Between Hegel and Marx: Eduard Gans on the "Social Question"

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In the account of his travels in France published in Berlin under the title *Looking Back on Persons and Situations* (*Rückblicke auf Personen und Zustände*),[1] Eduard Gans,[2] the celebrated Hegel follower among the jurists, described a conversation which unfolded during a meal at the famous Parisian restaurant Au Rocher de Cancale. Participants in this conversation included Eugène Lerminier and Jules Lechevalier, two men in sympathy with Saint-Simonism, as well as the French politician Abel François Villemain and the historian and journalist Jean Alexandre Buchon:

> Discussion bore exclusively on the great hopes which partisans of the new doctrine vested in its propagation. When Villemain remarked that no religion could take root without dolors and sufferings, sacrifices and martyrs, Lerminier responded, "These martyrs will be found."—"But the Christian martyrs," Villemain retorted, "hadn't dined at the Rocher de Cancale." And this witticism can in fact be taken seriously. During a period of indifference in matters of religion, young people who, far from renouncing the lushness of this world, turn this very world into the object of a religious treatment, will not be able to bring about any upheaval—an upheaval which does seem necessary, after all, to the founding of any new divine doctrine.[3]

Gans, by way of this quip, no doubt wished to present a counterimage to the description Heinrich Heine gave in his *History of Religion and Philosophy in Germany*—the text of which had been published just two years earlier, in 1834:

> "We do not wish to be sans-culottes," Heine had proclaimed, "thrifty citizens, bargain-basement presidents: we are founding a democracy

> of gods who are all equally magnificent, equally holy, and equally happy. . . . We . . . demand nectar and ambrosia, purple robes, delicious scents, sensual pleasures, splendor, dances of laughing nymphs, music and comedies. . . . To your censorious reproaches we reply in the words of a Shakespearean fool: 'Dost thou think, because thou art virtuous, there shall be no more cakes and ale?' [*Twelfth Night*, act 2, scene 3, line 105–6; Heine replaces 'ale' by 'sweet champagne.'] The Saint-Simonians had some such ideas and plans. But they were on unfavorable soil, and they were suppressed, at least for some time, by the materialism all around them."[4]

Heine's description is doubtless half-ironical. It is nonetheless obvious that his appreciation of the Saint-Simonian program is totally different from that of Gans. As a matter of fact, Gans seems to have remained extremely skeptical altogether in face of the surprising metamorphosis which can be observed in Paris toward 1830 among Saint-Simonian adepts: the metamorphosis of the ideas of Saint-Simon into a religious doctrine, of which Gans himself gives an eloquent account in his *Looking Back on Persons and Situations*. Attaching political goals to a religious impulse seemed to him manifestly to be completely artificial, with regard to what mattered to a modern world, which he believed wholly indifferent to religion. In his *Looking Back on Persons and Situations*, he goes as far as to write that it was Benjamin Constant who had counseled the Saint-Simonians to make of their principles a religion, for their better propagation.[5] This account of the strange transformation which Saint-Simonism had at that time undergone is certainly an exaggeration, and in any case hardly credible regarding Benjamin Constant, but Gans seems nonetheless to have considered the account plausible. He also insists on it—and this is very revealing of his own position: the perspective which he himself adopted in dealing with the social question is obviously not that of the philosophy of religion, or for that matter that of a critique of religion. Gans scarcely felt sympathy for the religious philosophy of the Saint-Simonians, or for their associating a religious conception to a philosophy of right, or further to a social philosophy. The comparison with the position adopted by Heine is very enlightening here, for it marks clearly the difference between the two attitudes: there undoubtedly was a political purpose, and even an extremely important one, in Heine's critique of religion: by trying to disengage his contemporaries from their acceptance of suffering, which he deemed Christian, he wanted to incite them to protest. Such a purpose does not appear in Gans. What is also missing in his case is the project—expounded so eloquently by Heine—of making people happy, down here in this world; of building some sort

of paradise on earth. Nothing whatever of the kind appears in Gans. It was on the contrary imperative for him, as he wrote explicitly, to turn away "from the religious habit which, after a fashion totally superfluous, the Saint-Simonians threw on to their shoulders," in order to examine seriously their "social and economic-political principles."[6]

We are presented here with two very different appropriations of Saint-Simonism in Germany: on the one side that of Gans, and on the other that of Heine—to which it can be added that some years later, in 1843–44, the young Marx would maintain a position which seems quite close to that of Heine, for in his introduction to the "Critique of Hegel's Philosophy of Right," he wrote that "the abolition of religion as the *illusory* happiness of the people is the demand for their *real* happiness."[7] What we have here are two different appropriations of Saint-Simonism, but also—and this point, too, deserves to be emphasized—two completely different appropriations of Hegelianism. At the period of time under consideration it is not easy, however, to draw a distinction between, on the one hand, what one might be tempted to consider as a German appropriation of Saint-Simonism and, on the other, what can be called a French appropriation of Hegelianism: were there not writers who in these years went so far as to believe that Saint-Simonism was of German origin, and perhaps even of Hegelian origin?[8] The constellation is truly astonishing, but since it has already been the object of erudite research—in particular on the part of Michel Espagne—there is no real need for me to repeat his investigation here. Taking Espagne's results as a basis and precondition of my own questions, I shall rather dedicate this chapter principally to Eduard Gans: to his reading of Hegel, and his appropriation of Saint-Simonism. At the end of the chapter, I also add some remarks on the fate of "pantheism" and its social significance in the nineteenth century: a question bearing on the history of this concept which has not been sufficiently studied even till today, and which is very different from the aforementioned one, about the appropriation of Saint-Simonism.

It is in my opinion of great interest to note that in his investigation of the "social question" Gans did not follow the path which proceeded via the philosophy of religion, unlike many others in his time: he turned directly to Hegel's *Philosophy of Right*, and to the paragraphs of that book dedicated to the division of labor and to the creation of the "rabble" or "populace" (*Pöbel*): these are the paragraphs he interpreted, and which he valued. If one pays attention to this context, one realizes that Norbert Waszek is saying something very far from trivial when he explains in his article on "Eduard Gans and Poverty" that on the theme of poverty, for example in his courses of 1828–29, if one excepts some complements, and some modifications, Gans did not go beyond a precise exposition of the Hegelian conceptions:[9] for at the time, and also later, there were many who proceeded very differently! Here, the point is certainly not simply to say that Gans relied on Hegel, and did not go beyond him—for a closer examination shows that precisely with regard to the social question, Gans definitely went beyond Hegel. He submitted Hegel's theses to a critical scrutiny: he seems to have judged that Hegel himself had not got to the root of the matter, that he had not found any satisfactory solution. That was the fundamental reason for which he himself turned toward the Saint-Simonians. Yet what was it that Gans believed he could not find in Hegel, but might find among Saint-Simonians?

If we want to find an answer to this question, we must pay particular attention to the passage in which Gans explains that the project of a state-driven realization of the Saint-Simonian principle "to each according to his capabilities/capacities" (*à chacun selon ses capacités*) runs the risk of leading to a new slavery, a "slavery of surveillance" (*Sklaverei der Aufsicht*):[10] it is at this point that the acuity of his analysis shows most clearly—but also at this point that the full extent of his debt to Hegel emerges clearly into the light. He explains that competition, just like chance and the fortuitous acquisition of possessions, is just as inevitable and impossible to proscribe as civil society itself, which cannot be suppressed or abolished: "Just as the lower sphere of reflection is included in the idea, so the subordinate situation of civil society is included in the State. One cannot separate the reflective character from civil society: civil society itself cannot be raised to the State."[11] That is indeed the philosophical-religious program of the Saint-Simonians, which Gans criticizes, from a Hegelian perspective: the objection he raises against them is that it would be erroneous to attempt "to raise civil society to the State." This is what the Saint-Simonians would attempt to perform, with their project of a state-driven, religiously consecrated realization of the principle "to each according to his capabilities/capacities," and this is also what Gans criticizes, by recurring to Hegel. My thesis is thus that Gans had found in none other than Hegel himself the means of criticizing the religious coloration of the Saint-Simonian program.

At first sight, this may seem paradoxical: don't we know that the young Marx had directed his critique precisely against the Hegelian conception of the State, in denouncing its "mystical" or "religious" presuppositions? Marx had emphasized in his "Critique of Hegel's Philosophy of Right" (1843) that from now on, the question was not any longer, as in Hegel, that of beginning with the State in order to give an account of man—of the real human being, the private person, belonging to bourgeois society; rather should one start with man, and with bourgeois

society and its presuppositions, in order to understand the State. "Just as religion does not make man, but rather man makes religion, so the constitution does not make the people, but the people make the constitution."[12] The reversal of the relation between the State and man, between the State and civil society, which the young Marx realizes here, is formulated according to a model drawn very explicitly from the critique of religion. It is manifest that the young Marx understood Hegel, and more particularly Hegel's *Philosophy of Right,* wholly otherwise than Gans, and according to presuppositions entirely different from those of Gans—even though, as is known, he heard Gans's lectures, and even used the edition made by Gans of the *Philosophy of Right,* without expressing any reservations about it.

It is beyond the scope of the present chapter to elucidate the origins of the conception developed by the young Marx. But I shall say nevertheless that, without doubt, Saint-Simonism exercised a significant influence on him. We do know, of course, that in his review of Karl Grün's text on *The Social Movement in France and in Belgium,* Marx was very critical of the German "prophets" of Saint-Simonism, those who defended "true socialism."[13] One does, however, note with some interest that in the same review Marx also defends Saint-Simon and Saint-Simonism against the German "apostles." Even if Marx absolutely had no intention of founding a religion, and thus criticized with some virulence those Saint-Simonians who believed they could themselves achieve that end, he was also aware of a debt he had toward Saint-Simon. He even seems to have shown some understanding of the religious views of the Saint-Simonians. But it is above all their "critique of the existing order" which constitutes (to recur here to his own wording) "the most important part of Saint-Simonism";[14] and what it is important for us to underline here is that at the time, for Marx as for the adherents of the Saint-Simonian school, it is civil society which has necessarily to be the point of departure for any analysis of the State. To say that Marx would have wanted, like the Saint-Simonians, to "raise civil society to the State" (in Gans's phrase) would admittedly not be correct. Nevertheless, it should be acknowledged that his approach is closer to that of the Saint-Simonians than to that of Gans on this very point. What Gans had rejected and criticized, for reasons taken from Hegel, had actually been precisely this point of departure—in "civil society"—adopted by the Saint-Simonians, and by the young Marx. For Gans as for Hegel, it is the State which must remain the only acceptable point of departure for any analysis of historical phenomena, and it is thus the State which remains the only possible point of departure for an analysis of civil society.

Gans is often read today in a search for the young Marx's teacher. This may explain why it is often assumed, and usually doubtless far too quickly, that Gans was the teacher who, himself being under the influence of Saint-Simonism, would have taught Marx that civil society is more important than the State, and that it had equally determined its functioning.[15] But Saint-Simonism never led Gans to any such conclusion. Such an assumption presupposes a concept of "civil society" which developed much later than Hegel, and indeed much later than Gans. As Manfred Riedel has shown in an excellent study dedicated to the concept of civil society,[16] it is not possible to clarify the meaning of any use of that concept without locating it within the tradition which is its provenance: it is necessary to link it to Kant and to Wolff, and beyond these authors to the Aristotelian notion of *koinonia politiké,* for it is only within that ambit that it becomes possible to comprehend what Hegel achieved: because Hegel had still been aware of the ancient identity of the "civil" (*bürgerlich*) and of the "political," he was in a position to understand the separation of "society" from the State as a historical *process*—and to accord that process its proper value. Because and to the extent that he was a disciple of Hegel, Gans did not fall prey to the danger of a *post festum* interpretation of the concept of civil society: in his preface to his edition of Hegel's *Philosophy of Right* (1833), he very adequately underlines the fact that it is the State which is, for Hegel, "the whole life of liberty."[17] Those parts of economic and social life which during the Middle Ages had developed to some extent in separation from political life—in the language of Hegel, in *abstraction* or *singularization* from the State—would be understood anew, but *organically;* that is, in the State, in the political sphere.[18] Civil society is and remains included in the political sphere, that of history: that is what Gans wished to say when he wrote in his *Looking Back on Persons and Situations* that civil society could not be raised to the State, and that civil society will always retain "a subordinate situation" within the state, "just as within the idea is included the inferior sphere of reflection."[19]

Civil society has a subordinate situation within the State, but an extremely important one, because it is there and only there that the human being has value as a human being, that the human being has worth "because he is a human being, not because he is a Jew, Catholic, Protestant, German, Italian, etc."[20] Gans had plainly perceived the importance of this Hegelian analysis. His critique of the plans made by the Saint-Simonians to eliminate any and all competition concerns precisely this point: if these plans were adopted, Gans wrote in his course of 1832–33, "the harmony of the Simonians would annihilate all reflection, all activity, all individual liberty."[21] But "the person also belongs to oneself."[22]

It is also primarily through Hegel's eyes that Gans perceived the

historical development of civil society, and the formation of a "populace" (*Pöbel*). It is in effect Hegel's text which Gans follows, very closely, in his courses of 1828–29 and 1832–33 on natural right. Equally possibly, Gans could have heard from Hegel's own mouth how important the social question was: where Hegel had said that "the important question of how poverty can be remedied is one which agitates and torments modern societies especially,"[23] Gans in his course of 1828–29 says that the means of knowing how to deal with poverty is "an insoluble problem, because poverty is the shadow of wealth. Extreme wealth will produce extreme poverty."[24] In his courses of 1832–33 Gans again sharpened his analysis, doubtless following a visit he had just made to factories in England, which let him see with his own eyes the gravity of the social problems engendered through the development of industrial society. Poverty, which is in England definitely "too great"—as Gans himself puts it—and the formation of a "populace" which has no means of existence at all, and cannot survive anymore, bring about a problem which to him is new, and acute.

It is at this point that Gans refers to the Saint-Simonians. Here, he says, they alone were right—"they alone," which is to say that *only* the Saint-Simonians, *and not Hegel,* were right! But in what were they right? Here is how Gans explains his position in his *Looking Back on Persons and Situations:* the Saint-Simonians, he says,

> have put a finger on a gaping wound of the times. They have justly observed that in reality slavery does not yet belong to the past, that it is, to be sure, in the course of being eliminated formally, but that materially it exists in a very complete form. Just as at an earlier time the master confronted the slave, later the patrician the plebeian, then the feudal seigneur the vassal, thus now the "do-nothings" (or idle) confront the worker. Let one visit the factories of England and one will find hundreds of men and women who, emaciated and unhappy, sacrifice their health and happiness in life to live in the service of only one man, simply to be able to subsist miserably. Is it not slavery, when a man is exploited like an animal, even if he could still be free to die of hunger?[25]

Here Gans goes back, almost word for word—the example of England being set aside—to the Saint-Simonians' description of "the exploitation of man by man" in the sixth *séance* of the *Doctrine of Saint-Simon* (1829): he takes over the comparison between the wage-earning modern and "slavery,"[26] the opposition of the "do-nothings" to the "workers," the latter described by the Saint-Simonians as "a class of proletarians"[27]—the point deserves to be noted—and finally, the condemnation of "exploitation." The fact that Gans cites the Saint-Simonians does not by itself mean that he was in agreement with all their theories, or with the fundamentals of their analysis. Here, as in many other cases, it is necessary to distinguish clearly between citation and what by contrast amounts to agreement. The fact that Gans adopted the Saint-Simonians' characterization of wage-earning as "slavery" does not mean that he took up all of their philosophy of history. In reality, he is a long way from wishing to take it up: as fully as he wished to keep his distance from their philosophy of religion, he also wished thoroughly to remain at a distance from the "philosophico-historical scaffolding" of the Saint-Simonians, which he treated as a "scientific consideration of secondary importance."[28] Gans had markedly little sympathy with their abstract contrast between ages called respectively "organic" and "critical," and in addition he had little sympathy with the thesis of a recurring "antagonism" which characterized the ages called "critical." The Saint-Simonians, when they evoked the thesis of an "antagonism" between two "classes," probably thought of Kant's *Idea of a Universal History,* a text which had made a profound impression on Auguste Comte. The term "antagonism" had in any event not been used by Hegel, certainly not in the context of his philosophy of history, and on this question Gans associated himself with the approach of his master: it is that approach which he wished to recover, for example when he said that the ideas we have there are much too abstract to be capable of accounting for history. Here too, the comparison with the development of the Marxian conception of history is interesting. It may well be that the Saint-Simonian philosophy of history constituted in effect a first formulation of the Marxist theory of history as class struggle, which came later. However, the fact that Gans cites these formulations does not mean that he would have felt any inclination to accept that philosophy of history. What Gans took from the Saint-Simonians concerns uniquely, in my opinion, their analysis of contemporary society: contrary to other authors, they have well understood that today slavery is not over, that it is by no means exclusively a property of the past.

And this Hegel, despite his acute sense of history, did not understand. The populace, Gans wrote, "is a fact, but not a right. It is necessary to gain an understanding of what the facts are grounded on, and then do away with that." (*Der Pöbel ist ein Faktum, aber kein Recht. Man muss zu den Gründen des Faktums kommen können und sie aufheben.*)[29] His use of the term *Faktum,* rather than the German term *Tatsache,* already shows the analysis encountering a difficulty whose solution is not obvious: "facts" understood as *Tatsachen* can be observed and taken into consideration in an analysis which would realize their meaning, and the right, the reason

to which they belong: what Hegel wanted to express by way of his celebrated equivalence of the rational to the effectively real: "what is rational is effectively real—that which is effectively real is rational." But a "fact" (*Faktum*) like that of the populace is not so easily reconcilable with reason, and with the "right" which becomes effective in history. This is why according to Gans—contra Hegel—it is necessary to do away with it.

Hegel, in his *Philosophy of Right,* had already given an account of the formation of the populace. He had also, as has been said, emphasized that poverty, even extreme poverty, does not of itself make a "populace," or "rabble." What engenders the populace is only "the disposition associated with poverty, by inward rebellion against the rich, against society, the government, etc." Hegel had condemned that disposition of the spirit: for him, it constituted "the evil" (*das Böse*). But he had also attempted to explain its formation: he said that because people in civil society are "dependent on contingency," they

> become frivolous and lazy, like the *lazzaroni* of Naples, for example. This in turn gives rise to the evil that the rabble do not have sufficient honour to gain their livelihood through their own work, yet claim that they have a right to receive their livelihood. No one can assert a right against nature, but within the conditions of society hardship at once assumes the form of a wrong inflicted on this or that class.[30]

That is why it is necessary to find a means of regulation in respect of poverty. When Gans in his course of 1832–33 says that the populace is a "fact" (*Faktum*), he is relying, certainly, on that analysis. If, however, he underlines the *factual* existence of the populace, it is also very probably in order to argue—*against* Hegel—that it is not enough to characterize the populace by such subjective determinations as those of the disposition of the spirit, or to condemn it as being "the bad." The main point Gans wants to make in his own analysis of the populace is not so much that one should leave subjective determinations out of it, even though it should be noted all the same that he most certainly wanted to keep aloof from the term *Pöbel:* he had already adopted the term "proletariat," taken from the vocabulary of the Saint-Simonians. What, for him, then became fundamental was to establish the fact, as a *Faktum:* the very fact of a proletariat in constant growth. What had also become fundamental to him was the question—a question which is not Hegelian: "Must the populace remain? Does it purely, eternally exist?" (*Muss der Pöbel bleiben? Ist er reine ewige Existenz?*)

I have already cited the answer Gans gave to this question: "It is necessary to gain an understanding of what the facts are grounded on, and then do away with that." From this answer, Gans did not draw revolutionary conclusions. It is easy to understand why: only someone who believes that the development of civil society determines the whole of history, and therefore also political history, and the transformation of the State, could conclude that doing away with the populace might also lead to an abolition of the State. But Gans, as we have seen, never shared this belief. For him as for Hegel, it is the *koinonia politike,* the political community, which is primary; and it is primary not only in a chronological sense, but also and in the first place in a conceptual one. Gans never doubted that man is a political animal, whose goal is to live in common with others, in communities like that of the family, or also the State. This is why the means whereby he proposes in the end to do away with the populace are not revolutionary means, like those—such as abolition of the family—which the Saint-Simonians recommended.

All the revolutionary means proposed by the Saint-Simonians are expressed in markedly religious terms—one could cite here, for example, the idea of a "universal association," in German *Vergesellschaftlichung.* This idea, in any case the very term "association," does not seem to have been used by Saint-Simon, but only by Saint-Simonians, such as Enfantin and Olinde Rodrigues.[31] The sources are not clear: in his *Looking Back on Persons and Situations,* Gans refers to Fourier—who had earlier made this principle of association the subject of an obscure book, "written in formulaic style"[32]—and was perhaps thinking of the *Treatise on Domestic-Agricultural Association* (*Traité de l'association domestique-agricole,* 1812), known later under the title *Theory of Universal Unity* (1834).[33] He refers also to Jules Lechevalier, and again to others, who "have confused the banner of their doctrine with that of Fouriérism."[34] Manifestly, Gans was not enthralled by the way in which these ideas were elaborated, and one could easily understand why: the term "association," which was used as a concept opposed to those of "struggle" and "antagonism," had a very clear pacifist connotation,[35] and it was that which could not find favor in Gans's eyes: according to him, as we have seen, competition and struggle could not be excluded from civil society. Above all, the fact to which he could not give his agreement was that by this watchword the Saint-Simonians wished not simply to characterize a sort of *communauté solidaire* between individuals, but also to call for the creation of an entirely new regime, a social order to be organized from above, beginning from a State established at the center. In this new social order, property would be transferred to the State, metamorphosed into a "community of workers." The State would now be a universal "system of banks," a central system, and it would administer the organization of production and of consumption.[36] Gans did not fail to subject this idea to ridicule—for

example, when in his course of 1832–33 he remarked that those who were active on behalf of Saint-Simonism were "organizing a large commercial deal, with the firm God and Co."[37]

It is nevertheless this idea of "association" which he puts to the fore in the *Looking Back on Persons and Situations:* he sees in it the best means, perhaps even the only way, of fighting against the growth of the "populace," this modern slavery.[38] If we take his criticism of Saint Simonian ideas into account, we come to the conclusion that he most certainly used the concept otherwise than the Saint-Simonians—but how? To answer this question, and to decipher his own use of the idea, it would obviously be useful to know precisely which writings of Saint-Simon and of the latter's disciples he knew. Regrettably enough, the sources available to us do not allow an adequate answer to that question. One apparently reasonable supposition is that Gans began to understand the idea of *Vergesellschaftlichung*—thus of "association"—by way of the very first introduction of Saint-Simonism to Germany: in the articles of Friedrich Buchholz, published in the *Neue Monatsschrift* in 1826–27; for in these articles there appeared, as a translation of the French "association," the unusual term *Vergesellschaftung*[39] which Gans would later use, in the variant form *Vergesellschaftlichung.* This supposition seems particularly plausible, since Buchholz himself showed little interest in the "religious games" of the Saint-Simonians—as was the case later with Gans. The way Gans had arrived at the thesis according to which a "blatant opposition" would in the future come to exist between wealth and poverty was that of a "positive" method: a method referring to facts, observations, and experience, which brings him near Saint-Simon, but also very near to Auguste Comte. When Gans mentions in his *Looking Back on Persons and Situations* that he had already heard talk of Saint-Simonism even before he arrived in Paris, he also adds—and this is noticeable enough—that what he hopes to find in this doctrine of political economy is a scientific realization: "From what I had heard, I had to conclude that what was put forward here was entirely new views of political economy or industrial conceptions, and that everything moved in the circle which has been at all times assigned to science."[40] That supports the hypothesis that Gans's interest in Saint-Simonism had been kindled in the first place by the publications of Buchholz. This hypothesis, if confirmed, would also help to explain why Gans, in his investigation of the "social question," did not follow the path which proceeded via the philosophy of religion, unlike many others in his time.

It is in any case this unique blend of Hegelianism and Saint-Simonism that one finds in his writings which makes the great interest of his ideas, and which also accounts for their continuing actuality. According to the thesis which Gans develops,

> civil society, when it is thus maintained in order by the police . . . will arrive at an organized condition which will divide into, on the one hand, the rich, the possessors of goods, or those who have the wherewithal on which to live, and, on the other hand, those others who do not have the wherewithal, or any consciousness of an assured existence.

This contrasts clearly with the description Hegel had given of the distribution into "estates" within civil society. Gans's thesis owes much more to Saint-Simonian writings. But when he deplores the fact that in Paris the populace would still not be "organized," unlike in London, and when he argues that what is required is its organization into "corporations"—for these are the "association of torn-apart sections of civil society" (*die Vergesellschaftlichung der zerrissenen Teile der bürgerlichen Gesellschaft*)—it is, on the contrary, of Saint-Simonian conceptions of which he takes leave, in order to reconnect with the Hegelian philosophy of right. According to him, it is not the State, it is the "police" (*Polizey*), which is to say an "exterior foresight" (*eine äusserliche Vorsorge*), which must maintain order within civil society: "in France, there are no corporations, the question only arises of knowing whether it would not be good to form some"[41]—or, to clarify what must be meant here: the question only arises of knowing whether it would not be a good thing to help workers organize themselves.

What Gans attacks most violently in this context is the famous Loi Le Chapelier—the law which had forbidden such associations in France, "in respect of those political objectives which perhaps might have been able to insinuate themselves there."[42] Did Gans himself think that some corporations—to which one might almost refer by the term "trade unions"—should also have the right to be political organizations? It is not clear. What is, however, very clear—and this is the main point I have wanted to bring out in this chapter—is that according to Gans such organizations, if they have to be set up, have to come from civil society, not from the State. Disaffection with Saint-Simonism, and proximity to Hegel, show extremely clearly in this matter. In a comment on one of the paragraphs of his *Philosophy of Right* (section 290), Hegel seems in effect to have noted that

> for some time now, organization has always been directed from above, and efforts have been devoted for the most part to this kind of organization, despite the fact that the lower level of the masses as a whole can easily be left in a more or less disorganized state. Yet it is extremely important that the masses should be organized, because only then do they constitute a power or force; otherwise, they are merely an aggregate, a collection of scattered atoms.[43]

Whether that comment came from Hegel himself, or was reformulated by the editor Gans, is not known. But we know that Marx himself, when reading Hegel's *Philosophy of Right,* used Gans's edition of the book. This means that he most certainly knew Gans's "additions," especially the one quoted above. What he learned about Hegel should also be sought there.

It is here, on this point, that the continuing actuality of Hegel's thought on social and political matters can be seen most vividly. Hegel is quite often, and rightly, celebrated as the author who, together with his school, has done the most to impose in the European context, from 1830 onward, a clear-cut conceptual distinction between the state and civil society. Hegel's reflections on the inherent lack of organization of civil society, and on the necessity to organize it *from within civil society itself,* may also have exerted an influence of their own, one which however is not yet acknowledged—and which deserves much more interest than it has obtained, up to this day.

Notes

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1. Eduard Gans, *Rückblicke auf Personen und Zustände* (Berlin: Veit, 1836), reprinted with an introduction, notes, and bibliography by N. Waszek (Stuttgart-Bad Cannstatt: Frommann-Holzboog, 1995).

2. See N. Waszek, "Eduard Gans on Poverty and on the Constitutional Debate," in *The New Hegelians: Politics and Philosophy in the Hegelian School,* ed. Douglas Moggach (Cambridge, Eng.: Cambridge University Press, 2006), 24–49.

3. Gans, *Rückblicke,* 94.

4. H. Heine, "On the History of Religion and Philosophy in Germany," in *The Hartz Journey and Selected Prose,* trans. and ed. Ritchie Robertson (London: Penguin Books, 2006), 249–50.

5. Gans, *Rückblicke,* 92.

6. Gans, *Rückblicke,* 94–95.

7. Karl Marx, "Critique of Hegel's Philosophy of Right: Introduction," in *Early Writings,* trans. Rodney Livingstone and Roger Benton (Harmondsworth, Eng.: Penguin Books, 1981), 244.

8. See Michel Espagne, "Le saint-simonisme est-il jeune-hégélien?" in *Regards sur le saint-simonisme et les saint-simoniens,* ed. Jean-René Derré (Lyon: Presses Universitaires de Lyon, 1986), 45–71. The most astonishing declaration is without a doubt that of Pierre Leroux, who was at one time an adept of Saint-Simonism, and who transformed the influential journal *Le Globe,* after 1830, into an organ of Saint-Simonism: "France knows well the ideas expounded by Monsieur Enfantin. It will be necessary some day to appreciate that the metaphysic of M. Enfantin is positively that of Hegel, and it is in following Hegel that the Saint-Simonian school went astray. . . . The disciples of Hegel made themselves Saint-Simonians, the disciples of Saint-Simon made themselves Hegelians." P. Leroux, "Du cours de philosophie de Schelling," *Revue indépendante* 3 (1843): 332 ff. On Leroux and *Le Globe,* see also Norbert Waszek's introduction to the *Rückblicke* of Gans, pp. lxi–lxvi.

9. Norbert Waszek, "Eduard Gans on Poverty: Between Hegel and Saint-Simon," *Owl of Minerva* 18 (1987): 167–78, 170–72.

10. Gans, *Rückblicke,* 99.

11. Ibid.

12. Marx, "Critique of Hegel's Doctrine of the State," in *Early Writings,* intro. Lucio Colletti, trans. Rodney Livingstone and Gregor Benton (Harmondsworth, Eng.: Penguin Books, 1975), 87.

13. See Karl Marx and Friedrich Engels, "Die deutsche Ideologie" (1845–46), in *Marx Engels Werke,* vol. 3 (Berlin: Dietz, 1969), 473–98.

14. Marx and Engels, "Die deutsche Ideologie," 3:493. See also 3:495: "*Le Globe* contains, as M. Grün certainly could not have known, the most detailed and most substantial critiques of the existing order, particularly in the economic realm." Marx was prejudiced so favorably toward the Saint-Simonian school that he even did his best to explain the origins of the "religious conception of the New Christianity": that introduced "the necessity of the hierarchy and of the summit of that hierarchy, in connection with the question of knowing how to determine *capacité.*" Marx and Engels, "Die deutsche Ideologie," 3:494.

15. See, for example, Georges Gurvitch, "Saint-Simon et Karl Marx," *Revue internationale de philosophie* 14 (1960): 399–416, 401.

16. See on this question Manfred Riedel's article, "State and Civil Society: Linguistic Context and Historical Origin," in his study *Between Tradition and Revolution: The Hegelian Transformation of Political Philosophy,* trans. Walter Wright (Cambridge, Eng.: Cambridge University Press, 1984), 129–56.

17. Eduard Gans, "Preface to Hegel's Philosophy of Right" (1833), translated by Michael H. Hoffheimer, as an appendix to his study *Eduard Gans and the Hegelian Philosophy of Law* (Dordrecht: Kluwer, 1995), 87–92, 88.

18. E. Gans, *Philosophische Schriften,* ed. Horst Schröder (Berlin: Akademie, 1971), 6 ff.

19. Gans, *Rückblicke,* 99.

20. G. W. F. Hegel, *Elements of the Philosophy of Right,* Rem. trans. H. B. Nisbet (Cambridge, Eng.: Cambridge University Press, 1991), § 209, p. 240.

21. Eduard Gans, *Naturrecht und Universalrechtsgeschichte,* ed. M. Riedel (Stuttgart: Klett-Cotta, 1981), 52.

22. Gans, *Rückblicke,* 99.

23. Hegel, *Elements of the Philosophy of Right,* § 244, add. p. 267.

24. Gans, *Philosophische Schriften,* 120.