

Marx, Hegel, and "The Philosophy of Right"

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I

IN 1841 Karl Marx, a student of law at the University of Berlin, produced a critique of one of the most popular texts then being studied by German jurists, Hegel's *Outline of the Philosophy of Right*. Marx's polemic, the introduction to which would later appear as his first publication, was ambitious and penetrating. It attacked a thinker who, from 1818 until his death in 1831, had dominated the intellectual life of Berlin: winning favor at court as "the King's philosopher" while becoming the most honored professor at the university. Both his lectures on law and world history and the volumes to which they were later consigned indicate at least one reason for this dazzling career. Again and again Hegel set out to demonstrate that the German Protestant state and the Prussian monarchy, in particular, represented the highest synthesis of order and liberty any people had ever achieved in the history of civilization. As a German idealist, Hegel argued that the true content of perceived reality could only be found in the conscious subject. But the ultimate subject, and source of knowledge, for him was not the individual mind, but a universal consciousness, which in the process of knowing itself—or "realizing its own concept"—brought forth nature, man, and history.¹

This world mind influenced some nations more than others, depending upon which people were best suited at a particular time to forward its plan. History itself reproduced the progress already made by the mind, as it struggled to achieve freedom through self-knowledge. As the mind came to affirm its own essence, the corresponding task of the modern state was to render the citizen both intellectually free and ethically bound to itself. The conditions for this development were set by the mind, whose activities had imprinted the historical process not only with design, but with a dialectical structure. Inherent in the world was a "moving principle" of contradiction, whereby opposing relationships were resolved only to give rise to new creative antagonisms. The conflicts among peoples, ideologies, and classes were not seen as extraneous to the Hegelian mind, but as manifestations of "the Spirit at the highest point of self-conscious reason, giving reality to itself."² Since the fall of the Roman Empire, the German people had aided the Spirit more significantly than others by their battle to extend the scope of human liberty. Having opposed Papal absolutism in the Middle Ages, they had later inaugurated the Reformation which served to further the "inner freedom" of Western man.³ More recently, the Prussian monarchy, a German state, had successfully reconciled

the newly proclaimed freedoms of the French Revolution with traditional monarchical authority. There the tension between private rights to property and self-expression on the one side, and the demands of political cohesion on the other, was being overcome by the emergence of a state which gave each interest its proper place.⁴

In his critique Marx sought to discredit almost every aspect of Hegel's view of the Prussian state. He even cast reflections on the character of his adversary by ascribing his praise of the Prussian civil service to "bureaucratic servility."⁵ This charge might in fact warrant serious attention. Rudolf Haym, a nineteenth century Hegelian, offered a well documented picture of Hegel as a political trimmer. During the height of the Napoleonic Empire, while French armies occupied or controlled most of Germany, Hegel edited a Francophile newspaper supported by the then French client state of Bavaria. His own awakening to the glory of the German people and the Prussian state came only after the defeat of Napoleon and happened to coincide with his growing interest in a professorship at Berlin. According to Haym, *The Philosophy of Right* (1821) and *The Philosophy of History* (1823), both products of Hegel's Berlin period, show the marks of his political accommodation. While his earlier writings emphasize the fluid and changing character of political life and the dialectical possibilities of the future, neither quality is present in the later works. There a philosophical vocabulary suggesting process and movement becomes denatured, *i.e.*, made to justify the absence of change in Hegel's own society.⁶

According to Marx too, the ageing Hegel became intellectually dishonest; and he opens his critique by citing a case in point from section 261 of *The Philosophy of Right*. Here it was asserted that "Over and against the spheres of private right and private well-being, the family and civil society, the state is, on the one hand, an external necessity—; but, on the other, is the im-

manent aim of civil society and has the strength in the unity of its general purpose and in the unity of the particular interests of individuals; thus individuals have duties toward the state in proportion to their rights."⁷ In this passage Hegel made a distinction which Marx denounces as spurious, between the empirical and ideal natures of the state: between a mere collectivity of private persons held together by a "system of mutual needs" and legal arrangements and the state as "the realization of the concrete freedom" of the world mind, offering its members contact with the eternal and transcendent.⁸ Such a distinction, argued Marx, was only possible for those who viewed the state "in its abstract form, as logical-metaphysical qualities." For such thinkers, "not the philosophy of right, but rather logic is the main concern. For thought (in their case) does not become embodied in political determinations, but rather political determinations are dissolved into abstract thoughts."⁹

The problem with Hegel's perception was his apparent unwillingness to recognize the social and economic interests of men in power. He attempted to separate public officials from "their individual personalities," though, as Marx points out, "the essence of the individual personality is not its beard, its blood, or its abstract nature, but its social quality; political affairs are nothing more than the substance and operation of the social characteristics of men."¹⁰ Such an oversight was all the more damning, since Hegel understood quite well the impact of social interests in the modern world. Section 184 through 199 of *The Philosophy of Right* gave attention to the effects attending the emergence of an industrial capitalist society. The same passages also discussed the economist, Adam Smith, who looked to a system of coalescing material needs to furnish social cohesion in the industrial world of the future. Although Hegel accepted much of Smith's analysis of civil society, he also felt grave misgivings about the impersonal character of factory work and the breakdown of an older

family life already apparent in his own age.¹¹ And yet, according to Marx, Hegel fled the real problems of social discord and material deprivation, by constructing an ideal state intended to stand above human struggles. Instead of exploring the empirical circumstances of people under a particular regime, Hegel preferred to describe *his* state as the product of a world mind, or as "the realization of the ethical ideal" set into the world by the same cosmic force.

Hegel further exalted his "abstract state," by transforming men with social interests into models of political rectitude, once in the service of the Prussian state. For example, the state bureaucracy, although described elsewhere as one of the self-interested classes of civil society, was allowed to overcome its selfish "corporate spirit" in the Prussian state. This change of character was ascribed to the power of civil servants "to find in the state as a whole the means for the preservation of their own private purpose."¹² To this threadbare defense of self-interest, Marx offered the following retort: "Everything has a double meaning, one real and the other bureaucratic; so too does knowledge have a double truth, one real and the other bureaucratic."¹³ Two more illustrations will probably suffice to show Hegel's vulnerability to Marx's charge of disguising the "real nature" of government in practice. In discussing the Prussian legislature, *The Philosophy of Right* characterized the estates, which were a holdover from the medieval system of class representation, as a spokesman for "the public consciousness." If the purpose of this body, however, was as Hegel put it, to be truly representative of "the empirical totality of the thought of the many," why, asked Marx, could it not be the product of a general election based on universal suffrage? To this Hegel had already replied, by indicating that a democratic electorate would simply bring into government the divisions already present in civil society.¹⁴ And yet, asked Marx, how was this conflict of interests avoided by giving representation to estates rather than to indi-

viduals? Again Hegel sought refuge behind his "abstract" state. By placing landed aristocracy in the upper house and industrialists and bureaucrats in the lower, he tried to present modern civil society as a replica of the medieval body politic.

The same type of deception, according to Marx, was apparent in Hegel's defense of primogeniture for the Prussian aristocracy. In Section 180 of *The Philosophy of Right* Hegel had praised the abolition of all restrictions on the transfer of property; he then turned around and defended the exclusive rights of an aristocrat's eldest son to his inheritance as a political rather than social necessity. Behind this apparent inconsistency, contended Marx, lay two of Hegel's most persistent beliefs. One was in the need to uphold the institution of property, even in its most "petrified" form, and even where opposed to the wishes of the family, as a cornerstone of his abstract state.¹⁵ The other mistaken belief was in the possibility of ennobling whole classes by plunging them into the "mystery" of political activity. Although landed nobility resembled the agrarian class described in Hegel's analysis of civil society, they, too, were given a new dignity by virtue of their seats in the upper house of the Prussian diet.¹⁶ The only way to make the problems of civil society politically relevant, according to Marx, was to replace the abstract state with a democratic one. Electoral reform was the key to exposing the fraud of Hegel's picture of the Prussian system. Both universal suffrage and democratic government would put into focus the contradiction between Hegel's imaginary state and the social conflict it ignored.

II

MARX'S CRITIQUE, most of which was published posthumously, has fared remarkably well among twentieth-century readers. Among its most effusive admirers have naturally been Marxists and particularly those who have seen in the young Marx the source of socialist humanism. Jean Hypolite, a commentator on the political

thought of both Hegel and Marx, has extolled the critique for affirming that "the true concrete subject, the bearer of all predicates, is man as a social being."¹⁷ Because Marx was allegedly a realistic Hegelian, he tried to ground the historical dialectic in concrete situations. So he avoided Hegel's delusion of regarding the state as "the Subject as Idea" instead of simply as "a predicate of man's social nature." The consensus among scholars in the field is that Marx made a correct assessment of *The Philosophy of Right*, while Hegel was wrong in his views of the Prussian state and of political man. To be sure, most of the scholars in question are Marxists or, at least, socialists. Contrariwise, neither Prusophilia nor monarchism is a common bias among modern intellectuals. Few writers, that is, would be willing to judge *The Philosophy of Right* from Hegel's corner rather than Marx's.¹⁸

The more's the shame, since there were positions taken by Hegel, but challenged by Marx, which deserve to be defended. In fact it often seems that while Hegel was clumsy, or self-serving, in choosing political illustrations, his understanding of political philosophy went deeper than that of Marx's critique of 1841. Their differing views of the dialectic might be instructive in this regard. For Hegel the nature of historical experience was a process of change taking place in accordance with the "concept"—or evolutionary plan—of the mind. The mind shaped the movement of human societies "not as the external act of a subjective form of thinking but as the very soul of its content which organically begets its branches and fruits." The tensions and changes in human affairs were to be seen not as disjunctive happenings, but as an organic totality of intertwining "particulars."

Since the dialectic's purpose was "to bring forth the specific elements of a generality (the concept of the world mind)," a society's past and present stages shared a common spiritual origin even in the midst of continuing change. Indeed even when a synthesis, or higher form of unity, arose

to take the place of once conflicting institutions, the new reality would contain within itself elements of the older one. The Hegelian term *Aufhebung* which designates the removal of a particular tension following the emergence of an appropriate synthesis, is properly translated "sublation."¹⁹ For like the Latin *sublatio*, the Hegelian *Aufhebung* involves an act of removal, whereby opposing sets of things are transferred, without being obliterated, into a new unifying context. While delineating the "constitutional state" intended to control the conflicts of civil society, for example, Hegel also reaffirmed the sanctity of the "realm of right." Though rights belonged to a lower stage in the self-realization of mind than did the state and though they often proved socially divisive, it was the duty of the state to protect them as a unique and irreplaceable stage in the development of political consciousness.²⁰ According to the demands of the Hegelian dialectic, "every level in the evolution of freedom must have a distinctive right" in relation to all others."²¹

For Marx this proposition would have been utterly absurd. The dialectic was not the work of a world mind meditating on the stages of its past progress, but the product of conflicting social forces which were born of changing material conditions. His teaching of dialectical materialism went counter to both the possibility of providential design and the need for continuity in man's historical condition. Unlike Hegel, Marx viewed *Aufhebung* as a process of change which worked to obliterate the past. His *Economic-Philosophical Manuscripts* (1844) considered all existing cultural and economic institutions as part of an artificial way of life characterized by man's alienation from both himself and the means of production.²² All the same, the Marxian dialectic would soon eradicate the "pre-history" of mankind, by giving birth to an entirely new epoch and order. Here men, not material forces, would make history, as the social relationships of the capitalist era, and the struggle between the captains

of industry and the working class, would be brought to an end.²³

Since one of the preconditions for this future would be the extirpation of civil (or bourgeois) society, it is hard to see why Marx insisted in his critique on the need for electoral reform. Or, put differently, why should he have asserted with such vehemence that the creation of a democratically elected government would eliminate the conflicting interests of civil society? Unless the proletariat itself, although only a minority in the German population of 1841, could have achieved the improbable by taking power at the ballot box, it is problematic why Marx should have tied the "dissolution of civil society" to the cause of widening the franchise.²⁴ Certainly a popular government which represented the interests of civil society, would not have suited Marx's purpose. Such a regime would only have offered a democratic extension of what Marx had seen as the real essence of Hegel's "ideal state": a political front for vested social interests.

Perhaps it was the recognition of this fact which impelled the later Marx to abandon electoral reform for social revolution. And yet, Hegel could have responded to his taunts about the mystique of an "abstract state," by ridiculing Marx's own tendency toward mystification. He might have pointed out that Marx had rejected the tested and viable Prussian monarchy with its built-in limitations and exemplary judiciary for a political system which only existed in his own mind. Moreover, the tool by which Marx sought to attain his purpose, universal suffrage, was not even suited for "dissolving civil society," which was a prerequisite for the Marxian order. When at last this truth dawned on Marx, he turned to a revolutionary vision, but here too he was guided by faith rather than reason. The upheaval envisaged was not to be governed by an ordering intelligence such as the Hegelian mind. Rather it would express the fury of once repressed social forces striking out against the whole fabric of inherited political institutions, yet in a

way that would somehow result in a more humane world untouched by the social interests of the past. If Marx had rejected the abstractness of the Hegelian state, it was simply to move from the magic of universal suffrage into the redemptive mystery of revolutionary doctrine.

Hegel could likewise have made a sound case for his own view of the "good state" and for his distinction between social interest and political practice. He might have pointed to the more favorable features of what he called the "Prussian constitution," stressing its guarantee of religious liberty, its growing recognition of intellectual freedom, the proverbial incorruptibility of its judicial officials, and the existence of a prosperous educated middle class. He might thus have been able to discredit Marx's picture of a repressive state served by grovelling bureaucrats. But even conceding the presence of fulsome praise in Hegel's characterization of Prussia, *The Philosophy of Right* offered something which Marx ignored in his critique, a comprehensive view of political life in general. The objectification of the individual consciousness in property, the emergence of general rights out of the struggle for control over nature, the formation of a social bond through familial love and through functional material need in civil society were all stages in the self-fulfillment of the "realm of spirit" and in the growth of the state as "the reality of the ethical idea." The state which Hegel described was organic, reflecting both the piecemeal development of the world mind and the cumulative lessons of the historical past.

Like Aristotle, Hegel taught that custom, even more than speculative reason, provided the basis for sound political life. To Marx's "abstract" portrait of the new socialist man, both thinkers might have replied with comparable rejoinders. Aristotle could have responded with an aphorism from *The Politics* that "Whatever things correspond to custom (*hoi kata ta ethe*) are more binding than that which accords to the letter of the law (*peri kurioteron*)

ton kata grammata nomon).²⁵ Hegel, in similar fashion, admonished political reformers that "a constitution is no mere contrivance. It is the work of centuries and the consciousness of the rational, so far as that can develop in a particular nation."²⁶

But Hegel, unlike Marx, derived another even more valuable, lesson from Aristotle: the need to make a distinction between the everyday man and the political one. In the sixth book of *The Nicomachean Ethics*, Aristotle drew a critical distinction between the terms *poiesis* and *praxis*. Through the first he designated the kind of functional activity required for the preservation of one's material well-being. Whereas such work rested on knowledge, it was not of the sort which the mind would try to prove to itself; nor was this knowledge of sufficient value in producing good character.²⁷ By the same token, there was an "intellectually demonstrable wisdom (*episteme mei' apodeixeos'*)" the possession of which led people to "proper conduct (*eupraxia*)." While it was impractical to have all men aspire to *eupraxia*, Aristotle believed it an essential quality for leaders. For only those who based their rule on clearly recognized ethical authority (as Aristotle asserts Pericles had done), could govern their states effectively.²⁸ Hegel, too, believed that proper government presupposed the possibility of *praxis*. In *The Philosophy of Right*, he warned against "mistaking the state for civil society," simply because both authorities protected property and personal freedom.

Unlike civil society, the state went beyond "the interest of individuals as such" to embrace "objective existence, truth, and ethics."²⁹ This process took place as the world mind revealed itself in political life as a "reflective will." But this will was one in which volition was increasingly subordinated to reflection, as the quest for gratification was supplanted by the desire for knowledge. The self-consciousness of the absolute mind set the format for the evolution of political society which was a "process of thought prevailing in will."³⁰ And

the modern constitutional state, combining traditional government with proprietary and spiritual freedoms, represented the highest stage in this dual development. On a metaphysical level, the world mind became "the ethical spirit, as the will clear and substantial to itself which thinks and knows itself. . . ." On the historical level, the state emerged as the realm of ethical action. By providing its individual members with a necessary collective identity without denying them their "inner freedom" or conscience, the state gave man the opportunity for service to each other and the world mind.

But this opportunity was not always taken. The addendum to Section 273 of *The Philosophy of Right* explained that "The principle of the modern world is subjective freedom." Thus it made no practical difference whether a regime called itself a monarchy or democracy. Any modern political constitution would be defective which "does not contain within itself the principle of free subjectivity."³¹ Established rights and the claims of civil society both had helped undermine the sense of community once found in classical Greek and Roman societies. And yet, precisely because he honored the presence of a "free subjectivity" as part of a world design, Hegel was forced to accept a divided political will among the subjects of a constitutional state.

His comment that "The individual agencies of the state are linked to the individuals by which they are administered not through their personalities directly, but through general and objective qualities" must be read as an imperative and not simply as a descriptive statement.³² Despite his ascription of unity to the state, Hegel furthermore qualified this judgment in the same work where he made it. Toward the end of *The Philosophy of Right*, we are told that most members of the state perceive its sovereignty in time of peace only as "a kind of external force imposed on their private lives from above." Only in periods of "war and national emergency" would people accept fully the sovereignty of their

leaders and be willing to sacrifice themselves for the state.³³ According to Hegel national struggle provided one of the few opportunities for the self-transcendence of the private man. War supplied the final court of appeal for world history and was a necessary vehicle for the promotion of bravery among subjects and *eupraxia* among their rulers.

For Marx, on the other hand, this admission demonstrated the "mere externality" of the Hegelian state. Having been rendered ineffective by a feuding civil society, political rulers could only appear to lead in time of war. By the same token, Hegel could have asked what political alternative Marx had to offer in place of a constitutional state wedding freedom to authority. Again, what context, if any, could his critic suggest for the evocation of political leadership in the modern age? In Marx's case there was no concept of the "good state," as distinguished from the "false" or "bad state," since he regarded all governments as mere spokesmen for class interests. In fact, even in the early 1840's, he would predict "the abolition of the state" as a necessary and desirable consequence of social change.³⁴ In view of these facts, one might challenge those scholars who have dwelt on the supposed affinity between Marx and Hegel regarding their views of human activity. Alexander Kojève, for example, saw the two thinkers as united by their awareness of "the central phenomenon of the bourgeois' world." This was "not the subjugation of the worker and of the poor bourgeoisie to the rich bourgeoisie, but the subjugation of both to capital."³⁵ Jean Hypolite has meanwhile focused on Hegel's and Marx's common concern over man's alienation from a world of his own making in modern civil society.³⁶

What such commentators tend to neglect is that Marx presented a materialist and sensuous view of human nature markedly different from that of Hegel. This Marxian anthropology was apparent not only in his historical understanding, but, even more dramatically, in his earliest writings on hu-

man alienation. In 1844 he denounced private property for turning man's own "living expression (*Lebensäußerung*)" into a "strange and unhuman object."³⁷ This happened because the majority of people were forced to pass their vital energies into materials and products of work belonging to others. If Marx defined private property as "the material expression of alienated human life," he also tried to depict human activity in the absence of such alienation. Here men would enjoy the objects of their making without seeking to possess them. No one would "attempt to impose a strange essence upon others in order to achieve the satisfaction of his own selfish ends."³⁸ Instead all would recognize the inviolateness of "the quest to appropriate human reality," which presupposed the development of each man's sensuous and volitional nature through a suitable form of personal activity. Man's "essential character" was no more or no less than the totality of human work and pleasure. In line with this quantitative view of human essence, Marx defined society analogously as the sum total of its members and their activities. In *The Economic-Philosophical Manuscripts* he also discussed society from a second perspective, as the context of economic and other relationships in which the "essential character of the race" was unfolding. Because of the persistence of property and the suffering produced by it, however, the existing social order was at variance with "human self-enjoyment," here designated as the true end of communal life.³⁹

In the same work Marx criticizes Hegel for having made "absolute knowledge" the starting point for his dialectic. While man's nature was to be grasped through the process of historical change, not the mind, but "sensuous reality" was what accounted for human development. Thus Marx dedicated his tract not to Hegel, but to Ludwig Feuerbach, an impassioned critic of Hegelian idealism. Identifying nature with physical and biological experience, Feuerbach proclaimed nature as the true absolute subject of the universe. He faulted Hegel,

moreover, for having confused this subject with what he regarded as the purely derivative power of thought. Although Marx would later castigate Feuerbach for lacking an historical perspective, he continued, all the same, to praise his reduction of human consciousness to material activity.⁴⁰ In *The German Ideology* (1845-1846), he again turned to Feuerbach in launching an attack on established morality. Here we are told that "men's conceptions, ideas, spiritual intercourse" were to be viewed "as the direct emanation of their material conduct." "The same," it was claimed, "holds for spiritual production, as represented in the language of the politics, law, morality, metaphysics, etc. of a people."⁴¹

III

FROM the foregoing discussion, it should be apparent that Marx believed no more in the possibility of ethical politics than in the value of government. In both cases his skepticism could be traced back to his view of human activity. Men by their very natures were bent on material satisfaction. Because of the diversity of their peculiar needs and appetites and of the labors intended to gratify these, there was little more than economic interests which united groups of people. In place of the Aristotelian distinction between *poiesis* and *praxis*, Marx spoke of the basic equality of all human work and experience. By the same token, Marxian *praxis* was derived from an ungraded heap of "essential powers and activities" to which were assigned the metaphysical label, "human essence." Marx refused, moreover, to apply to this activity moral criteria of any kind, aside from its conduciveness to revolution. Ethical values were considered mere "emanations" of material situations and, in any case, were extraneous to the highly individual character of each man's activities.

The Philosophy of Right, on the other hand, attributed ethical significance to the social and political acts which it treated. Proprietary rights were seen as coming into existence, as men reflected on the objects

of their desires and created institutions for the mutual protection of their possessions. The bearers of rights were defined as social beings, inasmuch as they made their appetites and drives subject to legal regulation. As the right to possess became divorced from mere brute will, it grew to be associated with the concept of work. Roman and medieval law had recognized slavery while distinguishing between the use and actual ownership of property; the modern world was ceasing to do either. Slavery had come under attack as inconsistent with human rights, while property was now defined as a "sphere of freedom" and activity, and no longer as the hereditary and exclusive privilege of certain classes.⁴² Hegel defended the bourgeois, as opposed to aristocratic, view of ownership, treating property as a personal freedom rather than as a class monopoly. The general rights to buy, sell, and enter into contracts were hailed as a crucial watershed in the progress of human liberty.⁴³ Hegel also believed that the act of possession entailed a "placing of one's will into a thing," and so he defined property in terms of its use by the owner. "By dint of my development (*Formierung*) of an object, the designation that something belongs to me acquires a continuing externality. . ."⁴⁴ Creative material work—whether in the form of farming, building, plying a trade, etc.—was needed to establish a relationship between the individual consciousness and its external world.

Nonetheless, this process was less significant in the Hegelian ontology than was the emergence of the state. "Man must form himself," went one of Hegel's apothegms in *The Philosophy of Right*. By this he meant that the citizen must move from property and civil society into an identity more fully congruent with his moral and rational nature. Elsewhere he noted that the state "made possible the development toward freedom (*Formierung zur Freiheit*) and the preservation of the same force."⁴⁵ Hegel's model of the "good state" might no longer seem historically pertinent, but it would be

useful to keep in mind two tasks to which *The Philosophy of Right* addresses itself: The reconciliation of traditional authorities with the "realm of right" and a demonstration of the compatibility of political service with the "principle of subjectivity" inherent in modern society. Both are problems which have concerned political philosophers in the twentieth century no less than those in the nineteenth.

The German sociologist, Manfred Riedel, echoing the young Marx's protest, accused Hegel of retreating from his own view of social conflict into an Aristotelian world of political order.⁴⁶ Just as Aristotle had looked beyond the beginnings of communal life in the family and tribe to proclaim the city as "that which is first by nature (*to physei proteron*)," so, too, Hegel spoke of the state as "the first and true basis not only of individual right, but of civil society

too." But that Hegel, like Aristotle, placed the state ontologically, if not chronologically, before other forms of collective existence, need not suggest his weariness with social problems. It might actually indicate his pervasive concern for a continuing political bond in an age of growing social mobility and individual self-consciousness. For without some sense of both the continuity of government and the need for duty among rulers and subjects, the strain of individual and social divisiveness would turn subjective freedom from a blessing into a curse. Only participation in the state as a sacrificial act the correctness of which was to be substantiated by the World Mind, could serve as an antidote to the possible excesses of the new freedom. Unlike Marx, Hegel believed that political activity, properly understood, was the precondition for man's social survival.

⁴⁶For two sound English introductions to Hegel's Theory of consciousness, J. N. Findlay, *Hegel: A Re-Examination*, (New York, 1958), and W. T. Stace, *Hegel*, new edition (New York, 1955). ⁴⁷Cf. G. W. F. Hegel, *Werke in zwanzig Bänden*, 7 (Frankfurt, 1970), p. 85, hereafter cited as *Werke*. ⁴⁸*Werke*, 12, pp. 492-508. ⁴⁹*Ibid.*, pp. 528-542; also Ivan Soll, "Hegel's Rechtfertigung der Geschichte," *Hegel-Jahrbuch* (1968/69), pp. 81-88. ⁵⁰Karl Marx *Die Frühschriften*, ed. Siegfried Landshut (Stuttgart, 1953), pp. 143-145. ⁵¹Cf. Rudolf Haym, *Hegel und seine Zeit* (Berlin 1857), pp. 371-378. ⁵²*Werke*, 7, pp. 407 and 408. ⁵³*Ibid.*, pp. 409-411. ⁵⁴*Frühschriften*, p. 33. ⁵⁵*Ibid.*, p. 38. ⁵⁶Cf. P. Vogel, *Hegels Gesellschaftsbegriff* (Berlin, 1925) and Joachim Ritter, *Metaphysik und Politik* (Frankfurt, 1969), pp. 212-220. ⁵⁷*Werke*, 7, pp. 458 and 459. ⁵⁸*Frühschriften*, p. 61. ⁵⁹*Werke*, 7, pp. 469 and 470. ⁶⁰*Frühschriften*, p. 117. ⁶¹*Ibid.*, pp. 125 and 135-138. ⁶²Jean Hyppolite, *Studies in Hegel and Marx*, trans. John O'Neill (London, 1969), p. 112. ⁶³See, for example, Hyppolite's introduction to *La Philosophie du Droit* (Paris, 1940) and "L'alienation hégélienne de l'état et sa critique par Karl Marx," *Cahiers Internationaux de Sociologie*, 2 (1947), pp. 142-161 by the same author; also Herbert Marcuse, *Reason and Revolution*, new edition, (Boston, 1960), and Cleto Carbonara, *Hegel e Marx nella Polemica del Diritto Pubblico* (Naples, 1967). ⁶⁴Compare the definition of the dialectic given in *The Philosophy of Right* (*Werke*, 7, pp. 84 and 85) with the one offered

in Hegel's earlier work, *The Phenomenology of Spirit* (*Werke*, 3, pp. 559 and 560). Both expositions show that contrary to Haym's argument, the meditation of opposites was a concept that influenced the young, and supposedly revolutionary, Hegel as much as the later defender of the Prussian state. ⁶⁵See especially *Werke*, 7, pp. 83, 84, and 412. ⁶⁶*Ibid.*, p. 83. ⁶⁷*Frühschriften*, pp. 228-240, 254-256. ⁶⁸For a sympathetic presentation of these views, see Marcuse's *Reason and Revolution*, pp. 273-321. ⁶⁹*Frühschriften*, pp. 241-243. ⁷⁰Aristotle, *Politica*, Oxford Classical Texts, III, 12876, 5-7, VII, 13346, 10-12; also Joachim Ritter, *Metaphysik und Politik*, pp. 160-168, and Fazio Allmayer's *Ricerche Hegeliane* (Florence, 1959), pp. 245-265. ⁷¹*Werke*, 7, p. 440. ⁷²Aristotle, *Ethica Nicomachea*, Oxford Classical Texts, 1140a 10-15; and 31-35. ⁷³*Ibid.*, 1140 6, 7-10. ⁷⁴*Werke*, pp. 400 and 401. ⁷⁵*Ibid.*, 7, p. 72. ⁷⁶*Ibid.*, pp. 407-410. ⁷⁷*Ibid.*, p. 277, see also T. L. Häring *Hegels Lehre vom Staat und Recht*, (Stuttgart, 1940) which emphasizes the didactic element in Hegel's *The Philosophy of Right*. ⁷⁸*Werke*, pp. 491 and 492. ⁷⁹*Frühschriften*, p. 242. There is a controversy whether Marx's use of *Aufhebung*, as in the above reference to "die Aufhebung des Staates," is intended to convey the Hegelian association of preserving as well as overcoming. Though I myself find no proof for this contention in the *Critique or The Economic-Philosophical Manuscripts*, Shlomo Avineri suggests, without documenting, a conservative aspect to the Marxian dialectic in the opening section of

Marx's Socialism (N.Y. 1971), pp. 1-19. On the social-philosophical implications of the disagreement between Hegel and Marx concerning *Aufhebung*, see Karl Löwith *Von Hegel zu Nietzsche* (Stuttgart and Zurich, 1950), pp. 71-81, and 150-152; and Mario Rossi, "Marx e la dialettica hegeliana," *Hegel e lo Stato*, I (Berlin, 1960).³⁵ Alexandre Kojève, *Introduction à la Lecture de Hegel* (Paris, 1947), p. 191. ³⁶Cf. particularly Hyppolite's "L'alienation hégélienne de l'état et sa critique par Karl Marx" in *Cahiers Internationaux de Sociologie* cited above. ³⁷*Frühschriften*, p. 239, also Karl Marx and Friedrich Engels, *Ausgewählte Werke in sechs Bänden*, I (East Berlin, 1974), pp. 89-91. ³⁸*Frühschriften*, p. 254. ³⁹*Ibid.*, p. 240. ⁴⁰In the first of his critical "Theses on Feuerbach," composed in spring, 1845, Marx declared that "The main defect of all materialists (preceding Feuerbach) is to have viewed the object, reality, as a sensuously perceived force, object, or intuition, but not as sen-

suous human activity." While Feuerbach changed the stress of the older materialism by focusing on human activity, Marx charges him with having failed to grasp the social implications of his own perception. Nonetheless, even in *The German Ideology*, prepared shortly after the "Theses," Marx still wrote in praise of the inspiring genius of his own early works: "Feuerbach had the great advantage in relation to pure materialists that he understood how man, too, can be a sensuous object by being viewed as sensuous activity." See *Ausgewählte Werke in sechs Bänden*, I, pp. 196 and 217. ⁴¹*Ibid.*, pp. 231 and 232. ⁴²*Werke*, 7, pp. 132-133. ⁴³On this question, Joachim Ritter's probing study "Personne et Propriété selon Hegel," *Hegel et la Révolution Française*, (Paris, 1970), pp. 65-87. ⁴⁴*Werke*, 7, p. 121. ⁴⁵*Ibid.*, p. 124. ⁴⁶Manfred Riedel, *Bürgerliche Gesellschaft und Staat. Grundproblem und Struktur der Hegelschen Rechtsphilosophie*, (Neuwied and Berlin, 1970), pp. 69 and 70.