeterminacy or that pure reflection of the ego into itself which involves the dissipation of every restriction and every content either immediately presented by nature, by needs, desires, and impulses, or given and determined by any means whatever. This is the unrestricted infinity of absolute abstraction or universality, the pure thought of oneself. (28)

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(27) Ibid., addition to paragraph 4.

(28) Ibid., paragraph 5.

This pure indeterminacy of the will is very similar to what Schelling had in mind when speaking of intellectual intuition which is produced by the ego abstracting itself from all empirical conditions of existence and enclosing itself in a state of hermetic isolation from the outside world. But this indeterminacy of the will, Hegel says, is a purely negative freedom, a freedom of the void which:

> takes shape in religion and politics alike as the fanaticism of destruction - the destruction of the whole subsisting social order ... (for) only in destroying something does this negative will possess the feeling of itself as existent. (29)

On the other hand, the will contains the quality of determinacy in that willing is never willing as such, but is always willing some particular thing. Here the will freely adapts itself to the particular concrete situation in which it finds itself. What Hegel wants is to bring these two aspects of the will into harmony and this he believes is only possible through active participation in political society which is both the manifestation and fulfilment of the free will.

Freedom of the will is, however, merely potential freedom. The point is that freedom must be actualized in the world of objective reality. The first form in which this freedom is translated into reality is discussed by Hegel under the general category of Abstract Right. Here the individual is conceived as a possessor of rights and duties. He has the right to complete freedom of action, but he also has the duty to acknowledge that all other men similarly have the freedom. This condition is perhaps best expressed in his phrase: "Be a person and respect others as persons".(30) This notion of man

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(29) Ibid.

(30) Ibid., paragraph 36.

as possessed of certain rights and duties is at the bottom of the liberal theory of society as put forward by thinkers from Hobbes to Kant via Locke and Rousseau. What is novel in Hegel's treatment of natural law is that he incorporates it within his system while at the same time transcending it.

Hegel is here concerned with providing a metaphysical explanation for the right to property. His argument is essentially that the right to property is not simply an historical accident, but derives from the very nature of the will. According to Hegel, it is the tendency of the will to extend itself over the whole of nature making the latter a part of itself. It is only when nature has been appropriated in this manner, that is, when the will has achieved complete domination over its "other", that freedom is actualized. The upshot of this is that freedom is identified with ownership as it is the end of all things to become property of the will:

> A person has as his substantive end the right of putting his will into any and every thing and thereby making it his, because it has no such end in itself and derives its destiny and soul from his will. This is the absolute right of appropriation which man has over all 'things'. (31)

And in the following paragraph, Hegel further qualifies the nature of property:

> To have power over a thing ab extra constitutes possession. The particular aspect of the matter, the fact that I make something my own as a result of my natural need, impulse, and caprice, is the particular interest satisfied by possession. But I as free will am an object to myself in what I possess and thereby also for the first time am an actual will, and this is the aspect which constitutes the category of property, the true and right factor in possession. (32)

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(31) Ibid., paragraph 44.

(32) Ibid., paragraph 45.

When Hegel says that man has mastery over nature and thus the right to make all things his property, he is clearly falling back upon a traditional argument first put forward in Book I of Aristotle's Politics. Here Aristotle describes nature as a system of ends and purposes in which the lower serves the higher and the higher rules the lower. As an example he says that it is the purpose of plants and animals to become the property of man who as a rational being is alone capable of giving them a function.(33) It follows from this that in a world without men, neither plants nor animals would have a purpose, but rather they acquire a telos only insofar as they provide for human subsistence. Aristotle goes on to argue, however, that there are also certain human beings of a lower order who are intended by nature to be ruled by others thus establishing a philosophical foundation for slavery. We shall see shortly how Hegel treats this aspect of Aristotle's doctrine. The point here is that Hegel adopts Aristotle's argument to show that man has a legitimate right to appropriate nature as his property. His claim is that things as they stand in the material world are finite and limited and it is their fate to be appropriated by the will which is infinite and unconditioned. In this manner he attempts to link up the principle of philosophical idealism which holds that things have existence only to the extent that they are grasped by thought - or in this case the will - with the right to property.(34)

Having deduced property from the nature of the will, Hegel goes on to insist that property must be private in character. Hegel reasons

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(33) Aristotle, The Politics, trans. Ernest Barker, Oxford, 1957, pp.25-26.

(34) Philosophy of Right, op. cit., addition to paragraph 44.

that since the will is always the will of a single individual, it follows that what is appropriated by the will must acquire the distinction of private property. He accomplishes this tortuous deduction as follows:

> In property my will is the will of a person; but a person is a unit and so property becomes the personality of this unitary will. Since property is the means whereby I give my will an embodiment, property must also have the character of being 'this' or 'mine'. This is the important doctrine of the necessity of private property. (35)

This insistence that property be held in private represents something of a departure from Hegel's earlier statements on this subject. It will be recalled that in his essay on "Natural Right", Hegel had criticized Kant's moral philosophy for attempting to apply a purely a priori standard of reason to determine whether or not the theft of a piece of property could be ethically justified. Kant's conclusion was that such an act could never be morally justifiable on the grounds that if universalized it would become self-contradictory as it would result in the negation of all property. Hegel's argument against Kant was that the case for property can never be substantiated in terms of logical consistency as taken by itself private property or communal property is perfectly self-consistent, a point which he forcefully reiterated in the Phenomenology:

> Property per se does not contradict itself. It is a specifically determinate isolated element, or merely self-identical. Absence of property, absence of ownership of things, or again, community of goods, contradicts itself just as little. That something belongs to nobody at all, or to the first best man who puts himself in possession, or again, to all together, and to each according to his need or in equal portions - that is a simple characteristic, a formal thought, like its opposite, property. (36)

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(35) Ibid., addition to paragraph 46.

(36) Hegel, Phänomenologie, op. cit., p.307; Phenomenology, op. cit., p.447

It is only in the Philosophy of Right that Hegel definitely comes out in favour of private ownership of property. Here his argument in favour of private property is directed against the Platonic republic, an argument which also derives from Aristotle. Aristotle had criticized Plato's theory of collective ownership of property for attempting to reduce the state to an absolutely undifferentiated unity with no scope for individual self-determination. While Aristotle agrees that a certain degree of unity is necessary both within the household and the community, total unity is not, and is indeed even destructive:

> "There is a point," (Aristotle says,) "at which a polis, by advancing in unity, will cease to be a polis: there is another point, short of that, at which it may still remain a polis, but will none the less come near to losing its essence, and will thus be a worse polis. It is as if you were to turn harmony into mere unison, or to reduce a theme to a single beat." (37)

This is precisely Hegel's point when he says that the communization of property in Plato's republic can only do great violence to the will for it is in some sense the nature of the will that it possess property.(38) Hegel explicitly rejects the attempt to apply the philosophical notion of equality to the inequalities in the distribution of property. The most he is ready to concede on this point is that every will is in principle capable of owning property, but that the magnitude of this property is a completely contingent matter.(39) For Hegel, the emergence of property goes hand in hand with the autonomous development of the will.

Even while property has its origin in the will, the mere act of willing is not in itself sufficient to establish something as property.

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(37) Aristotle, The Politics, op. cit., p.62.

(38) Philosophy of Right, op. cit., paragraph 46.

(39) Ibid., paragraph 49.

In a characteristically ambiguous passage, Hegel says that a thing only becomes property in the course of the will's relation to it.(40) What I take this to mean is that property is not an inherent attribute of a thing prior to its being appropriated by the will. Rather a thing becomes property only when it enters some sort of practical relationship with the will. Only when objects enter into this practical relationship with the will, do they cease to be "dead things" and become property, an essential medium of human development. Hegel designates three possible forms of this relationship. First, there is the direct physical possession of a thing.(41) Second, a new form may be imposed upon the thing through labour.(42) And third, there is the use of the thing.(43) Of these, the second, the dialectics of labour, is the most permanent means of establishing something as property. Both the first and the third instances, the physical possession of a thing and the use of the thing, are fleeting and transitory for as soon as the thing ceases to be grasped physically or utilized directly, it simultaneously ceases to be property. Only through labour is the will indelibly imprinted upon the thing so that it becomes its permanent property. In this manner the relationship between the will and the thing is no longer purely external, but is inscribed upon the thing itself. Following his earlier writings, Hegel shows that labour is not the negation or destruction of the object, but its positive transformation - what he had once called "purposive destruction" - into another object. Labour is, for Hegel, a middle term which overcomes the sense of estrangement between man,

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(40) Ibid., paragraph 53.

(41) Ibid., paragraph 55.

(42) Ibid., paragraph 56.

(43) Ibid., paragraph 59.

the subject, and the objective world as it gives this world a specifically human significance which it did not have prior to the mise en marche of the labour process. While the mode of labour obviously varies endlessly with the character of the object being worked upon, it always remains a purposive and not an instinctual activity through which property is realized in the world of existential reality. This whole problem of labour and the economic domain will be taken up again later on.

Only if a person has impressed his will upon an object in one of the three ways mentioned above can he be said to be in a position to alienate its ownership to someone else. Hegel is careful to point out, however, that this only extends to things which are "external by nature" and not to inherent attributes of the will such as freedom or personality.(44) Since freedom is not external to the will, but is its very substance, it cannot become the property of another. For this reason he rejects slavery as the most extreme form of the alienation of freedom. Hegel's remarks here are primarily intended as an elaboration of the famous dialectic of master and slave in the Phenomenology. Since the significance of this has already been masterfully analysed by Alexandre Kojève among others(45) we need not go into any great detail here. What is important though is the way

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(44) Ibid., paragraph 66.

(45) Alexandre Kojève, Introduction à la lecture de Hegel: lecons sur la phénoménologie de l'esprit, ed. Raymond Queneau, Paris, 1947; cf. also Jean Hyppolite, Genèse et structure de la phénoménologie de l'esprit de Hegel, 2 vols., Paris, 1946, I, pp.166-71 and John Plamenatz, Man and Society, 2 vols., London, 1963, II, pp.154-56; for an interesting critique of the Kojève/Hyppolite/Plamenatz line of interpretation see G.A. Kelly, "Notes on Hegel's 'Lordship and Bondage'" in Hegel, ed. Alasdair MacIntyre, New York, 1972, pp.189-217.

in which Hegel's remarks serve as repudiation of Aristotle's justification of slavery.

As has already been said, Aristotle viewed the world as a vast hierarchy of ends and purposes in which the higher and truer forms of being gradually emerge from the lower and less true. Starting from this premise the relationship between master and slave was seen as a perfectly natural one since there are men of an inferior order who are incapable of ruling themselves and must therefore be set to work in the service of others who are capable of ruling. On Aristotle's account, the great benefit to be derived from slavery is that it frees the master from a life of toil and drudgery to engage in the life of the mind, the pursuit of wisdom. Indeed in the Metaphysics he remarks that only with the creation of a leisure class were men able to direct their attention to the theoretical arts.(46) While Hegel accepts Aristotle's account of slavery as a necessary stage in the development of mind, the main thrust of his argument is directed against the Aristotelian standpoint. He wants to show that when scrutinized philosophically the master-slave relationship shows itself to be both morally and intellectually unsatisfactory. On the master's side this proves to be unsatisfactory because by cutting himself off from all activity and practical experience, he condemns himself to a life of sterile passivity and enjoyment. Far from attaining a sense of contemplative autonomy, the master becomes aware of his dependence upon the slave to satisfy his material needs. The slave's position is more obviously unsatisfactory as his entire existence is reduced to

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(46) Aristotle, Metaphysics, ed. and trans. John Warrington, London, 1970, p.53: "These theoretical arts, moreover, were evolved in places where men had plenty of free time: mathematics, for example, originated in Egypt, where a priestly caste enjoyed the necessary leisure".

that of a thing, a mere instrument which the master interposes between himself and nature. The slave, however, becomes disciplined through work and develops a character and personality of his own. As Hegel puts it:

> "The consciousness that toils and serves accordingly attains by this means the direct apprehension of that independent being as its self." (47)

Through labour the slave gains a technical expertise over nature which is denied the master. And in transforming nature, the slave also transforms himself. No longer does he view himself as abject and servile, but as an active creative being who exerts conscious control over his environment. The only thing which keeps the slave in check is fear, but at a certain point he overcomes his fear and demands parity with the master. It is with this demand for equal legal status that the whole basis of mastery and slavery is undermined.

The purpose of this brief excursus on slavery is to demonstrate that for Hegel one man cannot legitimately become the property of another. Property rights extend only to things which do not have a will of their own, and not to other men. For this reason, Hegel says, slavery is eo ipso to be condemned and a slave therefore has "an absolute right to free himself".(48) Still Hegel does not put all the blame for slavery at the door of the master. Since it is a mutually determining relationship, the slave is himself to some degree responsible for his own condition. As Hegel puts it in the Philosophy of Right:

> "Yet if a man is a slave, his own will is responsible for his slavery, just as it is its will which is responsible if a people is subjugated. Hence the

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(47) Hegel, Phänomenologie, op. cit., p.149; Phenomenology, op. cit., p.238.

(48) Philosophy of Right, op. cit., addition to paragraph 66.

> wrong of slavery lies at the door not simply of enslavers or conquerors but of the slaves and the conquered themselves. (49)

Having deduced private property from the free will, Hegel goes on to elaborate the condition under which one individual may legally transfer his property to another. This, he concludes, is made possible by means of contract which regulates the relations between property owners. A contract assumes that the persons entering into it recognize each other as independent owners of something from which all others are excluded:

> This contractual relationship, therefore, is the means whereby one identical will can persist within the absolute difference between independent property owners. It implies that each, in accordance with the common will of both, ceases to be an owner and yet is and remains one. It is the mediation of the will to give up a property, a single property, and the will to take up another, i.e. another belonging to someone else; and this mediation takes place when the two wills are associated in an identity in the sense that one of them comes to its decision only in the presence of the other. (50)

Hegel makes it clear that contractual relations only extend to the transfer or alienation of property and must, therefore, be kept apart from political theory proper. Hegel is here principally opposed to those natural law theorists, and he singles out Kant in particular, who extend the concept of contract to account for the origin of states.(51) Contracts, Hegel rightly observes, are matters of pure convenience arising quite arbitrarily from the wills of the parties involved. To say that the state has such contingent foundations is to completely misconstrue it. A person cannot separate himself from the state as he

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(49) Ibid., addition to paragraph 57.

(50) Ibid., paragraph 74.

(51) Ibid., paragraph 75.

can from a contract. Rather he is born into a state and if he wishes to leave it, he requires the permission of the state. To maintain that the state is at the option of its individual members is to confuse property relations with political relations. Indeed Hegel remarks that the great advance of the modern state is that it is above all private arrangements and is no longer open to individuals to make stipulations in connection with it.(52)

Since contractual relations are always to some degree arbitrary, Hegel deduces the possibility that one of the parties may decide to violate the terms of the agreement. Hence he concludes his treatment of Abstract Right with a discussion of wrong and punishment. Here again he traces this back to the will. Since, it has already been shown, the will is always the will of a particular individual, it necessarily affirms the individual's private interest. By its very nature, it cannot will the universal or general good. As a result, the individual is bound to come into conflict with the community of other wills and thus wrong is generated. There are, however, various degrees of wrong. The first is non-malicious or unintentional wrong which consists in an honest disagreement over property rights. But such a dispute only involves the right to a given property and does not endanger right per se.(53) Second is fraud which involves making a false pretense of accepting property rights while in fact rejecting them.(54) Third is crime which consists in an explicit violation of property rights.(55) Since crime is the denial or negation of right,

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(52) Ibid., addition to paragraph 75.

(53) Ibid., paragraph 84.

(54) Ibid., paragraph 87.

(55) Ibid., paragraph 90.

it consequently demands punishment. Here Hegel skillfully brings his dialectical analysis into play since punishment is conceived as the negation of the negation. Through punishment crime is transcended. It becomes something other than it is by restoring the proper appreciation of property rights to the criminal.

Hegel's views on punishment are developed largely in opposition to Beccaria. Beccaria was an XVIIIth century Italian jurist who, like Bentham, was primarily concerned with reforming existing legal codes. Following Helvetius and the philosophy of utilitarianism, Beccaria suggested in his widely read Crimes and Punishments(56) that the main question to be considered in this matter is the public advantage. The point is not so much to make punishment unpleasant or painful, but to make it "useful" by discouraging anti-social behaviour and promoting socially desirable conduct. The relationship between a crime and its punishment, Beccaria argues, should be established with "geometrical precision" the purpose being to obtain the most beneficial results for the least cruel effects. Hegel says, however, that the utilitarian notion of punishment is based upon an utterly immoral attitude toward the criminal as it views punishment as a threat which inevitably follows a criminal action. Such a notion of punishment, Hegel maintains, denies the basic dignity of man as "to base a justification of punishment on threat is to liken it to the act of a man who lifts his stick to a dog".(57) Rather than treating him as a madman or a child, Hegel assumes that the criminal is a responsible

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(56) Cesare Bonesana Beccaria, Of Crimes and Punishments, trans. K. Foster and J. Grigson, introduction by A.P. d'Entreves, London, 1964.

(57) Philosophy of Right, op. cit., addition to paragraph 99.

individual, and that his actions must be looked upon in this light. In his very action the criminal consents to punishment and by being punished he is "honoured as a rational being".(58) In this manner punishment is the criminal's right, a right which is denied him if it is justified on the ground's of deterrence or reform. Still Hegel recognizes that Beccaria's arguments against capital punishment for the reason that men cannot be taught to detest homicide if magistrates themselves are forced to engage in it, has not been without certain positive consequences. Capital punishment, Hegel observes, has become rarer as should be the case with extreme penalties.(59)

In the sphere of Abstract Right, punishment can only take the form of revenge, because there are as yet no legal channels for dealing with the violation of right. Revenge, Hegel is quick to point out, is a totally inadequate means of dealing with this since it is an arbitrary act of the will which in requiting the injury inflicted upon it may go too far the other direction and involve itself in a new transgression of right. The initial wrongdoer would then feel himself violated, demand satisfaction and this contradictory state of affairs would descend from one generation to another ad infinitum:

> The demand that this contradiction, which is present here in the manner in which wrong is annulled, be resolved like contradictions in the case of other types of wrong, is the demand for a justice freed from subjective interest and a subjective form and no longer contingent on might, i.e. it is the demand for justice not as revenge but as punishment. (60)

Revenge is the demand of the injured party who is motivated not from the love of right, but by feelings and emotions resulting from his injury.

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(58) Ibid., paragraph 100.

(59) Ibid., addition to paragraph 100.

(60) Ibid., paragraph 103.

Punishment can only be properly administered by a detached, disinterested party, a legally constituted public authority who has no personal stake in the case at hand. Hence Abstract Right is forced to transcend itself in order to establish positive institutions for the preservation of right.

III

In the sphere of Abstract Right Hegel's point of departure is the liberal natural law construction of society which treats man as a legal person endowed with certain innate rights and duties. In the second section of the Philosophy of Right he treats man as a moral subject endowed with a conscience. Hegel accomplishes this transition from legality to morality by showing that when the will collides with the objective order of right, it is forced to turn inward and produce a set of moral imperatives which can govern its relation with other wills. While previously the will had sought freedom in the external world of property, it now realizes that freedom resides in its own subjectivity. The standpoint of morality is the explicit self-determination of the will which is internally free regardless of what its external circumstances may be.(61) Here for the first time the will becomes conscious of its freedom which is expressed in the word "I". This view of morality obviously derives from the practical philosophy of subjective idealism which Hegel had criticized in his early essay on natural right. Now in the Philosophy of Right, however, he interprets this moral idealism as an advance in the development of human consciousness. Still there remains a decisive difference between

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(61) Ibid., addition to paragraph 106.

Hegel's position and that of Kant and Fichte. For the latter, morality and legality are qualitatively distinct from one another on the grounds that legal acts always contain a residue of external compulsion while moral choices are essentially self-coercive. Hegel, however, rejects this distinction between legality and morality as a primary form of bifurcation and fragmentation. For Hegel, the legal person and the moral subject - or to use Kant's terminology "homo phenomenon" and "homo noumenon" - are complementary one to the other. They represent two different sides of a fully integrated, harmonious personality. Thus by treating legality and morality in this manner Hegel hopes to restore the classical humanistic idea of wholeness.

Hegel characterizes the moral subject by his ability to act in the world and accept responsibility for his actions. To act, however, is to open oneself to any number of unforeseen contingencies. But the moral subject is responsible only for:

> those presuppositions of the deed of which it was conscious in its aim and those aspects of the deed which were contained in its purpose. (62)

Hence responsibility only extends as far as the intentions of the agent. To judge an act solely on the basis of subjective intention is, according to Hegel, a peculiarly modern phenomenon. The ancient Greeks, for example, held a man responsible for the entire compass of his deed. This is why Oedipus who killed his father and married his mother put out his eyes in shame after discovering his true relation to them. He believed himself guilty of parricide and incest and was ready to suffer for the full extent of his crime.(63) The ancients, unlike the moderns, drew

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(62) Ibid., paragraph 117.

(63) Ibid., paragraph 118.

no distinction between the objective consequences of an action and the subjective intention behind it. As we shall see in more detail later, it is this emphasis upon subjective liberty as the essence of morality which represents for Hegel the great difference between ancient and modern times.

The morally responsible individual must always try to act in accordance with the good. The good is "freedom realized, the absolute end and aim of the world".(64) The good is not that which satisfies one man's whim or desire, but that which aims at the welfare of all men. The true good must be that which is good for all. The individual is able to determine whether or not his actions conform to the good because he is possessed of a conscience. Hegel defines conscience in the following terms:

> Conscience is the expression of the absolute title of subjective self-consciousness to know in itself and from within itself what is right and obligatory, to give recognition only to what it thus knows as good, and at the same time to maintain that whatever in this way it knows and wills is in truth right and obligatory. Conscience as this unity of subjective knowing with what is absolute is a sanctuary which it would be sacrilege to violate. But whether the conscience of a specific individual corresponds with this idea of conscience, or whether what it takes or declares to be good is actually so, is ascertainable only from the content of the good it seeks to realize. (65)

The fact that man has a conscience is not a guarantee of his goodness. Rather it is only a guarantee of his capacity for good and likewise his capacity for evil. Both good and evil have their origin in the self-determination of the will and the will is only good to the extent that it gives expression to what is universal and impartial and avoids

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(64) Ibid., paragraph 129.

(65) Ibid., paragraph 137.

mere gratification as the principle of action.

It is at this point, however, that the moral view of the world runs into a dilemma. Against Kant and Fichte who argue that the individual conscience is able to generate a set of universally valid moral imperatives, Hegel says that the claims of conscience may conflict with one another. Any man may, for instance, claim that his actions are good and conscientiously uphold them as such, but it is still possible for conscience to deceive itself and perpetrate any misdeed despite the purity of its intentions. Conscience is, then, not an infallible guide in determining matters of good and evil. To base morality on the conflicting claims of conscience is to deny any absolute moral standard. It is to fall into moral relativism which is indeed not morality at all. Hegel describes this pattern thus:

> But if a good heart, a good intention, a subjective conviction are set forth as the sources from which conduct derives its worth, then there is no longer any hypocrisy or immorality at all; for whatever a man does, he can always justify by the reflection on it of good intentions and motives, and by the influence of that conviction it is good. Thus there is no longer anything absolutely vicious or criminal; and instead of the above-mentioned frank and free, hardened and unperturbed sinner, we have the man who is conscious of being fully justified by intention and conviction. My good intention in my action and my conviction of its goodness makes it good. We speak of judging and estimating an <u>action</u>; but on this principle it is only the intention and conviction of the agent, his faith, by which he ought to be judged. (66)

Hegel's general point is that this subjective morality is merely concerned with the form or principle by which an action is carried out and not with the actual content or result of that action. Consequently

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(66) <u>Ibid.</u>, paragraph 140.

it is incapable of producing an objective code of behaviour governed by truly universal criteria. From the standpoint of purely subjective morality, this sort of moral code remains something which ought-to-be, but never is.

For Hegel, the insights generated by the conscience have only a "relative" validity. While they are generally adequate to govern man's relations with other individuals, they are inadequate to govern his relations with the community as a whole. Fortunately, however, the individual is not usually left on his own to produce moral imperatives ex nihilo. Rather these standards are significantly determined for him by the social milieu in which he is situated. This social milieu or Sittlichkeit is the ethical life of a people by which Hegel means the laws and institutions which inform a people's sense of collective identity. Here is how Hegel characterizes the nature of ethical life in relation to private morality:

> The objective ethical order, which comes on the scene in place of good in the abstract, is substance made concrete by subjectivity as infinite form. Hence it posits within itself distinctions whose specific character is thereby determined by the concept, and which endow the ethical order with a stable content independently necessary and subsistent in exaltation above subjective opinion and caprice. These distinctions are absolutely valid laws and institutions. (67)

It is only as a participant in the ethical life of the community that man's moral faculties are able to develop. Even while the determinations of the ethical universe - family, civil society and state - may not be freely chosen by the individual, he has no right arbitrarily to set the subjective claims of his conscience up against them. Hegel's argument is that these institutions are not alien to man, a source of

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(67) Ibid., paragraph 144.

alienation and estrangement, but are a further aspect of man's self-determination through which he can become reconciled to the world.

The fact that Hegel views morality as part of a wider, more comprehensive field of social ethics testifies to the classical inspiration of his political thought. It has already been noted that for Hegel, as for Aristotle, politics and ethics are inseparable from one another. For both these thinkers, man is capable of ethical behaviour only by virtue of his membership within the community. This way of thinking is quite different from the modern tradition à la Hobbes and Kant in which the ethical conduct of the individual who is free only inwardly is strictly delineated from the legality of his external actions. Following Plato, Hegel argues that the good consists in conformity to the duties of one's station in life. This is not duty in the sense of obedience to the vacuous "ought" of the categorical imperative of Kant and Fichte, but duty here consists of following certain well-established, conventional patterns of behaviour.(68) In this respect duty elevates the individual above his arbitrary, natural impulses and makes him conscious of the social whole of which he is a part. In such a society where each individual knows his position and the pattern of conduct appropriate to it, there does peace and harmony prevail.

It is interesting to observe that Hegel interprets this transition from subjective morality to social ethics both in terms of the life of the individual and the life of the species as a whole. It will be recalled that during his early years in Frankfurt Hegel underwent a severe emotional and intellectual crisis which he referred to as a

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(68) Ibid., paragraph 150.

state of hypochondria. Now in the Encyclopedia he uses the same terms to describe the experience in which man passes from adolescence to adulthood. The ideals of youth, he says, have a subjective quality which corresponds roughly to the purely moral view of the world already outlined:

> In youth the ideal has a more or less subjective quality, whether it lives in him as an ideal of love and friendship or as an ideal of a universal state of the world ... The subjectivity of the substantive content of such an ideal implies not only an opposition to the world as it is, but also an urge to do away with this opposition by realizing the ideal. (69)

It is only later that the youth attempts to accommodate himself to the world of which previously he had disapproved. This accommodation is not an easy one, however, but is a long and painful process of readjustment:

> There is no easy escape ... from this hypochondria. The later one is infected by it, the more serious its symptoms are ... In this morbid mood, a man is reluctant to surrender his subjectivity, he is unable to overcome his antipathy for reality and so finds himself in a state of relative impotence which can easily turn into true impotence. Therefore, if a man wishes to survive, he must acknowledge that the world is independent and essentially complete. (70)

This process by which man learns to renounce his youthful moral ideals in favour of the more rational norms and values laid down by the community, should not be taken to mean that Hegel is advocating unqualified capitulation to reality. On the contrary, it is the mark of the morally educated individual that he does not blindly accept the ethical standards of the community as a child accepts the commands of its parents.(71) Rather man is an educated moral being to the

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(69) G.W.F. Hegel, Sämtliche Werke, ed. H. Glockner, 20 vols., Stuttgart, 1927-30, X, addition to paragraph 396.

(70) Ibid.

(71) Philosophy of Right, op. cit., addition to paragraph 107.

extent that he critically reflects upon these standards and only then decides to adopt them for his own. He internalizes the moral principles upheld by society making them a part of his own consciousness. Man can only feel at home in the world when he comes to view these norms and values not as something imposed upon him from without, a form of coercion, but as a manifestation of his own will.

IV

The first and most fundamental determination of ethical life is the family. Because they are connected with and oriented towards other human beings, family relationships cannot be based upon some private, individual morality. Rather, they provide a suitable framework within which man's moral faculties may develop. In the family, Hegel says:

> One's frame of mind is to have self-consciousness of one's individuality within this unity as the absolute essence of oneself, with the result that one is in it not as an independent person but as a member. (72)

For this reason Hegel refers to the family as an ethical institution for within it the individual renounces his egoism and for the first time becomes conscious of his membership in a unity which transcends him.

The bond which holds the family together is love:

> Love means in general terms the consciousness of my unity with another, so that I am not in selfish isolation but win my self-consciousness only as the renunciation of my independence and through knowing myself as the unity of myself with another and of the other with me. (73)

This rather mystical characterization of love as the process whereby the individual gains consciousness of himself through consciousness of

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(72) Ibid., paragraph 158.

(73) Ibid., addition to paragraph 158.

another obviously invites comparison with his Frankfurt writings. In Frankfurt Hegel had spoken of love as one with religion, a means of overcoming the dead objectivity of the world and uniting man with God. Now, however, he insists that love is not merely a subjective sentiment, but must acquire an objective institutional side as well. The objective side of love takes shape in the form of the family capital which is the common property of the household and which can be handed down from one generation to the next. Most important of all, the parents see their love objectified in the procreation of children:

> "It is only in the children," (Hegel says,) "that the unity itself exists externally, objectively, and explicitly as a unity, because the parents love the children as their love, as the embodiment of their own substance." (74)

Thus as against Schlegel's romantic idealization of love, Hegel demonstrates in a far more realistic manner how it comes to be institutionalized within society.(75)

One point upon which Hegel insists is that marriage and the family is not a contractual relationship. Marriage, Hegel says, is an ethical bond and cannot, therefore, be understood by the concept of contract which belongs to the sphere of Abstract Right. It will be recalled that for Hegel a contract is a purely fortuitous agreement reached by two parties to facilitate the transfer of a piece of property. While marriage may seem to entail such a contract, its end is the identification of personalities which in fact goes beyond contract:

> "Though marriage," (Hegel remarks,) "begins in contract, it is precisely a contract to transcend the standpoint of contract, the standpoint from which persons are

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(74) Ibid., paragraph 173.

(75) Ibid., addition to paragraph 164.

> regarded in their individuality as self-subsistent units. (76)

For this reason Hegel criticizes Kant's "crude" and "shameful" error of classifying marriage as a civil contract as this mistakenly transfers the characteristics of private property into the higher reaches of ethical life.(77)

While the family is the foundation of the community, it is by its very nature a transitory body. With the appearance of children, the dissolution of the family begins. Once the children are educated and come of age, they become persons in the eyes of the law capable of owning property and starting families of their own. The parental family falls into the background and with the death of the mother and father and the division of the family capital, it disintegrates entirely. The single family becomes dissolved into:

> a plurality of families, each of which conducts itself as in principle a self-subsistent concrete person and therefore as externally related to its neighbours. (78)

When this occurs the stage of civil society has been reached.

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Hegel defines civil society as:

> an association of self-subsistent individuals in a universality which, because of their self-subsistence, is only abstract. Their association is brought about by their needs, by the legal system - the means to security of person and property - and by an external organization for

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(76) Ibid., paragraph 163.

(77) Ibid., addition to paragraph 161.

(78) Ibid., paragraph 181.

attaining their particular and common interests." (79)

Civil society is, for Hegel, the unique achievement of the modern world. Unlike the classical city state, here each individual is an absolute end in himself to whom all others are nothing or at most a means to satisfy an end. What is distinct to modern civil society is that for the first time man's self-seeking egoism is completely liberated from any political or moral considerations which previously had restricted the free development of private interests. It might appear that the predominance of this unfettered egoism represents the destruction of the ethical dimension in life and this would indeed be the case if there were not a hidden tendency working within civil society which brings the individual good into harmony with the universal good. In the course of pursuing their selfish ends there is created:

> "a system of complete interdependence, wherein the livelihood, happiness, and legal status of one man is interwoven with the livelihood, happiness, and rights of all." (80)

In this manner a degree of rationality and harmony is developed within the competitive commercial relations of civil society.

It should be said that what is here called civil society is in fact the English translation of bürgerliche Gesellschaft which in German has the twofold meaning of civil society and bourgeois society. Thus bürgerliche Gesellschaft is the home of the Bürger or bourgeois who, unlike the classical citizen, is not concerned with public, political matters, but only with his own private economic affairs. It is the regime of laisser-faire economic individualism which Hegel saw not in his own Germany, but in the writings of the classical political

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(79) Ibid., paragraph 157.

(80) Ibid., paragraph 183.

economists particularly Smith, Steuart and Ferguson whose Essay on the History of Civil Society he had re-read during his years in Berlin.(81) In a key passage Hegel discusses the type of explanation political economy attempts to provide of civil society:

> Political economy is the science which starts from the view of needs and labour but then has the task of explaining mass-relationships and mass-movements in their complexity and their qualitative and quantitative character. This is one of the sciences which has arisen out of the conditions of the modern world. Its development affords the interesting spectacle (as in Smith, Say and Ricardo) of thought working upon the mass of details which confront it at the outset and extracting therefrom the simple principles of the thing, the understanding effective in the thing and directing it. It is to find reconciliation here to discover in the sphere of needs this rationality lying in the thing and effective there; but if we look at it from the opposite point of view, this is the field in which the understanding with its subjective aims and moral fancies vents its discontent and moral frustration. (82)

While this may or may not be an accurate definition of what political economy is, Hegel's general claim is that it is limited to the standpoint of the understanding and can therefore only grasp the external connection between things. Unlike philosophy which operates at the higher level of reason, it cannot comprehend the inherent reason behind it. Still Hegel views political economy as the theory of civil society and this is why it is given a significant place within the system as a whole.

As in his Jena writings, Hegel here refers to civil society as a "system of needs" by which he means that it is a complex pattern of relationships in which men join together to satisfy their mutual wants and desires. Hegel is careful, however, to distinguish human needs

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(81) G.W.F. Hegel, Berliner Schriften, ed. J. Hoffmeister, Hamburg, 1956, p.690.

(82) Philosophy of Right, op. cit., paragraph 189.

from animal needs. While an animal's needs are narrowly circumscribed to its physical existence, human needs extend far beyond the mere sustenance of life. Man, of course, has certain corporal needs which he must satisfy, but these are only a necessary and not a sufficient condition for the fulfilment of his existence.(83) Most important of all is that while an animal merely consumes the fruits of the earth, man labours upon it so that what is consumed is not a raw, natural product, but the result of human labour. As opposed to the often convoluted reasoning of his earlier writings, what stands out here is the extreme clarity and precision of Hegel's definition of work:

> The means of acquiring and preparing the particularized means appropriate to our similarly particularized needs is work. Through work the raw material directly supplied by nature is specifically adapted to these numerous ends by all sorts of different processes. Now this formative change confers value on means and gives them their utility, and hence man in what he consumes is mainly concerned with the products of men. It is the products of human effort which man consumes. (84)

According to Hegel, work is a crucial feature in the overall development of human consciousness. Since it is not an instinctual activity, but requires the expenditure of intelligence, labour becomes one of the primary sources of education.(85) Consequently it is not, as in the Biblical sense, a curse upon man due to his sinful nature. Rather Hegel's conception of work falls squarely within the Protestant tradition which views work not as an evil, but as something to be valued in its own right as giving life a significant content. Work is, for Hegel, an aspect of human freedom as it raises man above the

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(83) Ibid., paragraph 190.

(84) Ibid., paragraph 196.

(85) Ibid., paragraph 197.

level of brute nature and creates a realm of culture or mind. It is an eminently civilizing activity, a point which Hegel forcefully makes in the course of a polemical aside against Rousseau:

> The idea has been advanced that in respect of his needs man lived in freedom in the so-called 'state of nature' when his needs were supposed to be confined to what are known as the simple necessities of nature, and when he required for their satisfaction only the means which the accidents of nature directly assured to him. This view takes no account of the moment of liberation intrinsic to work ... And apart from this, it is false, because to be confined to mere physical needs as such and their direct satisfaction would simply be the condition in which the mental is plunged in the natural and so would be one of savagery and unfreedom, while freedom itself is to be found only in the reflection of mind into itself, in mind's distinction from nature, and in the reflex of mind in nature. (86)

It is not difficult to see that there is only one step from Hegel's acceptance of the bourgeois estimation of work to the paradoxical proposition of Marx and Engels that the working class is the heir to classical German philosophy.(87)

Work is, for Hegel, not an isolated activity in which man engages to satisfy his own individual needs, but is a universal activity in which he participates on a reciprocal basis with others to satisfy a more general social need. There is thus created a division of labour which brings about the increasing specialization of work within the total process of social production.(88) And it is only with the

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(86) Ibid., paragraph 194.

(87) Karl Marx and Fredrick Engels, Selected Works, 3 vols., Moscow, 1973, III, p.376: "The new tendency, which recognised that the key to the understanding of the whole history of society lies in the history of the development of labour, from the outset addressed itself by preference to the working class and here found the response which it neither sought nor expected from officially recognised science. The German working-class movement is the inheritor of German classical philosophy".

(88) Philosophy of Right, op. cit., paragraph 198.

introduction of the division of labour that class divisions first begin to appear within civil society:

> The infinitely complex, criss-cross, movements of reciprocal production and exchange, and the equally infinite multiplicity of means therein employed, become crystallized, owing to the universality inherent in their content, and distinguished into general groups. As a result, the entire complex is built up into particular systems of needs, means, and types of work relative to these needs, modes of satisfaction and of theoretical and practical education, i.e. into systems, to one or other of which individuals are assigned - in other words, into class-divisions. (89)

In referring to these classes, Hegel uses the rather parochial German word Stand which literally means estate. This linguistic peculiarity requires a word of explanation.

In his Critique of Hegel's "Philosophy of Right" of 1843 Marx shows that the meaning of the word Stand derives from the European Middle Ages in which there was a direct identity between the political state and socio-economic life. This identity also held true for classical antiquity, but with this difference. While in republican Greece and Rome an individual's political position immediately determined his social standing, in medieval times the opposite was the case, an individual's social standing determined his political position.(90) It is only in the modern era, Marx shows, that civil society and the classes contained therein has broken completely away from the state as all political restrictions on property and economic activity have been abolished. The result is that private life has become separated from all public considerations, a dichotomy best expressed in the French revolutionary constitutions in which the

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(89) Ibid., paragraph 201.

(90) Karl Marx and Fredrick Engels, Werke, 39 vols., Berlin, 1956-, I, pp.274-76; henceforth cited as MEW.

rights of man are strictly demarcated from the rights of the citizen. Hegel is of course aware of this historical phenomenon and he himself acknowledges the separation of civil society and the state and explicitly criticizes those theorists who fail to draw this distinction.(91) The point is, however, that by retaining the word Stand which signifies both social stratification and political organization, Hegel inadvertently contributes to this confusion. This confusion is perhaps best explained in terms of the semi-feudal backwardness of Germany in the early XIXth century, a period which Marx in The German Ideology characterized as one in which "one could speak neither of estates nor of classes but at most of past estates and unborn classes".(92) Indeed both Hegel and Marx were well aware that Germany had failed to keep abreast of contemporary developments in Western Europe generally with the result that its political estates had not yet, or only partially, been transformed into a-political social classes. Taken in this specifically German context, Hegel's use of the term Stand simply reflects a state of affairs in which the private nature of the estates was still bound up with their public, political status. It is thus on account of this transitional period of German history where a nascent industrialism was just emerging from a protracted feudalism that Hegel feels it necessary to retain the rather anachronistic medieval concept of Stand to define the major divisions within civil society.

Unlike Marx and other socialist thinkers, Hegel does not view the division of society into classes or estates as a bad thing. On Hegel's

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(91) Philosophy of Right, op. cit., paragraph 183: "This system (i.e. the system of needs) may be prima facie regarded as the external state, the state based on need, the state as the understanding envisages it".

(92) MEW, op. cit., III, p.178.

account, the system of estates serves a positive function as it is a means of integrating the individual into society without which society would degenerate into so many isolated atomic units. A person's estate provides him with an ethical esprit de corps which makes him a "somebody" and not merely a private individual. Hegel views the system of estates as a further determination of the free will as it represents the high degree of pluralism and inner-differentiation which modern civil society has attained. It is for this reason that Hegel favourably contrasts the social mobility of modern society to the "substantial" Platonic republic in which a person's occupation is determined for him:

> "In Plato's state," (Hegel says) "subjective freedom does not count, because people have their occupations assigned to them by the Guardians. In many oriental states, this assignment is determined by birth. But subjective freedom, which must be respected, demands that individuals should have free choice in this matter." (93)

What the antique city lacked was the element of subjective particularity, of individual self-determination, which Hegel says is paramount in contemporary times. This is why he insists that modern civil society must leave open-ended the question of to which estate any individual is to belong:

> But the question of the particular estate to which an individual is to belong is one on which natural capacity, birth, and other circumstances have their influence, though the essential and final determining factors are subjective opinion and the individual's arbitrary will, which win in this sphere their right, their merit, and their dignity. (94)

We shall see later how Hegel attempts to combine the particularity of

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(93) Philosophy of Right, op. cit., addition to paragraph 262.

(94) Ibid., paragraph 206. Translation modified.

the individual will as manifest within the domain of civil society with the universal structure of the political state.

Following the typology set out in his Jena writings, Hegel specifies three main estates: the immediate or agricultural estate, the business estate and the universal estate. The first of these, the agricultural estate, consists of both the peasantry and the landed aristocracy. The agrarian mode of life is very closely linked to the family and Hegel notes that the foundation of states has often been ascribed to the introduction of agriculture and marriage. What is outstanding here is the unreflective immediacy with which this estate lives with nature. The agriculturalist has an implicit trust in the goodness of nature which, he believes, has taken care of his needs in the past and will, no doubt, continue to do so in the future. So far as this estate is concerned, nature does the major part of the work while individual effort is secondary. Even here Hegel is cognizant of the introduction of industrial techniques into agriculture and observes that the offices of many large factories could not be readily distinguishable from the offices of large farms. Nevertheless this only affects the outward form and appearance of this estate and not its essential content.(95)

The buisness estate (Bürgerstand) or urban bourgeoisie whose development in Germany lagged far behind that of France and England has its mode of life in the adaptation of raw materials for human needs. This estate is subdivided into craftsmen who work directly upon a single product to supply a single need, manufacturers who also satisfy single needs but because of an intensified division of labour

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(95) Ibid., paragraph 203 and addition.

are able to produce in great quantity, and traders who exchange commodities produced by others through the "universal medium" of money.(96) At one point Hegel claims that the Bürgerstand is more inclined to intelligence than the agricultural estate which has little occasion to think of itself. This claim needs to be briefly examined for it is more than a casual offhand remark. Indeed, it gets at the centre of the Bürger's way of life. What characterizes the Bürger is his emphasis upon a certain form of practical intelligence or Bildung which as we have seen means more than education, but signifies something like moral and intellectual maturation. In a different context George Lichtheim has observed that Bildung achieves its aims when the individual - a term wholly meaningless to the peasantry and the landed gentry - attains a grasp of the ideal values which make up the Bürger's life style. Thus the Bürger is not merely identified by his socio-economic position, although Bildung and Besitz, culture and property, often go hand in hand, but by his familiarity with a certain universe of discourse which found its highest expression in classical Weimar culture.(97) It is probably for reasons such as this that Hegel sees in the Bürgerstand the most developed form of consciousness:

> "In the business estate, however, it is intelligence which is the essential thing ... the individual is thrown back on himself, and this feeling of selfhood is most intimately connected with the demand for law and order. The sense of freedom and order has therefore arisen above all in towns." (98)

It is only in his discussion of the universal estate that Hegel's

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(96) Ibid., paragraph 204.

(97) George Lichtheim, George Lukács, New York, 1970, pp.88-90.

(98) Philosophy of Right, op. cit., additions to paragraphs 203 and 204. Translation modified.

account differs markedly from his earlier utterances. It will be recalled that in Jena Hegel had modelled this estate along the lines of Napoleon's military aristocracy the purpose of which was the defence of the state in times of war. In the almost twenty years since then, however, the Napoleonic ideal had greatly diminished. In modern, i.e. post-1815 European society, the universal estate takes the form of a class of civil servants whose administrative skills are necessary to run the legal apparatus of the community. While Hegel had briefly mentioned the civil service in his Jena writings, it is clear that he still regarded the soldier, "the class of nobles" as standing at the apex of society. Now in the Philosophy of Right the bureaucrat has come to occupy this position. Hegel defines the universal estate thus:

> The universal estate (the estate of civil servants) has for its task the universal interests of the community. It must therefore be relieved from direct labour to supply its needs, either by having private means or by receiving an allowance from the state which claims its industry, with the result that private interest finds its satisfaction in its work for the universal. (99)

This shift from a military to a bureaucratic elite does not merely represent a subjective change in attitude on Hegel's part. Rather it reflects an actual historical movement from the old Obrigkeitsstaat to the modern Beamtenstaat. Hegel does not go into any great detail over the method or recruitment into the service, but he does say that the majority will come not from the traditional landed aristocracy, but from the new middle class. The reason for this, as mentioned above, is that it is only in the class of Bürgers that education and intelligence is most highly developed. As Hegel puts it:

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(99) Ibid., paragraph 205. Translation modified.

> Civil servants and the members of the executive constitute the greater part of the middle class (Mittelstandes), the class in which the consciousness of right and the developed intelligence of the mass of the people is found. (100)

And elsewhere he makes the same point again although even more forcefully:

> The middle class, to which civil servants belong, is politically conscious and the one in which education is most prominent. For this reason it is also the pillar of the state so far as honesty and intelligence are concerned. A state without a middle class must therefore remain on a low level. (101)

It should perhaps also be borne in mind that there is an element of self-congratulation in Hegel's glorification of the civil service for at this time university professors as well as clergymen and members of the liberal professions were considered servants of the state. This is why in the Preface Hegel remarks that unlike the ancient Greeks who practiced philosophy in private like an art, in modern times philosophy has an existence in the open in the service of the state.(102) It can never be established with certainty whether this statement implies "servility" to the Prussian government or whether it is simply an empirical observation of the organized study of philosophy in the university where professors are ex officio civil servants, that is, in the service of the government.(103) What is certain however is that as a notable representative of this estate Hegel was aware of his responsibility for the ideology which would express its values.

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(100) Ibid., paragraph 297.

(101) Ibid., addition to paragraph 297.

(102) Ibid., p.7.

(103) See T.M. Knox, "Hegel and Prussianism" in Hegel's Political Philosophy, ed. Walter Kaufmann, New York, 1970, p.19.

One point upon which Hegel insists is that civil service posts are based upon merit and not birth or family connections. He is extremely disparaging about certain corrupt practices then prevailing in both France and England where parliamentary seats and army commissions are saleable. This he views as a vestige of a medieval constitution in which public offices were seen as the private property of their holders to be disposed with as they will.(104) On Hegel's account it is knowledge and proof of ability which is the criterion by which a person becomes a member of the universal estate:

> Between an individual and his office there is no immediate natural link. Hence individuals are not appointed to office on account of their birth or native personal gifts. The objective factor in their appointment is knowledge and proof of ability. Such proof guarantees that the state will get what it requires; and since it is the sole condition of appointment, it also guarantees to every citizen the chance of joining the class of civil servants. (105)

And he goes on to say that while civil servants enjoy full tenure of office, this depends upon the satisfactory fulfilment of their public functions:

> Once an individual has been appointed to his official position by the sovereign's act, the tenure of his post is conditional on his fulfilling its duties. Such fulfilment is the very essence of his appointment, and it is only consequential that he finds in his office his livelihood and the assured satisfaction of his particular interests, and further that his external circumstances and his official work are freed from other kinds of subjective dependence and influence. (106)

Only thus is the civil service protected against corruption and the particularist property owning ethos which pervades the rest of civil society.

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(104) Philosophy of Right, op. cit., addition to paragraph 277.

(105) Ibid., paragraph 291.

(106) Ibid., paragraph 294.

Even though Hegel never seriously calls into question the essential honesty and moral integrity of the civil servant, he does say that as purveyors of the public interest there is a tendency for them to view the state as their property. This is the aspect of the bureaucracy upon which Marx chose to focus in his 1843 Critique. Far from representing the general public interest, Marx sees the bureaucracy as pursuing private corporate interests which in fact run counter to those of the community. In a series of dazzling metaphors, Marx compares the hierarchical structure of the civil service to the hierarchy of the medieval church:

> "The bureaucratic mind" (he says) "is through and through a Jesuitical, theological mind. The bureaucrats are the Jesuits and theologians of the state. The bureaucracy is la république prêtre." (107)

Marx goes on to ridicule Hegel's claim that the civil service is in principle open to all on the basis of free and competitive examinations. This examination he says is:

> "nothing but the bureaucratic baptism of knowledge, the official recognition of the transubstantiation of profane into holy knowledge." (108)

Thus rather than making knowledge and ability the basis of entering the service, Marx says that it is authority and the worship of authority which typifies the true bureaucratic mentality. While Marx's views on bureaucracy cannot be considered here in any depth, his criticisms of Hegel are illuminating in that they show that other interpretations of the Prussion civil service are indeed possible.

Hegel does not conclude his description of civil society with the system of estates. If he did it would certainly be a far from adequate description. The estates only account for those people who possess the

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(107) MEW, op. cit., I, p.248.

(108) Ibid., I, p.253.

requisite degree of either property or education which thus enables them to engage in agriculture, business or public administration. There still remains a large section of the populace which possesses neither of these and which cannot, therefore, be subsumed under the system of estates. This section of the populace constitutes the working class, the industrial poor, which Hegel designates not by the traditional term Stand, but by the modern term Klasse. What particularly concerns Hegel, moreover, is the problem of working class poverty. As in his Jena writings Hegel calls on the state to alleviate the worst extremes of poverty and economic alienation. But while in Jena the precise relationship between the state and the economic domain was not spelled out, but merely left as a formal statement of principle, in the Philosophy of Right Hegel shows in considerable detail how the state attempts to regulate the market mechanism. Yet even here Hegel is unable to provide a satisfactory solution to the problem of poverty and is in the end forced to admit that:

> the important question of how poverty is to be abolished is one of the most disturbing problems which agitate modern society. (109)

Hegel relates poverty directly to the type of labour performed by the working class. This type of labour which, as we have seen, Marx would later call alienated labour, is exemplified in the fact that the more objects which the worker produces, the greater the power of these objects become and the smaller the worker's own means of appropriating them. Thus labour which, for Hegel, is one of the decisive forces in the development of society now becomes the victim of the very society it has itself created. Far from integrating man into society, labour

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(109) Philosophy of Right, op. cit., addition to paragraph 244.

in a commodity producing society has brought about an estrangement between man and his environment. Hegel describes this process thus:

> When civil society is in a state of unimpeded activity, it is engaged in expanding internally in population and industry. The amassing of wealth is intensified by generalizing (a) the linkage of men by their needs, and (b) the methods of preparing and distributing the means to satisfy these needs, because it is from this double process of generalization that the largest profits are derived. That is one side of the picture. The other side is the subdivision and restriction of particular jobs. This results in the dependence and distress of the class tied to work of that sort, and these again entail inability to feel and enjoy the broader freedoms and especially the intellectual benefits of society. (110)

For Hegel, poverty is not an indifferent fact of nature, but takes the form of a wrong done to one class by another. Thus even before Marx, Hegel realized that the existence of poverty is a consequence of the division of society into classes and that the poverty of the many is in direct proportion to the massive accumulation of wealth in the hands of a few. Alluding to what the classical economists called "the iron law of wages" Hegel shows how the working class becomes increasingly pauperized until its standard of living eventually falls below the subsistence level. In terms reminiscent of the then prevailing economic determinism, Hegel remarks that no matter how much wealth civil society produces, it will be insufficient to check the gradual immiseration of the proletariat.(111)

What is striking is the way Hegel analyses the effect of poverty upon human consciousness. It is not surprising that Hegel should chose to emphasize this aspect of poverty since writing from the standpoint of German idealism he would naturally tend to give priority to ideas over things or facts. In this respect his account differs

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(110) Ibid., paragraph 243.

(111) Ibid., paragraph 245.

significantly from that of Marx for whom, as a philosophical materialist, economic alienation is built into the very structure of the capitalist mode of production and as such exists quite independently of consciousness. For Marx, alienation is not so much a feature of mind, as it is a social relation in which the wage earner is forced to sell his labour power to the capitalist who then uses it simply as a tool in the production of capital. For Hegel, however, the worst aspect of poverty is not wage labour per se, but the irreparable damage done to the human spirit which reduces men to a rabble. Here are a couple of passages which elucidate this point:

> When the standard of living of a large mass of people falls below a certain subsistence level - a level regulated automatically as the one necessary for a member of the society - and when there is a consequent loss of the sense of right and wrong, of honesty and the self-respect which makes a man insist on maintaining himself by his own work and effort, the result is the creation of a rabble of paupers. At the same time this brings with it, at the other end of the social scale, conditions which greatly facilitate the concentration of disproportionate wealth in a few hands. (112)

And elsewhere he says:

> Poverty in itself does not make men into a rabble; a rabble is created only when there is joined to poverty a disposition of mind, an inner indignation against the rich, against society, against the government, etc. A further consequence of this attitude is that through their dependence on chance men become frivolous and idle, like the Neopolitan lazzoroni for example. In this way there is born in the rabble the evil of lacking self-respect enough to secure subsistence by its own labour and yet at the same time of claiming to receive subsistence as its right. (113)

There is at least one way in which civil society is able to

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(112) Ibid., paragraph 244.

(113) Ibid., addition to paragraph 244.

redress this imbalance in wealth without recourse to state intervention. According to Hegel, one of the chronic ailments of modern industry is the phenomenon of overproduction. This occurs when the production of goods at home eventually outstrips the ability of consumers to assimilate them, the result being that the market is glutted with a vast surplus of unsaleable commodities. The internal expansion of civil society can thus no longer be contained within the geographical restrictions of that society. Civil society is consequently forced into imperial exploits abroad in order to find new markets to absorb this surplus:

> This inner dialectic of civil society thus drives it - or at any rate drives a specific civil society - to push beyond its own limits and seek markets, and so its necessary means of subsistence, in other lands which are either deficient in the goods it has overproduced, or else generally backward in industry, &c. (114)

The founding of colonies abroad not only provides an outlet for surplus products as well as a source of raw materials, but serves as a new home for the industrial poor who want to emigrate to the colonies. For this reason Hegel describes colonization as "one of the most potent instruments of culture" as it rescues men from what would otherwise have been a life of suffering and misery.(115)

Hegel's remarks on the ability of colonialism to alleviate the worst aspects of poverty are still only tentative and abstract. More important is the way in which he says the state actually intervenes in economic activities to control the fluctuations and contingencies of the market place. It has already been pointed out that Hegel's ideas on state intervention in the economic domain were perhaps borrowed

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(114) Ibid., paragraph 246.

(115) Ibid., paragraph 247.

from Steuart and Fichte who both advocated varying degrees of economic protectionism. There is, however, as Hegel sees it, a certain philsophical problem here arising from the two conflicting views on this matter. The first view advocates government supervision of all economic affairs. As an example of this Hegel cites the rather extreme case of huge public undertakings such as the pyramids in ancient Egypt which were completely organized by the state and in which the worker had no choice but was simply forced to participate. However, as Hegel never tires of saying, the great difference between the ancient and the modern worlds is precisely this element of subjective choice and freedom from external coercion. This idea of subjective freedom, he remarks in paragraph 482 of the Encyclopedia, was first introduced by Christianity with its notion that the individual as such has infinite value as the object of divine love.(116) And in the Philosophy of History he says that while the Oriental world only knew one man to be free and the Greek democracies only knew some men to be free, Christianity first announced that all men can be free.(117) But while Christianity first proclaimed the idea of subjective freedom, this idea was only actualized later with the advent of the Protestant Reformation, the French Revolution, Kantian morality and finally in modern society with its specialized division of labour and its world-wide complex of commercial relations. Thus the second view which advocates total economic individualism would seem to be more in accordance with the Zeitgeist of the modern world. But Hegel still maintains that some degree of state control is compatible with freedom, if only to diminish the possibility of upheavals arising from clashing

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(116) Hegel, Sämtliche Werke, op. cit., X, paragraph 482.

(117) Cf. Philosophy of Right, op. cit., paragraph 62.

private interests.(118) Some public supervision of the market mechanism is thus necessary to bring individuality into harmony with universality which for Hegel is a precondition of both freedom and community.

It is primarily the function of the police or public authorities to cope with the problem of poverty and provide some sort of economic protection. What Hegel here calls the police has nothing in common with the Fichtean "police state" which he had ridiculed in the Difference and in the Preface of the Philosophy of Right. In the Fichtean state the public authorities control everything from top to bottom even down to the type of passport a person is to carry. In contrast to Fichte's "price list" Hegel views the police as exercising only an external supervisory capacity. First, the police have the right to exercise price control at least where the basic necessities of life are concerned. Second, they have the right to inspect the goods which are offered to the public, a form of consumer protection service. And third, they have the task of supervising large industrial concerns which Hegel justifies thus:

> "But public care and direction are most of all necessary in the case of the larger branches of industry, because these are dependent on conditions abroad and on combinations of distant circumstances which cannot be grasped as a whole by the individuals tied to these industries for their living". (119)

In this manner the public authorities are able to achieve a measure of social integration which left on its own civil society would be unable to attain. It is the purpose of philosophy to make this explicit thus showing how the police form a necessary part of a fully civilized community.

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(118) Ibid., paragraph 236.

(119) Ibid.

While the function of the public authorities is to mitigate tensions within civil society, it cannot accomplish this entirely on its own. Even though the need for this authority may be grasped philosophically, it sometimes appears as divisive organization involving a separation between the controller and the controlled. This is where the assistance of the corporations comes in. Corporations are organizations based upon the vocational groupings within society and which act as intermediaries between the individual and the state. Unless he is a member of an authorized corporation an individual is without rank and dignity and his livelihood is reduced to mere self-seeking. In the corporation the individual is brought into a reciprocal relation with the other members of his profession so that his egoistic pursuits are integrated into a universal structure. The corporations also assist the public authorities in taking care of poverty:

> "Within the Corporation," (Hegel says,) "the help which poverty receives loses its accidental character and the humiliation wrongfully associated with it. The wealthy perform their duties to their fellow associates and thus riches cease to inspire either pride or envy, pride in their owners, envy in others". (120)

It is with the corporation that Hegel's analysis of civil society comes to a close and he reaches the apotheosis of ethical life, the state.

VI

"The state", says Hegel, "is the actuality of the ethical idea".(121) Taken in a Platonic sense this means justice, but for Hegel it means

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(120) Ibid., paragraph 253.

(121) Ibid., paragraph 257.

freedom. We have already seen that Hegel begins the Philosophy of Right with the concept of the free will, but as we have also seen the freedom of the will is only potential freedom. Ultimate freedom, as Hegel observes in the Logic is only to be found in the realm of pure thought. Thus it is in the thought of the state, rather than in the state itself that freedom is located. Only through being philosophically comprehended can the state be raised to freedom. Here is how Hegel philosophically comprehends the free state:

> The state is the actuality of concrete freedom. But concrete freedom consists in this, that personal individuality and its particular interests not only achieve their complete development and gain explicit recognition for their right (as they do in the sphere of the family and civil society) but, for one thing, they also pass over of their own accord into the interest of the universal, and, for another thing, they know and will the universal; they even recognize it as their own substantive mind; they take it as their end and aim and are active in its pursuit. The result is that the universal does not prevail or achieve completion except along with particular interests and through the co-operation of particular knowing and willing; and individuals likewise do not live as private persons for their own ends alone, but in the very act of willing these they will the universal in the light of the universal, and their activity is consciously aimed at none but the universal end. The principle of modern states has prodigious strength and depth because it allows the principle of subjectivity to progress to its culmination in the extreme of self-subsistent personal particularity, and yet at the same time brings it back to the substantive unity and so maintains this unity in the principle of subjectivity itself. (122)

This lengthy paragraph reveals a great deal and must now be briefly examined.

What Hegel says here concerning freedom and the state relates back to a crucial section in the Logic which deals with the syllogism (Schluss). The syllogism is, for Hegel, a special form of reason

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(122) Ibid., paragraph 260.

without which reality cannot be adequately comprehended. Unlike previous philosophers for whom the syllogism merely expressed the formal laws of thought in abstraction from all concrete reality, Hegel wants to show that the syllogism expresses the actual content of reason. For him, everything rational is a syllogism or as he puts it: "Alles ist ein Schluss".(123) Much of what Hegel has to say about the syllogism derives from Aristotle's Prior Analytics to which, he observes, there is "essentially" nothing to add.(124) He borrows from Aristotle the three basic figures of the syllogism - individuality (I), particularity (P) and universality (U) (in German: Eins (E) Besonderes (B) and Allgemeines (A)) - and shows how these are united together in various combinations to form a single whole or in Hegel's terms a "concrete universal". The basic difference between Aristotle and Hegel, however, lies in their arrangements of these figures. The development of the Aristotelian syllogism takes the form of I-P-U, P-U-I and U-I-P. Only the first figure, according to Aristotle, exhibits the correct form of scientific demonstration, the latter two representing a distortion of the ideal first figure. Hegel, on the other hand, begins with Aristotle's first figure I-P-U, but inverts the second and third figures so that the third and perfect form of syllogism reads P-U-I with the universal acting as mediator between the particular and the individual.(125) Still Hegel's basic quarrel is not with Aristotle whom he holds in high esteem, but with the way syllogistic reasoning has regressed since the time of Aristotle. He is particularly critical of Leibniz's application of the so-called

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(123) Hegel, Logik, op. cit., II, p.308; Logic, op. cit., p.664.

(124) V.I. Lenin, Philosophical Notebooks, London, 1961, p.181; "Aristotle described the logical forms so completely that 'essentially' there has been nothing to add".

(124) G.R.G. Mure, A Study of Hegel's Logic, Oxford, 1967, pp.209-11.

"calculus of combination" to the syllogism. This he rejects for the reason that the true nature of reality and experience cannot be accounted for in purely quantitative, mathematical terms as not only Leibniz, but all pre-critical metaphysics had attempted to do.(126) It is perhaps of interest to note that this is fundamentally the same criticism which Hegel had earlier voiced against Schelling who he said had only made quantitative divisions within his absolute and was therefore restricted to a merely abstract, formalistic grasp of reality.

The significance of this for the political dimension of Hegel's thought is that the state, philosophically understood, forms a perfect syllogism in which individuality, particularity and universality are fused together in a rational whole. Just as the figures in the syllogism are not three independent judgements but have a mutually determining relationship, so are the three organs of the government - the monarch, the executive and the legislature - not strictly demarcated from one another, but are organically interrelated at the level of practice. It is thus on logical grounds that Hegel rejects Montesquieu's "false doctrine" of the separation of powers which he regards as a product of the reflective understanding rather than philosophical reason.(127) Following the same structure as the syllogism, the different organs of the government are neither completely independent of nor subordinate to one another, but co-operate in the common goal of securing the freedom and rationality of the whole. Within this syllogism the figure of individuality corresponds to the monarch whose will is the crowning moment of all acts of state. The figure of particularity corresponds

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(126) Hegel, Logik, op. cit., II, pp.331-32; Logic, op. cit., p.685.

(127) Philosophy of Right, op. cit., paragraph 272.

to the executive branch of government or the civil service which carries out the monarch's will by particularizing it within the society. And the figure of universality corresponds to the legislature which is the political meeting ground of the monarch, the executive and the Estates Assembley who work together to frame a universal, objective codified system of laws which govern social behaviour. We shall see presently in more detail precisely how the various organs of the government actually undertake their allotted functions and the significance which each has within Hegel's philosophical interpretation of experience.

For now it need only be said that understood from a philosophical standpoint, the state becomes the paradigm of freedom and rationality and as such the solution to the problem of alienation and estrangement which had perplexed Hegel since his youth. The particular form of unhappy consciousness with which Hegel had been concerned is the separation of the private man and the public man, bourgeois and citoyen, which had plagued man throughout history. In the ancient Greek and Roman republics, for example, it was the role of the citizen who had priority over the mere private individual who was in point of fact relegated to the status of a slave. The ancients recognized no distinction between the particular will of the individual and the universal will of the community, but submerged the former entirely within the latter:

> "In the states of antiquity (he remarks) the subjective end simply coincided with the state's will ... the ultimate thing with them was the will of the state". (128)

The rise of Christianity, however, completely reversed this relationship.

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(128) Ibid., addition to paragraph 261.

For the Christian, it was the private will and conscience which triumphed over all public, political considerations. Of course this purely subjective attitude toward reality was, according to Hegel, quite in keeping with the debased political circumstances in which Christianity arose. And as late as the Phenomenology Hegel discussed early Christianity as a sort of slave ideology in which men having despaired of finding happiness in this world, projected their dreams of freedom into the beyond. Still whatever its contingent historical origins Hegel views this right to subjectivity as in some sense the principle of the modern world which has manifested itself in various forms until reaching its zenith in contemporary bürgerlische Gesellschaft. It is only in the modern state, however, that the particular aims and interests of the individual are given a universal end so that the individual gains personal satisfaction in furthering the ends of the community as a whole:

> The essence of the modern state is that the universal be bound up with the complete freedom of its particular members and with private well-being ... Thus the universal must be furthered, but subjectivity on the other hand must attain its full and living development. It is only when both these moments subsist in their strength that the state can be regarded as articulated and genuinely organized. (129)

In this manner the modern state lays the material foundation for surmounting man's sense of estrangement as it retains the Greek notion of community and shared experience, but mediates this with respect for the infinite worth of the individual inherited from Christianity. The result is that when looked upon philosophically the state does not appear as something "positive", that is an alien institution to which man is mechanically subordinated. Rather it appears as a suitable

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(129) Ibid., addition to paragraph 260.

place in which man can live and work in harmony with his fellows. It is a place in which man can be reconciled.

The first moment of the government which Hegel treats is the monarch. Except for a brief period in his youth when he coquetted with the republican ideas of the French Revolution, Hegel remained a devoted monarchist. Hegel's views on the monarch, it has been remarked, seem to vascillate somewhat even within the Philosophy of Right itself since sometimes he speaks of the power of the monarch as constrained by the equally legitimate power of the executive and the legislature and sometimes he speaks of the monarch as the sole repository of sovereign power to which everything else must ultimately refer. Consequently over the years a vast literature has arisen debating whether Hegel favoured absolute monarchy or a more limited constitutional variety. The evidence, albeit with certain qualifications, generally points to the latter, although appeal to the evidence alone has done little to diminish the fervour of some of the more committed participants in this debate. In a sense, however, this whole argument rather misses the point as it treats Hegel's views on monarchy as a set of institutional recommendations rather than a philosophical reflection upon a given mode of experience. Hegel's purpose qua philosopher is not to make practical proposals about the role of the monarch, but to elaborate the concept of monarchy and show its place within the over-all explanation of human experience.

Unhappily, Hegel fails to provide a satisfactory deduction of the monarch, but establishes it by a thinly veiled analogy. Since, he says, a state is always a single state, an individual, it must have an individual at its head, hence the monarch.(130) Thus the

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(130)Ibid., paragraph 279.

monarch represents the figure of individuality, of self-determination to which Hegel says:

> "everything else reverts and from which everything else derives the beginning of its actuality. This absolute self-determination constitutes the distinctive principle of the power of the crown as such". (131)

The monarch is, then, the visible symbol of national unity and it is within his person that sovereignty is vested. The modern monarch is, for Hegel, not a despot who controls the state through arbitrary force, but a constitutional figurehead bound by rule of law. Hegel, therefore, rejects the traditional claims of monarchs to sovereignty on the grounds of divine right. The divine right argument may have been adequate in primitive states such as Oriental despotism where there is an immediate unity of religion and politics and the despot is himself looked upon as a god, but it will not suffice in the modern times where church and state have become differentiated.(132) Similarly Hegel rejects the idea of an elected monarchy as a "confused notion". The idea of an election appears to him as a form of contract between the monarch and the people which can simply be rescinded as soon as one of the parties feels the other is not living up to its responsibilities. The power of the monarch would not be the result of his individuality and self-determination, but would rest in something outside himself, the will of the people.(133) For Hegel, only a hereditary monarchy which provides a "rigidly determined" successor to the throne is in keeping with the majesty of the office. Unfortunately here too Hegel accomplishes the deduction of hereditary monarchy by a clever bit of sophistry whereby

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(131) Ibid., paragraph 275.

(132) Ibid., addition to paragraph 281.

(133) Ibid., paragraph 281.

he links up the king's sexual activity, the production of a son to carry out the business of kingship, with the power of individual self-determination.(134) It is this sort of reasoning which has led many critics to the conclusion that Hegel's views on monarchy betray the highest ideas of philosophy and degenerate into a crude apologia for the given state of affairs.

It will be recalled that in his Jena writings Hegel had viewed constitutional monarchy as the highest and most developed form of state. This is still his position in the Philosophy of Right, but with a slight qualification. As we have seen, Hegel's views on monarchy in Jena were strongly influenced by the Napoleonic experience, and indeed he had gone so far as to call Napoleon the modern Theseus who he hoped could bring about the national revival of Germany. In the years since then, however, Hegel began to take a far less heroic view of the monarch, a reflection, no doubt, of the more settled and stable European scene during the Restoration. For Hegel, even while the monarch represents the principle of individuality, he also has a share of the universality of legislature which is primarily concerned with the formulation of laws. Nevertheless it is not his responsibility to initiate new laws. This is done by a select council of ministers who have a keen oversight of contemporary political affairs and who are freely chosen and dismissed by the monarch. Pelczynski notes, however, that Hegel is extremely elusive about the nature of this body and nowhere is it specifically discussed.(135) He does not mention how large this body

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(134) MEW, op. cit., I, p.242: "What is the final, fixed difference between one person and all others? The body. The highest function of the body is sexual activity. Thus the highest constitutional act of the monarch is his sexual activity because through this he makes a king and carries on his body. The bosy of his son is the reproduction of his own body, the creation of a royal body".

(135) Pelczynski, op. cit., p.102.

is or from where its members are recruited. Neither does he mention the relation between the first minister, if any, and the rest of the council or between ministers and government officials. In the final analysis the monarch has only to sign his name to the completed document after it has been drafted by the ministers and submitted to the estates for its approval. While he makes the final decision, this decision is only a formality:

> In a completely organized state, it is only a question of the culminating point of formal decision ... (The monarch) has only to say 'yes' and dot the 'i', because the throne should be such that the significant thing in its holder is not his particular make-up ... In a well-organized monarchy, the objective aspect belongs to law alone, and the monarch's part is merely to set to the law the subjective 'I will'. (136)

It is this subjective element, this "I will", which constitutes, for Hegel, the great difference between the ancient and the modern state, and expresses modern man's desire to become master of his fate.

The second branch of the government is the executive civil service the function of which Hegel describes as subsuming the particular under the universal which simply means that it is responsible for the carrying out of policy decisions reached by the monarch in council with his ministers.(137) As such, the civil service has control over the legal machinery of society, e.g. the police and the courts of law, but as we have already examined the basic function of the bureaucracy in some detail, it will not be necessary to go over this ground again. What concerns us here is the philosophical significance of the bureaucracy which on Hegel's account acts as a middle term or mediator between the monarch on the one hand and the estates of civil society on the

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(136) Philosophy of Right, op. cit., addition to paragraph 280.

(137) Ibid., paragraph 287.

other. It is only through this middle term that the two are fused in a syllogistic unity. However, as T.M. Knox has correctly observed, the bureaucracy is only a mediator from the point of view of the monarch whose decisions it administrates. Since the estates do not yet have a voice in political decision making, they cannot recognize the bureaucracy as an adequate middle term between themselves and the monarch.(138) So long as the estates are excluded from political participation, then the monarch and the bureaucracy appear as something alien which attempts to subordinate the estates to its will. It is thus to give the estates a political function within the community and thereby overcome the estrangement between civil society and the state that Hegel deduces the necessity for the legislature.

Even though the legislature actually consists of the monarch, the executive and Estates Assembley or the representatives of the "unofficial" estates of civil society, it is upon the latter which Hegel focuses almost exclusive attention. As we have just suggested, Hegel understands the enfranchisement of the members of the unofficial estates as a means of overcoming the bifurcation between civil society and the political state. Thus while the executive is a mediating organ from the standpoint of the monarch, the Estates Assembley is a mediator from the standpoint of the people as a whole or what Hegel calls "empirical universality". In a sense, however, Hegel accomplishes this reconciliation between civil society and the state through a subtle play on words. It will be recalled that the German word for estate is Stand which has both civil and political connotations and Hegel makes it appear as if a genuine union between these two sectors

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(138) Ibid., p.372.

has been created as if simply by a fortuitous accident of language. Still here is the way in which Hegel describes the mediating function of the Estates:

> Regarded as a mediating organ, the Estates stand between the government in general on the one hand and the nation broken up into particulars (people and associations) on the other...they are a middle term preventing both the extreme isolation of the power of the crown, which otherwise might seem a mere arbitrary tyranny, and also the isolation of the particular interests of persons, societies, and Corporations. Further, and more important, they prevent individuals from having the appearance of a mass or an aggregate and so from acquiring an unorganized opinion and volition and from crystallizing into a powerful block in opposition to the organized state.(139)

Having accomplished the deduction of the legislature, Hegel goes on to show that the Estates Assembly is divided into an upper hereditary house for the members of the landed aristocracy and a lower house for the representatives of the Bürgerstand. Hegel assumes in a not entirely convincing manner, that the former, the independent land owner, because he is free from the vicissitudes of the market place will necessarily be best equipped for a responsible political position. It was Marx, however, who first took objection to this by pointing out that because the landowner acquires his property through primogeniture, he has no political obligation whatever. The independence engendered by inherited property is not a freedom bestowed by, but a freedom over and above politics and the state. In this fashion Marx holds that the state becomes the servant of private landed property.(140) Furthermore

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(139) Ibid., paragraph 302.

(140) MEW, op.cit., I, pp.311-12. It should be said that at this time Marx was still speaking of private property in terms of the landed aristocracy. Because he was, as yet, unacquainted with political economy, he did not see that this sort of property eventually becomes subordinate to industrial capital and is subsequently converted into an object for exploitation.

what Hegel says about primogeniture seems to contradict what he had earlier said about property in his discussion of Abstract Right. It will be recalled that Hegel had deduced property from the free will, showing by means of an Aristotelian argument that man has mastery over nature and thus the right to appropriate all things as his property. Under primogeniture, however, this relationship between man and nature is reversed so that it is not the will which appropriates property but property which appropriates the will. The property, as it remains constant from generation to generation, seems to have a will and volition of its own, while the owner, as he acquires it merely through the accident of birth, seems a passive object who has no choice in the matter. Since the man acquires the property independently of his will, it is in a sense he who is inherited by the land. It should, however, be said in Hegel's defence that he is not unaware of this discrepancy and makes clear that he only approves of primogeniture insofar as it frees a body of men from the contingencies of the business world and permits them to enter the political arena. If, moreover, the appropriate political institutions do not exist, primogeniture loses its rationale and becomes a "chain on the freedom of private rights".(141)

The lower house of the Estates Assembley consists of deputies elected by the three main branches of the business estate, craftsmanship, manufacture and trade. What is of interest here is that Hegel resolutely opposes election on the basis of direct universal suffrage which he says in large modern states can only result in apathy and electoral indifference. Rather deputies are elected through their

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(141) Philosophy of Right, op. cit., addition to paragraph 306.

respective corporations which ensure that actual social interests are given political representation. Hegel describes this as follows:

> 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. (142)

Understood philosophically, elections mediate the rift between man as a private individual and man as a citizen by giving the former a public, political status. Such an institution was unnecessary in the ancient world where the public and private spheres had not yet become autonomous. In modern times, however, where bifurcation and discord have replaced classical harmony, it is necessary to devise certain artificial institutions which if they cannot bring back direct participatory democracy can at least mitigate these antagonisms by putting individual self-interests "in correspondence" with the universal interests of the community. Thus what is created is not an immediate, natural harmony, but one mediated through human artifice.

Even while the legislature is concerned with the universality of the laws and the constitution, Hegel views the role of the Estates in the formulation of the law as somewhat negligible. While the participation of the Estates within the legislature is essential in securing the solidarity and homogeneity of the community, in the final analysis they are only a deliberative body. It is their task to sanction policy decisions handed down by the king's ministers and while they may criticize and propose changes, in the end they must give their mark of approval. Hegel never contemplated a major rift between the Estates and the government and indeed he seems naively to overemphasize the degree of solidarity between them. It is the real function of the

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(142) Ibid., paragraph 308.

Estates to make the needs of the government intelligible to the people so that they will see the government as a manifestation of their own will.

The Philosophy of Right does not end with the constitutional structure of the state, but rather with a brief resumé of Hegel's lectures on the Philosophy of History in which the development of the state is traced throughout time. History stands above the isolated autonomy of individual sovereign states and welds them together in a higher unity. It is the culmination of the system of right and, borrowing a phrase from Schiller, Hegel remarks that "world history is the world's court of judgement".(143) Since by now the general drift of Hegel's philosophy of history should be clear, it will only be necessary to treat it here in summary fashion.

Hegel divides world history into four major periods or epochs: Oriental, Greek, Roman and Germanic. In the Oriental world mind is completely immersed within an immediate substantiality so that there is produced an undifferentiated form of experience in which "individual personality loses its rights and perishes".(144) In his early essay "The Spirit of Christianity and its Fate" the ancient Judaic theocracy seemed to Hegel the paradigm of the oriental world, but in his Berlin lectures it is clear that he is referring primarily to India and China. These states represent a form of theocratic despotism in which politics has not yet been separated from religion and where the ruler is a priest or even a god. The rule of law, a fundamental feature of the modern world, is unknown in these countries

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(143) Ibid., paragraph 341.

(144) Ibid., paragraph 355.

where personal power and arbitrary caprice are standard political practices. Despite its age, Hegel believes that the Orient has no real history since even in the present it retains the same basic political features as it did in the past.

The Greek world represents, for Hegel, a significant advance over the Oriental. Greek democracy was a realm of beautiful freedom in which the will of the individual and the collective will immediately coincide. The Greeks knew nothing of the division between the private man and the public man, bourgeois and citoyen, that characterizes the modern world. Greek democracy meant living in accordance with the customs and traditions of the community as laid down by the great legislators such as Theseus and Lycurgus, and unlike the moderns for whom subjective moral choice is all important, the Greeks merely accepted these social norms as something given. According to Hegel, it was only under the influence of the Sophists and later Socrates and Plato that this immediate harmony between subjective consciousness and objective being began to deteriorate. Plato had argued that there is a realm of ideas or forms which transcends the phenomenal realm of the polis that the philosopher's duty is to grasp these notions even if they fly in the face of conventional wisdom. It was this sort of thinking that led ultimately to the decline of the Greek world and the rise of Christian civilization.

In the Roman world the organic unity of the Greek Volksgeist is sundered and democracy degenerates into aristocracy where the rulers seek only power and wealth while the people sink into a rabble. As in his early essay "The Positivity of the Christian Religion" Hegel shows how property and the relationships between property owners

became the main concern of men under the Roman Empire and as a result of this a new system of private law was created which acknowledged that the individual regards the state as an alien power which he may use as an instrument to further his private interests. Thus man was reduced to the "abstract legal personality" discussed by Hegel in the Phenomenology. It was only under these debased circumstances where men were reduced to the status of mere property owning individuals that Christianity with its promise of a genuine human community in the hereafter was able to make any impact. However Christianity spelt the death of the Roman Empire and with it the birth of the "unhappy consciousness" which, I have tried to argue, it is the purpose of Hegel's philosophy to remedy.

Only in the fourth and last stage of history, the Germanic world, is man's sense of alienation and estrangement from reality and experience overcome and true freedom realized. Hegel traces the development of the Germanic world from the rise of Christianity, through the Protestant Reformation and the French Revolution, and finally to his own day the culmination of which is the form of state analyzed in the Philosophy of Right. It should be said, however, against any narrow nationalist reading of Hegel such as that proposed by Rosenzweig that when Hegel speaks of the Germanic world (die Germanische Welt) he does not mean it in the parochial sense of deutsch, but rather to embrace the entire European theatre which in the 1820s had coalesced in a reactionary alliance to prevent the possibility of another Napoleonic uprising. But even if Hegel's Germanic state is taken to include the whole of Western European society, it cannot be taken as the final end of his system of philosophy if only because it does not recognize itself as such. The state is only something "in itself" that is a part of the finite world of things which in

accordance with the laws of dialectical logic must transcend its own restricted material conditions and become something "for itself" that is, an object of thought. Thus it is the function of philosophy to supply the state with this consciousness of itself. The true end of the Hegelian system is, therefore, the dyad of the state alongside its philosophical conceptualization. Philosophy, it should be said, could never have supplied this self-consciousness before the realization of the state. Thought can never precede the reality it seeks to explain, but must content itself with making ex post facto declarations. In Hegel's own words:

> When philosophy paints its grey in grey, then has a shape of life grown old. By philosophy's grey in grey it cannot be rejuvenated but only understood. The owl of Minerva spreads its wings only with the falling of the dusk. (145)

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(145) Ibid., p.13.

CONCLUSION

In the final analysis Hegel's greatness lies not so much in the particular details of his system, but in his claim to have put philosophy in its final form. In his lectures on the history of philosophy he presents all previous philosophies as historical approximations of his own all embracing system which would be, as it were, the last word in the community of free men. In the perfect society which, Hegel argues, is now coming into existence where political institutions are structured to express every facet of a developed human intelligence and where all traces of the unhappy consciousness have been dissipated, there and only there does philosophy, at least in the form of abstract speculation, come to an end. In a situation where all the complex and contradictory aspects of thought and reality have been resolved in such a way as to make man's practical activity both morally and intellectually satisfactory, further speculation is no longer necessary. This is why Hegel says that in future philosophy will refrain from teaching what the world ought to be as such an exercise could only be futile and self-defeating. Philosophy can no longer instruct the world how it should be: "It can only teach how the state, the ethical universe, is to be understood".(1)

Despite his glorification of the modern state as the incarnation of reason and freedom, we know from hindsight that Hegel radically

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(1) G.W.F. Hegel, Philosophy of Right, trans. T.M. Knox, Oxford, 1971, p.11.

underestimated the peculiar narrowness and limitations of the time and circumstances of the age in which he lived. These limitations as Marx has pointed out, are those of a country which had participated in the restoration of other nations without first having participated in their revolutions.(2) This was an insight also shared by Heine who observed:

> "German philosophy is a great thing, an affair which concerns the entire human race and only our far distant descendants will be able to judge if we merit praise or blame for having conceived our philosophy before having made our revolution". (3)

Such of course was the fate of classical German idealism. For Heine and Marx and the generation of poets and philosophers who came of age in the years shortly after Hegel's death, it was no longer a question of speculatively transforming actuality into rationality, but doing so in practice. The point as they understood it is not merely to comprehend the world, but to transform it. As Marx put it in his famous eleventh thesis on Feuerbach: "Philosophers have only <u>interpreted</u> the world, in various ways; the point, however, is to <u>change</u> it".(4) But this, of course, is another story. We have now reached the end of ours.

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(2) Karl Marx and Fredrick Engels, <u>Werke</u>, 39 vols., Berlin, 1956-, I, pp.379-80.

(3) Quoted from Roger Garaudy, <u>Dieu est mort; Étude sur Hegel</u>, Paris, 1970, p.430.

(4) Marx/Engels, <u>Werke</u>, <u>op. cit.</u>, III, p.7.

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