

## Feature Book Review: The Discovery of Hegel's Early Lectures on the Philosophy of Right

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*Vorlesungen: Ausgewählte Nachschriften und Manuskripte.* By G.W.F. Hegel. *Band 1: Vorlesungen über Naturrecht und Staatswissenschaft: Heidelberg 1817/18, mit Nachtragen aus der Vorlesung 1818/19, nachgeschrieben von Peter Wannenmann.* Ed. by Claudia Becker . . . [et al.] with an introduction by Otto Pöggeler. Hamburg: Felix Meiner, 1983. Pp. liii + 299. DM 86. ISBN (this volume) 3-7873-0582-3.

*Philosophie des Rechts: Die Vorlesung von 1819/20 in einer Nachschrift.* By G.W.F. Hegel, ed. by Dieter Henrich. Frankfurt am Main: Suhrkamp, 1983. Pp. 388. DM 68 cloth, DM 38 pbk. ISBN 3-518-07595-0 cloth, 3-518-07596-9 pbk.

*Die Philosophie des Rechts: Die Mitschriften Wannenmann (Heidelberg 1817/18) und Homeyer (Berlin 1818/19).* By G.W.F. Hegel, edited and with an introduction and commentary by Karl-Heinz Ilting. Stuttgart: Klett Cotta, 1983. Pp. 399. ISBN 3608910611. LC 84-129799.

Much has been written over the years about the way in which Hegel's *Philosophy of Right* has evolved from his series of lectures on the subject to the fully fledged volume published by Hegel in 1821 under the title *Naturrecht und Staatswissenschaft im Grundrisse: Grundlinien der Philosophie des Rechts*. The latest and most useful contribution to this debate had been the publication in the 1970s of several volumes by Karl-Heinz Ilting, under the general title *Vorlesungen über Rechtsphilosophie*, in which the editor meticulously collated the different extant lecture notes taken by various students during several semesters at which Hegel gave lectures at the University of Berlin on the philosophy of right. Some of these notebooks had been utilized in the 1840s when Eduard Gans prepared his edition of Hegel's *Rechtsphilosophie* for the

first *Gesammelte Werke*: Gans used them, as well as his own notes from Hegel's lectures in the "Additions" (*Zusätze*) which he appended to the original Hegelian text. Ilting in his edition compared these notebooks to Hegel's published texts, and due to his work the reader now possesses for the first time the textual variants of Hegel's lectures on the philosophy of right from different years. One can also see what Hegel decided to include in his book and what he just left as oral remarks made in class.

Ilting's edition included the following lecture notebooks: Homeyer's notes for the lectures of the winter semester of 1818/19; Hotho's notes for the winter semester of 1822/23, and von Griesheim's notes for the winter semester of 1824/25. There were also some other fragments, but they were of lesser significance. Of the notebooks, all, except Homeyer's notes for 1818/19, were of lectures given by Hegel *after* the *Rechtsphilosophie* volume itself was published; once the book was published, Hegel used to read his book to his class paragraph by paragraph, and then expounded and expanded his argument by adding explanations, amplifications and examples to illustrate his point. These later, post-publication notebooks tell us a lot about the way Hegel delivered his lectures *after* the book was published, but they do not tell us anything about the evolution of the book and its development while he was preparing it for print.

Only Homeyer's notebooks for 1818/19 preceded the publication of the *Rechtsphilosophie*—but they are the least detailed and the most cryptic of the different lecture notebooks. If the published *Rechtsphilosophie*, for example, is composed of 360 paragraphs, Homeyer's notebooks condense the lectures into merely 142 paragraphs. It is obviously not a verbatim report of Hegel's lectures, but a summary.

As every student of Hegel's political philosophy knows—and as Ilting makes abundantly clear in his introduction and notes to the various volumes of his edition—the question of the textual evolution of the *Rechtsphilosophie* is not merely of quaint archival interest: Upon it hinges much of the interpretation of Hegel's political philosophy and its meaning. Hegel was preparing the text of the *Rechtsphilosophie* for publication when radical student agitation broke out, Kotzebue was assassinated by the student Carl Sand, the student *Burschenschaften* were suppressed by the authorities, and the Carlsbad Decrees introduced an unprecedented system for the surveillance of publishing and academic life in all German states and primarily in Prussia. There are numerous indications in Hegel's correspondence that because of this atmosphere of intimidation and fear from the intervention of the Prussian censorship, Hegel rewrote many passages in the *Rechtsphilosophie* so as to make them more acceptable to the authorities. This more conservative tilt of the book became even more pronounced when Hegel decided to add the preface, in which he attacked Fries and Schleiermacher and where appears the famous statement: "What is rational is actual, and what is actual is rational." As both Gans' "Additions" and Hotho's and von Griesheim's notebooks clearly attest, this self-censorship did not extend to Hegel's lectures in class, where he allowed himself many statements which are much more open-ended and less conservative than the published text of the *Rechtsphilosophie*. There is also no doubt that in the mid-1820s, when the repressive atmosphere of the Carlsbad Decrees subsided, there was also more latitude in Berlin for the expression of more open-minded ideas. Even the pre-publication notebooks of Homeyer's, for all their brevity, do suggest that the earlier versions of the lectures were equally more liberal than the published text.

But what still remained elusive was a full rendition of a pre-publication text of what in good German literary tradition came to be called (following the famous history of Goethe's *Ur-Faust*) the *Ur-Rechtsphilosophie*, i.e., the detailed text of the lectures Hegel gave on the philosophy of right both in Heidelberg and in Berlin prior to the onset of the repressive policies following the promulgation of the Carlsbad Decrees.

Now, in a burst of somewhat overlapping publications (and overburdened with a lot of professorial and editorial rivalry and backbiting) we finally have the text of *two* newly discovered and very extensive notebooks of Hegel's pre-publication lectures on the philosophy of right. They now give us a keen insight into the *Ur-text* of the *Rechtsphilosophie*. These texts will keep scholars busy for years, but already at this stage it can unequivocally be stated that these original and early lectures, given by a Hegel who was not encumbered by fear or repression, bear out that Hegel's original philosophy of right was a much more liberal and open-ended system than the volume which he eventually published. It may be that the fact that Hegel became cowed by fear of censorship and possible punishment does not reflect too favorably on his civil courage: One would wonder who would be entitled to throw the first stone. But there is no doubt that Hegel's political philosophy—when he felt relatively free to express it—was much less conservative than the one he did publish under extremely inauspicious conditions. And these two new versions of early lectures also provide a key to a reading of some of the more esoteric passages in the published version and again bear out those commentators who suggested an open-ended, rather than a reactionary reading of some of the more enigmatic paragraphs in the *Rechtsphilosophie*. There appears in these versions also a greater degree of continuity between Hegel's early criticism of modern society, as expressed in his Jena lectures, and his later system.

These two series of lectures notes are:

1) Lecture notes taken down in Heidelberg in the winter semester 1817/18 by the law student Peter Wannenmann (to be referred to as the Heidelberg notebooks). The original is in the Schiller-Nationalmuseum in Marbach am Neckar, and its existence became known only in 1982. Its internal organization is very much like that of the published version of the *Rechtsphilosophie* (Introduction—Abstract Right—Morality—Ethical Life, with the appropriate subtitles). It runs to 170 paragraphs and is almost as extensive as the published version. It does not have a preface similar to the preface of the published edition. Because this is the first time Hegel ever lectured on the philosophy of right, this is thus the earliest version of his major systematic work on social and political philosophy. It has now been published both by a team of researchers headed by Otto Pöggeler from the *Hegel Archiv*, as well as by Karl-Heinz Ilting. Both editions supply, in different ways, very helpful collations of the published versions and variants with the other lecture notes, as well as extensive introductions about the text itself and its significance to the interpretation of Hegel's philosophy of right.

2) Lecture notes from Hegel's lectures on the philosophy of right in Berlin in the winter semester of 1819/20—Hegel's first lectures on this subject in Berlin, given at a time when he was preparing the final manuscript of the published *Rechtsphilosophie*. The author of this notebook is not known, and the manuscript itself was discovered by an almost incredible series of coincidences by Dieter Henrich in the library of Indiana University in Bloomington. It is not broken down into paragraphs, and is a much more readable text than any of the other extant lectures notes on Hegel's philosophy of right; it too

follows the internal organization of the published version (Introduction—Abstract Right—Morality—Ethical Life, with the appropriate subtitles). It will hereafter be referred to as the Berlin (or Berlin 1819/20) lectures.

To get an impression about the difference the discovery of these early lecture notebooks makes to a more nuanced understanding of Hegel's political philosophy, a look at three issues could be taken as a sample of what these notebooks include: a) the relationship of the rational and the actual, b) poverty in civil society, c) princely power.

#### a) What is Rational is Actual, and What is Actual is Rational

This is the way this sentence appears in the preface of the published edition of the *Rechtsphilosophie*. It has been repeatedly argued that far from signifying acquiescence and quietism, this pair of juxtapositions suggests that reason has the power to actualize itself in historical circumstances; consequently Hegel's dictum should be understood as meaning that reason bears within itself the possibility of a radical critique of existence. Yet Hegel himself was aware of the fact that many of his readers understood his dictum in a conservative way, and in a footnote to Paragraph 6 of the 1827 and 1830 editions of his *Enzyklopädie der philosophischen Wissenschaften* he referred to this issue and maintained, by introducing a distinction between *Wirklichkeit* and *Dasein*, that the meaning of his statement should not be construed to suggest that all existing reality is to be legitimized by philosophical reason.

We can now reconstruct in a fascinating way the process in which Hegel formulated and reformulated this dictum. Even before the discovery of the lecture notebooks, we had Heinrich Heine's account of a brief conversation he had with Hegel after hearing his lectures on the philosophy of right. Heine recalls that he was shocked when he heard Hegel's formulation about the rational and the actual while attending his lectures in Berlin; he went up to Hegel and asked him what exactly he meant by that, and Hegel's response was, according to Heine, to smile furtively and say to him quietly: "It may also be expressed thus: all that is rational must be (*Alles, was vernünftig ist, muß sein*)."

For Heine's report, see *Hegel in Berichten seiner Zeitgenossen*, ed. by Günther Nicolini (Hamburg: Meiner 1970), p. 235.

While Heine's testimony has been known to many Hegel scholars, it could not be independently confirmed, and Heine's notorious *licentia poetica* did not help to add to its credibility. It now appears to be borne out by the text of the notebooks.

In the first notebooks from the Heidelberg 1817/18 lectures, one can find the first formulation of Hegel's famous dictum. As mentioned before, this series of lectures does not have a programmatic preface, and what would appear in the printed version in a most prominent place in the preface—almost as a credo for the whole work—appears in the Heidelberg lectures in an apparently offhand way, tucked away towards the end of Paragraph 134.

The context is interesting, and gives some indication of how Hegel first came to play around with this idea. This occurs in a debate about the evolution of a constitution and the transformation of political systems. Paragraph 134 of the Heidelberg lectures appears in the subchapter dealing with the state, and starts with the question: How does a constitution evolve and who should formulate it—the people, or somebody else? The whole long paragraph is a lengthy polemic about constitution-making, in which Hegel maintains that a constitu-

tion, as the basis of the political system, should not be viewed as a mere paper document, to be adopted and amended at will by king or people, but as the normative basis of the political order evolving over the years: It is the essence of the *Volksgeist*, not a mere *fiat*. He then goes on to say:

If the prince manages to become a master over his vassals, then a rational (*vernünftige*) constitution may develop, at least as a formal whole; and this is what happened in England and France, where the king overcame the vassals; the opposite occurred in Germany and in Italy. The *Volksgeist* is substantive; what is rational, must happen (*was vernünftig ist, muß geschehen*), since the constitution is after all its development.<sup>1</sup>

This is, of course, a remarkable context for the first time in which Hegel makes a statement about the relationship between rationality and historical reality. It does replicate almost verbatim the sentence Heine attributed to Hegel, and also evokes strong echoes of Hegel's critique of the antiquated and irrational political system in pre-Napoleonic Germany, as expressed in his *Die Verfassung Deutschlands*. It clearly suggests that what is *vernünftig* (i.e., rational, but also reasonable) will eventually triumph. Far from being an apotheosis of the existing historical conditions, the immediate context clearly points to Hegel's contention that reason triumphs over mere historicity, antiquated tradition and the irrational remnants of the past. Further in the same paragraph, Hegel reiterates the statement: "The rational always must help itself—this is what is true (*Das Vernünftige muß sich aber immer helfen, dies ist das Wahre*)."

So much for the Heidelberg lectures. In the Berlin lectures of 1819/20, the sentence begins to take on the central meaning it was eventually to get in the published edition. The Berlin 1819/20 lectures do already possess a preface—but it is very different in tone from the polemical preface of the published edition of the *Rechtsphilosophie*. Its main argument is that reason appears in historical developments, which are thus meaningful and have an internal structure. It is to this preface that Hegel now transposes the argument which in the Heidelberg lectures appeared in Paragraph 134. After maintaining that philosophy does not carry out its business in an otherworldly sphere—"Sie treibt also ihr Geschäft nicht jenseits der Weltgeschäfte"—Hegel says:

[Philosophy] knows that only this can maintain itself in the actual world (*in der wirklichen Welt*) which can be found in the concept of the people. It would be a folly to try and force on a people arrangements and institutions towards which it has not progressed by itself. What the age possesses in its inner spirit, this clearly comes to pass and is necessary. A constitution is a matter of the arrangement of this inner spirit. It is the foundation; there is no power in heaven or on earth

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1. I have followed Ilting's reading (pp. 156-157 of his edition) of the last part of the sentence: "indem überhaupt die Verfassung seine Entwicklung ist." Nicolin's edition, on the other hand (pp. 191-192) reads "eine" instead of "seine" and then connects this to the next sentence. These variant readings of the last part of the sentence do not, however, have any bearing on the interpretation of the core of this paragraph.

against the power of the spirit. This is obviously something else than reflection and imagination (*Reflexion und Vorstellungen*), which one can draw at will out of abstract thinking or out of the goodness of one's heart. What is rational becomes actual, and the actual becomes rational (*Was vernünftig ist, wird wirklich, und das Wirkliche wird vernünftig*).<sup>2</sup>

Looking at the difference between this text and the published version of the *Rechtsphilosophie* one clearly sees the structure of Hegel's thought about the relationship of the rational and the actual: The general message is that the rational *becomes* actual, and that the actual *becomes* rational. So the relationship between reason and actuality is not that of a state of *things*, but of an ongoing *process*: The basically dialectical nature of the relation between philosophy and the world of affairs is proclaimed here, not a static equation between the two.

#### b) Poverty and Civil Society

While the paragraphs on poverty in civil society in the published edition of the *Rechtsphilosophie* (241-246) have repeatedly been cited as an example of the degree to which Hegel was far from a position which viewed his own contemporary society as being a closed system which needed no change or improvement, it is a fact that when compared to his much more extensive discussions of poverty in the Jena *Realphilosophie*, the few passages of the *Rechtsphilosophie* appear quiescent.

The early Heidelberg and Berlin lectures now amply prove what Ilting has shown to be the case also in the Hegel's later lectures on the philosophy of right: that in the classroom presentation, Hegel always spent much more time on the internal contradictions of civil society than he did in the printed version. The Heidelberg lectures have a few paragraphs dealing with poverty (118-120), but the most detailed discussion appears in the 1819/20 Berlin lectures. There the discussion runs to several pages; Hegel describes in much detail the futility of various ameliorative measures intended to alleviate the impact of poverty in civil society; he mentions the emergence of a feeling of revulsion and revolt (*Empörung*) among the poor, and legitimizes it; he makes a clear and fascinating allusion to the master-slave dialectics as he had presented it in the *Phenomenology*; and his discussion of overseas colonization as a consequence of these internal dilemmas is most extensive.

An English translation of this discussion on poverty in the Berlin 1819/20 lectures follows in the appendix to this review.

#### c) Princely Power

Much of the ambiguity about royal power in the published version of the *Rechtsphilosophie* can also be resolved now on the basis of the earlier texts: What appears in the published version as the tension between the symbolic centrality of the monarch and his apparent impotence is clearly decided by

2. Henrich's edition, pp. 50-51. Compare the language to Hegel's remark in his 1808 letter to Niethammer (*Briefe von und an Hegel*, I, 253-4), where he says: "Ist erst das Reich der Vorstellung revolutioniert, so hält die Wirklichkeit nicht aus."

Hegel in the direction of a minimal role attributed to a purely constitutional royal head of state.

Right at the beginning of the Heidelberg lectures Hegel states (Para. 2) that the sphere of right is not that of natural needs, but the realm of the spiritual, "i.e., the sphere of freedom"—and it is for this reason that he maintains that the term "natural law" should be substituted by that of "philosophical theory of the law." And in the last paragraph of the Heidelberg lectures (170) Hegel says that the mediation and conciliation of the tensions between the various elements in political life are to be found in a structure in which "the state as a constitutional monarchy is the representation and actuality of developed reason and thus self-consciousness finds in it its actual knowing and willing." In Paragraph 151 Hegel calls explicitly for a bicameral system of representation.

In the Berlin lectures of 1819/20 Hegel even adopts a far-reaching formula for the separation of powers. He says (Henrich edition, p. 231), "The various powers in the state have to be separated . . . In modern times, one has viewed this separation of powers as the guarantee of freedom. Generally speaking this is the idea of the modern age."

Hegel then discusses the French experience and calls for a balancing of countervailing powers rather than for parliamentary hegemony—thus expressing the classical liberal constitutional position of the post-1815 era. As for the powers of the monarch himself, Hegel maintains (Henrich, p. 251), that while "the judges pass judgment in the name of the monarch, they are however totally independent." The mixed nature of the state also comes out in the Berlin lectures when Hegel suggests that under normal circumstances, the question of sovereignty never really comes up: "In the peaceful life of the state, sovereignty comes rarely in; where it has to intervene is in a situation of emergency. In such a situation sovereignty has to appear as this innermost unity and identity, to confront a schism. When everything proceeds in the state in its ordered and rational way, sovereignty should not intervene" (*ibid.*, p. 251). Elsewhere Hegel suggests that the monarch should follow the advice of his ministers and not try to rule directly, for it is "the Turkish emperor" who rules directly, and it is not the weakness of a monarch which is shown when he follows his ministers' advice, but precisely his strength and the strength of the body politic (*ibid.*, p. 253).

Hegelian scholarship now possesses a number of versions of the *Ur-text* of the *Philosophy of Right*: The various German editors involved have done, each in his own way, an excellent job in comparing the various texts. A translation into English, preferably of the 1819/20 Berlin lectures, which are the most readable and fluent in their organization, could greatly help Hegel studies in the English-speaking world.

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## APPENDIX

Translation of the passages on civil society and poverty in Hegel's 1819/20 Berlin lectures on the philosophy of right (pp. 193-199 in Henrich's edition).

Civil society has mainly the duty to take care of the preservation of public welfare (*öffentliches Vermögen*). In this sense, it has primarily to take care of the poor and likewise to extend its activity to the rabble (*Pöbel*).

The emergence of poverty is generally a consequence of civil society and grows necessarily out of it. Thus there accumulate wealth without measure or limits on one hand, and want and misery on the other. The spread of wealth and poverty go hand in hand. The necessity of this phenomenon appears in the fact that the labor required for the satisfaction of needs becomes more and more abstract; it can be carried out in a much easier way, as explained above [in the passages on the division of labor]. The sphere of gainful activity is thus widened, and so is also the sphere of profit: Concrete activity [on the other hand] has a limited sphere of individuals which it satisfies. In place of abstract labor there appears, as we have seen, the machine. In this way, the consequences of abstract labor are further extended, and concrete activity becomes degraded.

Wealth accumulates in the hands of the owners of factories (*Inhaber der Fabriken*). If one works for the state, the accumulation of wealth becomes even more significant through the business of suppliers and contractors. With the accumulation of wealth, the possibility for further extension of the enterprise through the accumulated capital (*gesammelten Kapitalien*) becomes even greater. The owner of larger capital can be satisfied with smaller profits than those whose capital is more limited. This is one of the main reasons for the greater wealth of the English.

With the amassing of wealth, the other extreme also emerges—poverty, need and misery. In England, the work of hundreds of thousands of people is being carried out by machines. Inasmuch as the industry of any country extends its products into foreign lands, the welfare of single branches of industry is becoming exposed to many accidentalities. In all these ways need and poverty accumulate. At the time, the individuals become more and more interdependent through the division of labor.

Poverty is then a state of civil society meaning an all-encompassing misery and deprivation. It is not only external need which burdens the poor; it is combined also with moral degradation. The poor mostly lack the consolation of religion; frequently they cannot go to church because they lack clothes or because they have to work on Sundays as well. Furthermore, the poor participate in a divine service which is mainly meant for an educated public. Christ, on the other hand, says [Matthew 11:5] that "the poor [should] have the gospel preached to them." The university training of most pastors is mainly of the sort which makes most teachers of religion more learned than able to speak to the heart and reveal the inner life (*das Innere zu offenbaren*).

Moreover, it is very frequently most difficult for the poor to enjoy the benefit of the law. The same applies to matters relating to their health. Even if the poor person is taken care of when ill, he still usually lacks the wherewithal for the regular maintenance and care of his health. If one would like to suggest to the poor to enjoy the pleasures of art, they would equally lack the means for such an enjoyment and would look upon such as an injunction to enjoy art as a sorry joke.

There is another gap which appears among the poor—the gap which distances them from civil society. Most of all, the poor person feels himself excluded and despised, and thus an inner revulsion and revolt (*innere Empörung*) arises within him. He has a consciousness of himself as infinite and free, and out of this arises the demand that external existence should correspond to this consciousness. Within civil society it is not only natural need (*Naturnot*) which the poor person has to combat; that nature, which confronts the poor person, is not mere being—it is my will. The poor person feels himself beholden to ar-



bitrariness, to human accidentalness, and it is this which, in the last resort, is revolting (*Empörende*), that he is thrown into this duality (*Zwiespalt*) by arbitrariness.

It appears that self-consciousness is pushed to this extreme where it does not possess any rights, where freedom has no existence. From this point of view, where the existence of freedom becomes purely accidental, inner revulsion and revolt (*Empörung*) become necessary. Because the freedom of the individual has no existence, there disappears the recognition of universal freedom. It is out of this situation that there arises this kind of shamelessness which we discern among the rabble.

The rabble appear mainly in the developed civil societies. When the individuals do not develop towards the self-consciousness of their right, they remain stuck in their limitless poverty. This limitless poverty develops into unemployment which gets accustomed to laziness and a do-nothing mentality. In this way, the variations of self-respect disappear. Jealousy and hate emerge among the poor against those that possess anything.

We mentioned earlier the right of extreme emergency (*Notrecht*) as directed towards a single need. Here need does not possess merely a momentary character. In this development of poverty, the power of the particular against the reality of the free person comes into existence. This implies that the infinite verdict against the criminal be taken into account. Criminal acts can be punished, but this punishment is accidental. In the unity of the substantive in its full scope lies the unity of objective right in general. Just as poverty appears, on one hand, as the basis of the descent into the rabble, this non-acknowledgment of right, so a similiar descent into ruffian-like behavior appears on the side of the rich. The rich person regards everything as something which can be bought by him, because he knows himself as the power of the particularity of self-consciousness. Wealth can thus lead to the same disrespect and shamelessness to which the poor rabble has recourse. The consciousness of the master towards the slave is the same as that of the slave. The master knows himself as power, just as the slave knows himself as the actualization of freedom, of the idea. Inasmuch as the master knows himself to be master over the freedom of another, the substantive of this consciousness disappears. Bad conscience is here not only something internal, but an actuality (*Wirklichkeit*) which is being acknowledged.

Those two sides, poverty and wealth, thus constitute the corruption (*Verderben*) of civil society. Out of this arises the demand that all have their existence guaranteed. Immediate help means assistance to those who are physically disabled. With respect to help for those who are actually poor, one may initially believe that this should also be directly effected through payments taken from the rich and given to the poor. Thus in England a poor tax of 9 to 10 million is being paid. But such help makes the evil even worse. As for the rabble itself, one might think that it should be restrained by disciplinary measures; but in this way the essential rights of the citizens (*die wesentliche Rechte der Bürger*) would be affected. It is lack of employment which is, as mentioned, the main cause for poverty. There always appears, under prosperous conditions of culture, an overpopulation. When the poor are given opportunities for work, all that happens is that the amount of commodities is increased. But it is precisely the surplus of commodities which has caused unemployment. If [on the other hand,] the commodities are sold cheaper, production is ruined. [Furthermore,] if the rich give direct assistance to the poor, they can spend less on their own needs, and thus another class suffers again because of this.

Similarly, through direct assistance there appears a total degeneration among the poor. It emerges as a right that a person who does not possess anything should be assisted. Thus there disappears the feeling that one should want to live by one's own industry and work. Through this right there appears that kind of shamelessness which we discover in England. In those areas of England where there are no poor taxes, the poor are more moral and tend more to be ready to work. As far as work is concerned, this is, after all, the property (*Vermögen*) lacking in civil society. We have just spoken about direct welfare and direct assistance. The other sort of means is to create the opportunity for work; but in this again, civil society does not have anything to offer to the poor. What is being done on a large scale, and what regards assistance in large masses, has to be studied in cases where such large masses exist, as in England. In order to alleviate the evil of poverty, religious institutions cannot be the immediate answer. Religious activity cannot confront immediate nature and needs. One has to help people in their most dire needs. [But] civil society generally does not possess the means (*Vermögen*) to be of help against poverty.

Civil society can find help in this only through means which are not its own; this means is landed property. But civil society does not possess it itself, so it must look around for another one. This gives rise to the need for colonization.

The need for colonization appears in all nations in different stages. One finds this need among agricultural as well as among cattle-raising nations. The latter seek the pleasures of civilized nations; thus arose the massive migration from Central Asia to India and also the migrations in Europe. What all these have in common is the higher principle that the nations have arrived at the stage in which the citizens cannot live satisfactorily on their own resources. Colonies are being freely established, as among the Greeks. They have to be granted at least the beginning of a free, civil status. In modern times the colonies have been set in such a relationship to the metropolis that they cannot engage in commerce with any other country.

Through colonization a double aim is being reached: that the impoverished gain property, and that in such a way a new market is found at the same time for the metropolis. Thus England founded colonies in America, which are still significantly developing. That America became independent from England was initially viewed as a setback for England. But it has been proven that this occasion became highly beneficial for English commerce and industry.

The question is, then, where can one find land for colonies. Generally speaking, this is an empirical question. One should only say that this land is to be found overseas. The sea is primarily the natural element of industry, towards which civil society must strive in its development.

On one hand, civil society is too poor to be able to maintain its own poor people. On the other hand, this means that civil society is too rich. For it is the case that the poverty of the workers (*Arbeitenden*) consists in the fact that what they produce does not find a buyer. There is too much capital (*Kapital*), and more is being produced than the nation can consume. Because of this surplus civil society must seek to extend its commerce. In this way the poor return to work and can achieve their subsistence.

Civil society thus reaches beyond its frontiers, initially through this external way of founding colonies.